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**Annual report of the United Nations High Commissioner
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High Commissioner and the Secretary-General**

Study on the so-called “Law on the Promotion of Virtue and the Prevention of Vice”

**Report of the Special Rapporteur on the situation of human rights in
Afghanistan, Richard Bennett***

Summary

This report was prepared pursuant to Human Rights Council Resolution 57/3 and provides an analysis of the so-called “Law on the Promotion of Virtue and the Prevention of Vice”.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

I. Introduction

1. On 21 August 2024, the Taliban *de facto* authorities in Afghanistan published the so-called “Law on the Promotion of Virtue and the Prevention of Vice” (PVPV law).¹ The law codifies and consolidates the many discriminatory decrees, edicts, and policies imposed by the Taliban since seizing power in 2021, solidifying the group’s stranglehold on Afghan society. Women and girls bear the brunt of this oppression; however, no one is spared: men, boys, and gender diverse persons, ethnic and religious minorities, marginalized communities, and independent media all face a deeply repressive regime that dictates almost every aspect of life.

2. The announcement of the law sparked an immediate outcry from Afghan human rights defenders, in particular women, who have been at the forefront of resistance to the Taliban’s policies of oppression. The law was also condemned by UN experts, including the Special Rapporteur on the situation of human rights in Afghanistan, the UN High Commissioner for Human Rights, UNAMA, the UN Security Council, international NGOs, and members of the international community.

3. This study provides an analysis of the PVPV law – its provisions, wide-ranging violations of human rights, and devastating impacts and consequences. It places the law within the broader context of Taliban policies, tracing a clear trajectory of escalating repression since the group retook power, as well as the parallels to the group’s draconian rule from 1996-2001. It further confirms what the Special Rapporteur’s earlier warning – that Afghanistan is now the epicentre of an institutionalized system of gender-based discrimination, oppression, and domination which amounts to crimes against humanity, including the crime of gender persecution. It shows how the group is incrementally, but no less systematically, cementing its control over the lives of the people of Afghanistan, forecasting that the already grave situation is likely to deteriorate still further.

4. If allowed to continue, the consequences of the Taliban’s intensifying assault on the rights and freedoms of the people of Afghanistan will be profound and long-lasting, fostering a society marked by fear, division, and exclusion, which normalizes misogyny and entrenches inequality. Without meaningful action to reverse course, repression and isolation will deepen, preventing the emergence of an inclusive, stable, and prosperous Afghanistan.

II. Mandate and methodology

5. The present report is submitted pursuant to Human Rights Council resolution 57/3, which requested the Special Rapporteur on the situation of human rights in Afghanistan to prepare a study on the so-called law on the Promotion of Virtue and the Prevention of Vice.

6. In preparing the present report, the Special Rapporteur conducted a series of consultation meetings and one-to-one interviews with Afghans of diverse backgrounds and identities, both inside and outside of the country, to understand the law, its impacts, and consequences. Those consulted included Afghan women, men, and gender-diverse persons, persons with diverse ethnic and religious backgrounds, youth and individuals working on children’s rights, and disability rights activists as well as international and Afghan experts on human rights law and sharia. The Special Rapporteur also met with representatives of international and national non-governmental organizations, received confidential reports and analyses, and sought further input via a public call for submissions. He also benefitted from data and insights gathered as part of an independent survey of 7,223 Afghan women across 32 provinces, conducted by Bishnaw from December 2024-January 2025.²

7. The Special Rapporteur actively sought to engage with the *de facto* authorities. On 17 December 2024, he wrote to the *de facto* authorities requesting information relating to the

¹ This is sometimes also referred to as the Law on the Propagation of Virtue and the Prevention of Vice.

² Bishnaw is a project of the Organisation for Policy Research and Development Studies (DROPS) <https://dropsafghanistan.org/>. The survey and details of the methodology are available at: <https://bishnaw.com/the-pvpv-law-and-its-impact-on-women-and-their-communities/>.

law, its implementation, and enforcement. He also shared a draft report with the *de facto* authorities for factual comments. At the time of publication, no response had been received. The Special Rapporteur also wrote to the Permanent Mission of Afghanistan to the United Nations and other international organizations in Geneva and expresses his appreciation for their input.

8. The Special Rapporteur extends his thanks to all those who consented to meet with him and his team and who provided information for this study.

III. International legal obligations

9. As a State Party to various international conventions and human rights treaties, Afghanistan is obligated to uphold its commitments under international law. These include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, as well as the Rome Statute of the International Criminal Court.

10. Since August 2021, the *de facto* authorities have assumed effective control over the country and are therefore responsible for fulfilling the obligations deriving from international treaties and conventions to which Afghanistan is a state party, irrespective of whether there is a formal recognition of the change of government.

IV. Background and context

A. The Taliban returns to power

11. In August 2021, the Taliban seized power in Afghanistan, causing the collapse of the then government. The group declared the establishment of an “Islamic Emirate of Afghanistan”, the title used when it controlled the country between 1996 and 2001. To date, the *de facto* authorities in Afghanistan are not internationally recognised.

12. Soon after taking power, the Taliban began imposing a range of restrictions on the lives and rights of the people of Afghanistan. Nowhere has this been more evident than in the attack on the rights of women and girls, who have been virtually erased from public life, denied their rights to freedom of movement, expression, assembly, and association, to work, education and healthcare, political participation, and access to justice, among others. The Special Rapporteur has concluded that these deprivations may amount to crimes against humanity, including gender persecution.³

13. While women and girls have borne the brunt of Taliban oppression, other serious human rights violations continue. This includes discrimination and violence against ethnic and religious minorities by the *de facto* authorities, and the continuation of deadly attacks, in particular against ethnic Hazaras, which are often claimed by the Islamic State Khorasan Province (ISKP). Despite the announcement of a “general amnesty”, former civil servants and security force officials have been targeted with reprisals. Civic space, including the space for press freedom, has shrunk dramatically. Human rights defenders remain at risk of detention, violence, threats and intimidation. Meanwhile, there has been an alarming increase in corporal punishment.

14. These violations are being perpetrated against the backdrop of an ongoing humanitarian and economic crisis. Some 22.9 million people – almost half of the population

³ See [A/HRC/56/25](#).

– need humanitarian assistance, a situation worsened by dwindling international aid and Afghanistan’s vulnerability to climate crises.⁴

B. Taliban rule 1996-2001

15. Taliban rule of Afghanistan from 1996-2001 was marked by brutal repression. During that time, the group tightly controlled the population, systematically violating their rights and freedoms. Women were largely excluded from public life, subjected to severe restrictions and banned from education and employment. Public executions, floggings, and amputations were common. Ethnic and religious minorities, particularly ethnic Hazaras, faced violence, discrimination and repression.

16. Taliban control was imposed through a range of laws, decrees, and directives, many of which share striking similarities with those announced since the group retook power in 2021. There was a specific regulation on the “Promotion of Virtue and the Prevention of Vice”,⁵ while other decrees concerned the prohibition on women working for foreign and non-governmental institutions,⁶ banning sports in stadiums and fields after the afternoon call to prayer,⁷ the punishment of individuals who convert to Christianity or Judaism,⁸ and banning the display of images of living beings, crosses, and sacred words on industrial products.⁹

17. Much like the 2024 PVPV law, the 1997 regulation contained mandatory *hijab* requirements for women and restricted their freedom of movement. Depending on the situation, if woman left home without observing proper *hijab*, her husband could be punished and her house marked to identify the transgression. Other provisions prohibited women from dancing and singing loudly at celebratory events, visiting public baths, and being seen in tailor shops. The regulation also restricted the appearance of men and boys, imposed requirements for observing prayer, banned music cassettes and the sale and distribution of kites, and mandated the destruction of images of living beings in public spaces. Punishments for different offenses were fixed and predetermined, leaving no room for flexibility or discretion in their application.

18. In 2001, the Taliban supplemented the regulation with Annex No. 1, which provided additional substantive and procedural regulations, further reinforcing the Taliban’s strict, ideologically based approach to governance. The Annex introduced new violations and penalties, covering a wide range of behaviours, from shopkeepers’ conduct to restrictions on foreign nationals and institutions. Religious minorities were required to adhere to dress codes, restricted in their religious practice, and instructed to mark their vehicles and wear identifying symbols, although this was not enforced before the regime fell in late 2001. It also required that homes be designed to prevent passersby from seeing inside and instructed women to avoid standing in places where they could be easily seen by men, closely mirroring a recent Taliban directive issued in December 2024.

19. The Annex also introduced specific details regarding the duties, powers, and scope of *muhtasibs* – those responsible its enforcement. Additional edicts further supported enforcement including through activating PVPV offices in districts,¹⁰ the organization of

⁴ Afghanistan Humanitarian Needs and Response Plan 2025 (December 2024).

⁵ Regulation on *Amr bil-Ma'ruf wa Nahiyya Anil-Munkar* (1997) Official Gazette No. 783, and (4 September 2001) Official Gazette No. 799, 2001.

⁶ Decree No. 8 (19 July 2000).

⁷ Decree No. 847 (13 October 2000).

⁸ Decree No. 40 (9 February 2001).

⁹ Decree No. 9 (15 June 2001).

¹⁰ Decree No. 33 (28 September 1999).

regular meetings on PVPV matters, led by provincial court heads,¹¹ the broadcast of programmes on PVPV,¹² and the appointment of *muhtasibs* in districts.¹³

20. In addition to outlining prohibited acts, the 1997 regulation also created an institution to enforce virtue and prevent vice, which was initially part of the Ministry of Justice but became a fully-fledged ministry by September 2001. This institution played a central role in enforcing the Taliban's restrictions on the lives and rights of Afghans.

21. Taliban-imposed restrictions were ruthlessly and violently enforced by PVPV officials, often referred to as "religious police", who subjected the Afghan people, in particular women, to harassment, arbitrary and humiliating public beatings, and detention. Punishments were harsh and immediate, without any right to resources or due processes, and in some cases included amputation and stoning.

C. Internal dynamics within the Taliban

22. The announcement of the 2024 PVPV law came amid continued speculation of infighting and disunity within the Taliban. Since retaking power, there have been consistent reports of internal power struggles, often characterized as a contest between ideological hardliners in Kandahar and more pragmatic *de facto* officials in Kabul, who see some restrictions as counter-productive to gaining international recognition and easing international sanctions. Some senior Taliban officials have also spoken out against some of the group's restrictions, in particular on girls' access to education, suggesting a lack of consensus. Meanwhile, *de facto* ministries controlled by more hardline leaders, especially the *de facto* PVPV, Justice, Education, and Higher Education ministries, are reported to be enforcing the law more strictly.

23. Power struggles are reported to be intense surrounding control of the country's security, intelligence and law enforcement apparatus. During the first period of Taliban rule, PVPV officials had an effective monopoly over policing, a pre-eminence that is diminished since retaking power. Instead, law enforcement and other security responsibilities fell under the purview of the *de facto* Ministry of Interior, which controls the *de facto* police; the *de facto* General Directorate of Intelligence; and the *de facto* Ministry of Defence. Consequently, some analysts see the enactment of the PVPV law as an attempt to reassert the authority of the *de facto* PVPV Ministry, not just over the population but also within the *de facto* authorities. The overall supremacy of the Taliban leader is clearly reasserted and reinforced by the law.

24. The Taliban spokesperson has dismissed speculation of internal conflict, describing it as propaganda. Ultimately, and as the PVPV law shows, the group remains united around its overall objectives and is unlikely to deviate from these in near future.

V. The so-called law on the Promotion of Virtue and the Prevention of Vice

A. Overview

25. The law, published in Dari and Pashto, comprises five sections; an introduction and four chapters which are made up of 35 articles. These are accompanied by extensive footnotes

¹¹ Edict No. 174 (14 May 2001).

¹² Edict No. 362 (10 July 2001) and Edict No. 16 (June 2000).

¹³ Edict No. 120 (1 July 2001).

in Arabic citing *Hanafi* texts and scholars, which are used as the source or justification of specific provisions.¹⁴

26. The introduction outlines the basis of the law, its aims and objectives, and provides a definition of some of the specific terms referred to in the law. It establishes the de facto Ministry for the Promotion of Virtue and Prevention of Vice as the primary institution responsible for implementing the law, with responsibility for enforcement tasked to *muhtasibs*.¹⁵

27. Chapter One details the principles and criteria for *muhtasibs*. This includes eligibility requirements, which include knowledge of relevant Islamic Sharia rulings, and the requirement to respect individuals' dignity and human rights, treat people with kindness, and avoid unnecessary investigations or violations of privacy, except where permitted by Sharia.¹⁶

28. Chapter Two outlines prohibited actions and behaviours, framed in terms of the *muhtasib's* duties, and apply to a wide range of individuals and groups. This includes specific obligations for media organizations, merchants, businesspeople, farmers, public transportation companies and drivers, among others. Chapter Three outlines punishments which *muhtasibs* can administer, as well as a *muhtasib's* responsibilities towards detainees. Finally, Chapter Four includes a series of "miscellaneous" provisions, which address monitoring and evaluation of the law's implementation, reporting, and training, and education.

B. Legal Basis

29. The PVPV law is the result of a lengthy drafting process, which began in early 2023 and was officially completed on 31 July 2024 with its gazetting. According to the law, it is enacted pursuant to Decree No. 9, which was issued by the Taliban leader on 24 October 2022, and outlines the process for approving legislative documents.¹⁷ Under this process, the relevant department is responsible for initiating a first draft, with input from a committee of religious scholars and experts. The draft is then submitted to the Ministry of Justice for sharia-based review and to ensure consistency. Next, the draft is submitted to an independent commission for review and corrections before being presented to the Taliban leader for signature. The signed document takes effect immediately and is published in the Official Gazette. The enactment of the PVPV law thus reaffirms the Taliban leader as the supreme authority of law under the de facto authorities, while the process of enactment confirms its intentional and institutionalized nature. It should be noted, however, that many Afghans reject the legitimacy of the Taliban, including its legitimacy to enact and enforce legislation.

30. The law was not subject to broad consultation. While the formal process requires input from a council of ulema, experts, academics, and legal researchers, only Taliban-aligned individuals were included. The general public, including women and members of minority and/or marginalized groups, was also excluded. This exclusion meant there was virtually no opportunity to challenge or critique the law, a situation compounded by severe restrictions on freedom of expression. Afghans inside the country, including religious scholars, face threats, intimidation, and detention if they question the Taliban or its interpretation of sharia,

¹⁴ There is no official English translation of the law. Analysis in this study is based on unofficial translations provided by three different sources.

¹⁵ The role of *muhtasib* has its origins in the concept of *hisbah*, a collective duty of all Muslims to call for what is good or right and prevent what is bad or wrong. It developed out the roles of an *amil al-suq* (official of the market) and *sahib al-suq* (master of the market), officials who historically were responsible for *hisbah*-related duties, with a focus monitoring market activities and ensuring fairness in trade. Over time, and as the responsibilities of these roles expanded to include other religious duties, they were replaced with the role of a *muhtasib*.

¹⁶ Articles 9 and 10.

¹⁷ Article 1.

while those outside fear reprisals, especially if their close relatives still live in the country. Several experts only agreed to speak to the Special Rapporteur on condition of anonymity.

31. It is beyond the scope of Special Rapporteur's mandate to assess the law's adherence to sharia principles, however he notes that Islamic scholars and other experts consulted for this study consistently raised concerns about what they described as the Taliban's extreme interpretation of sharia. They pointed particularly to provisions not found in the Qur'an or the teachings of the Prophet; the inclusion of prohibitions that lack consensus or are contested in sharia; the selective use of Hanafi jurisprudence; and the distortion or decontextualization of principles or practices described in Hanafi jurisprudence. The establishment of the Hanafi school of thought as the basis of law, which is asserted throughout,¹⁸ was also identified as a key concern, as it excludes other Islamic schools, thus disregarding the beliefs and practices of other Muslims groups, including Shi'as, Ismailis, Salafis, and Sufis, who contribute to Afghanistan's rich religious and cultural diversity.

32. There are also significant concerns about how the law fits within the wider "legal" framework. After seizing power, the Taliban suspended the 2004 Constitution and announced a review of laws passed under the Republic for compliance with sharia law and Afghan traditions. The status of previous legislation remains unclear, resulting in a lack of legal certainty and consistency.

33. Legal certainty also involves accessibility. To be accessible, the law must be certain, foreseeable, and easy to understand. The PVPV law, however, contains broad and vaguely worded provisions, using terms that are not precisely defined. Such ambiguity grants the *de facto* authorities excessive discretion to decide what is permitted or prohibited, potentially leading to arbitrary, discriminatory, or abusive application of the law.

34. Moreover, while the main text of the law is in Dari and Pashto, there are extensive footnotes in Arabic which cite *Hanafi* sources the Taliban uses to justify specific provisions. As Arabic is generally not spoken in Afghanistan, it is difficult, if not impossible, for most Afghans to understand the citations. Islamic scholars explained that, even if an individual understood Arabic, they would need specialized knowledge of Sharia law and Islamic jurisprudence to critically assess the Taliban's claims that the law is grounded in and reflects sharia.

35. The PVPV law marks the first time the Taliban has referenced other legal or doctrinal sources or provided detailed explanations of Islamic terms in a legal document – neither the 1997 regulation nor the 2001 Annex included such references or explanations. The inclusion is very deliberate, as the references are critical to support the Taliban's justification of the law and its claims to be implementing sharia, despite their governance project being unparalleled in other Muslim-majority countries. Islamic and legal scholars have suggested that Arabic terms are intentionally included to create a perception of religious authority, making any criticism of the law – or the Taliban – appear to be a criticism of Islam.

C. Purpose, scope, and applicability

36. The law has two primary objectives: (1) the promotion of virtue (*Amr bil-Ma'ruf*) and prevention of vice (*Nahiyya Anil-Munkar*); and (2) to outline the duties and responsibilities *muhtasibs*, officials responsible for enforcement. While everyone is expected to uphold the principles of virtue and avoid vice, enforcement is the responsibility of the *muhtasibs*, not the general population. The *de facto* Ministry for the Promotion of Virtue and the Prevention of Vice (*de facto* PVPV Ministry) has overall responsibility for ensuring implementation of the law,¹⁹ and is instructed to encourage people to act virtuously and without vice, in

¹⁸ Article 6(1), Article 18, and Article 22.

¹⁹ Article 5.

according with Islamic Law and Hanafi jurisprudence, foster peace, and deter ethnic, linguistic and regional prejudice.²⁰

37. The law applies to all individuals in Afghanistan.²¹ This marks a shift from earlier drafts which applied to “all citizens”. The extent to which the provisions will be enforced for foreign nationals in Afghanistan, including UN and humanitarian workers, remains unclear. However, strict Taliban restrictions on foreign nationals and institutions from the 1990s are a cause for concern.²²

38. There is a lack of clarity regarding when and where the law applies. Article 4 states that the law is to be implemented in “public places”, however, the term is not defined, leaving broad discretion to enforcers to decide what constitutes a public or private place. In theory, *muhtasibs* are instructed not to intrude into private lives or enter homes without sharia justification.²³ In practice, however, there appears to be little distinction between public and private spheres, with consistent reports of de facto officials conducting house searches and checking mobile phones in search of infractions. Other provisions seem to grant *muhtasibs* authority to enter private spaces and interfere in personal matters²⁴ Islamic scholars told the Special Rapporteur that in some instances, the law appears to contradict explicit Sharia rulings prohibiting interference in private affairs.

39. Another concern is the ambiguity around the age of criminal responsibility, compounding the Taliban’s failure to recognise persons below the age of 18 as children, the international standard, instead considering a child as a person not showing signs of puberty. This has created significant legal and protection gaps. Under Taliban rule, children can be subject to the same punishments as adults, including corporal punishments.

40. The PVPV law not only permits but specifically mandates punishment for children, and *muhtasibs* are explicitly instructed to prevent wrongful acts committed by children.²⁵ Without safeguards, children risk not only punishment themselves, but also being exposed to, or forced to witness, punishments of others, including parents and guardians. While some provisions nominally protect children – namely the prohibitions on *bacha bazi* (a paedophilic form of sexual slavery where boys are systematically abused by older men), and mistreatment of orphans,²⁶ the Taliban’s broader system of discrimination and oppression and its dismantling of child protection institutions undermine any potential for positive impact.

D. Substantive Provisions

1. Hijab requirements and mandatory dress codes

41. Since retaking power, the Taliban has increasingly imposed and enforced strict dress codes, particularly on women and girls. They assert that when women and girls leave their homes, they must wear the “Sharia hijab”, which requires their faces to be covered entirely, except for the eyes. Girls between grades 4-6 have been required to cover their faces when travelling to and from school.

42. The PVPV Law reinforces this requirement, stating that women (and girls) must cover their entire bodies and stipulating that their clothing should not be “thin”, “short”, or “tight”.²⁷ They are required to cover their faces from non-mahram men to avoid potential fitna,²⁸ and women and men who are not related are prohibited at looking at each other’s bodies or

²⁰ Article 6.

²¹ Article 4.

²² For instance, the 2001 Annex prohibited foreign nationals from interacting with Afghan women, photographing living beings, wearing immodest clothing, and distributing foreign media, while foreign institutions in Afghanistan could be held accountable for breaching PVPV and other regulations.

²³ Article 10(4).

²⁴ Articles 3, 13(1), and 13(4).

²⁵ Articles 22(24), 23 and 26(5).

²⁶ Article 22(5) and (26).

²⁷ Articles 3 and 13.

²⁸ Article 13(2) and (6). *Fitna* has multiple meanings, including social disorder and moral corruption.

faces.²⁹ Muslim women are also obliged to cover themselves from non-Muslim or “impious” women to prevent *fitna*.³⁰

43. In addition to confirming pre-existing restrictions on women’s appearance, the law also imposes new restrictions on the sound of their voices – including the sound of singing or reading aloud in public, which are considered *Awrah*³¹ and should be covered. When a woman leaves her home, she must not only cover her face and body but also refrain from raising her voice.³² *Muhtasibs* are tasked with ensuring women’s voices are not heard outside homes and gatherings, placing women and girls at risk of sanction even in private spaces.³³

44. The law also imposes restrictions on the appearance of men and boys, stating that parts of the male body from the waist to and including the knees are *awrah* and must be covered.³⁴ Clothing should not be tight or reveal the shape of the body, especially during exercise.³⁵ Men are also prohibited from shaving or trimming their beards to less than the length of a fist.³⁶

45. Other provisions further restrict people’s appearance, and with it the rights to freedom of expression and freedom of religion, including the freedom to manifest one’s religion or beliefs – or lack thereof. This includes banning neckties, crucifixes, and other undefined “un-Islamic” symbols.³⁷

46. International human rights law guarantees the right to freedom of expression, a right which encompasses protections on personal dress.³⁸ Mandatory *hijab* and dress codes not only violate these rights, they reinforce discrimination, perpetuating harmful stereotypes about gender roles and identities. Indeed, the Taliban’s restrictions on appearance clearly demonstrate the group’s strict and binary conception of gender, one which divides society solely between males and females. The group applies strict and gendered expectations not only regarding personal appearance, but also individuals’ roles, obligations, and behaviors; those who do not conform can be subject to discrimination and violence. Restrictions on personal appearance are also used to facilitate and justify other violations and harms.

47. Many Afghan women and girls choose to wear some form of veil. The wearing of veils has a long history in Afghanistan, and can hold personal significance, reflecting religious, ethnic, cultural and/or traditional values. All Afghan women and girls should be free to make their own choices in that regard rather than being forced to comply with rules imposed by others associated with religious, cultural, or other backgrounds.

48. Afghan women have actively resisted mandatory *hijab* requirements since the Taliban took power, at times taking to the streets in protest, despite the risk arrest and detention. Reports suggest many women in Kabul and other cities continue to wear their chosen form of veil. At the same time, *de facto* authorities have at times arrested and detained women and girls for wearing “bad” or “incorrect” *hijabs*.

2. Freedom of movement

49. Since retaking power, the Taliban has imposed a range of oppressive restrictions on women’s and girls’ freedom of movement. Freedom of movement is not only important in

²⁹ Article 13(7).

³⁰ Article 13(6).

³¹ *Awrah* refers to parts of the human body considered to be private and which should be properly covered.

³² Article 13(8).

³³ Article 22(10).

³⁴ Article 14(1).

³⁵ Article 14(3).

³⁶ Article 22(18).

³⁷ Article 22(22).

³⁸ ICCPR, art.19; Human Rights Committee, General Comment No. 34, para.12.

its own right, it also plays an essential role in enabling other human rights, such as access to education, justice, livelihoods, healthcare and participation in public life.

50. Restrictions on women's movement reflect the Taliban's intention to segregate society, generally confine women and girls to the private sphere, and deprive them of their fundamental rights, including the right to participate in public life. Indeed, implicit in mandatory *hijab* provisions – which describe women leaving their homes as being for a “necessary purpose” – is the expectation that women remain at home, with access to public spaces the exception rather than the rule.

51. The PVPV law reinforces existing movement restrictions in two key ways: through mandatory *hijab* requirements discussed earlier, and the requirement for women to be accompanied by a *mahram* when travelling. The law instructs public transportation drivers not to transport women who are not accompanied by a *mahram* “of sound mind” or wearing the correct *hijab*, and to prevent women from sitting or mingling with non-*mahram* men.³⁹ An earlier draft of the law had stated women would require a *mahram* for journeys longer than 72 kilometres, however this provision was removed. While the final version of the law does not specify a distance for women's unaccompanied travel, references to *Hadiths* in the footnotes cite journeys of one day to three days and nights. The lack of clarity means that in practice, any travel on public transport by a woman without a *mahram* can be prohibited, regardless of the purpose or distance.

52. Women and girl's freedom of movement – and thus access to services, healthcare, education, employment, public life – is largely dependent on having a *mahram* and moreover, one who is able, willing, and available to accompany them. The requirement has disproportionate impacts on female-headed households, widows, internally displaced persons, and women and girls whose close male relatives have a disability. It is especially concerning in situations when women urgently need to leave the home, for example during health emergencies or when fleeing domestic or intimate partner violence.

53. Within weeks of the law's announcement, women from provinces across Afghanistan reported facing tightened restrictions on their movement, including being stopped, interrogated, and harassed at checkpoints, regardless of the distance they travelled. Even when accompanied by a *mahram*, women reported scrutiny to ensure that their *mahram* was an immediate family member. Reports of arbitrary and inconsistent enforcement continue. Shop owners have been instructed to deny service to women not accompanied by a *mahram* and public transportation drivers have been told not to allow women to sit in the front seat of their vehicle. The *de facto* PVPV Ministry has denied such allegations, despite mounting evidence, and in January 2025 branded a UNAMA report highlighting arbitrary enforcement as “far from the truth” claiming it was “an attempt to discredit” the *de facto* Ministry.⁴⁰

54. At the same time, women are increasingly responding by self-regulating, choosing to conform rather than face sanction. Two thirds of the women surveyed by Bishnaw said they had modified their behaviour by wearing the *hijab* or only leaving home with a *mahram* to avoid interactions with PVPV officials.

3. Personal relations

55. Several provisions in the law seek to regulate personal relationships and interactions, further underscoring the Taliban's intention to control all aspects of people's lives, including their private affairs. Under the law, Muslims are prohibited from being friends with or helping non-Muslims.⁴¹ In practice, these provisions do not appear to be actively enforced, and indeed senior Taliban officials themselves continue to meet with non-Muslims, in particular as part of their efforts to gain international support and legitimacy. However, they send a clear message to Afghan Muslims that they should minimise or limit interactions with certain groups. As noted earlier, other provisions restrict the interaction of unmarried women and men, including when undertaking day to day activities. These restrictions occur in a broader context of gender segregation, which applies in workplaces, education institutions, healthcare facilities, and public spaces and is actively enforced.

³⁹ Article 20.

⁴⁰ See <https://x.com/OfVice96548/status/1884151976986030235/photo/1>.

⁴¹ Article 20(22).

56. Provisions which regulate personal relationships and interactions, or which aim to segregate society are clear violations of the rights to non-discrimination, privacy, and freedom of association. They are likely to have detrimental impacts on the fabric of society, potentially leading to exclusion, isolation, or marginalization of at risk and minority groups. The Special Rapporteur recalls that under the first period of Taliban rule, restrictions on foreign nationals interacting with Afghan women furthered women's social isolation and severely hindered the provision of humanitarian assistance and other support.

4. Adultery

57. Under the law adultery (*zina*) is prohibited, whether committed by force or with consent.⁴² As a *Hudūd*⁴³ crime, punishment for adultery is not imposed by *muhtasibs*, but by courts, although *muhtasibs* are tasked with referring alleged acts to the relevant court. Laws which criminalize adultery and their enforcement often lead to discrimination and violence against women in law and practice, violating their rights to privacy, freedom of movement, and equality before the law. Of particular concern is that individuals accused of adultery are subject to corporal punishment, which amounts to torture and other ill-treatment. In some cases, individuals have been sentenced to stoning. While both women and men have received punishments for *zina* since the Taliban retook power, women and girls are disproportionately affected.

58. Of particular concern is the failure in the PVPV law to distinguish between consensual sexual relations between adults outside of marriage and rape or other forms of sexual violence. Punishments for adultery are not unique to Taliban rule, such conduct was similarly criminalized under the Republic. International law clearly prohibits rape and other acts of sexual violence, and states have an obligation to protect individuals against such crimes. The culture of silence that surrounds rape and other crimes of sexual violence in Afghanistan often prevents survivors from reporting these crimes. The fear of being accused of committing a crime themselves further discourages survivors from reporting, undermining their already limited access to support and justice mechanisms.

5. Same sex relations

59. Lesbian, gay, bisexual, transgender and other gender-diverse (LGBT+) Afghans have long faced discrimination and criminalization in law, policy and practice. Homosexuality was punishable by death during the first Taliban regime, and remained a criminal offence under the Republic, albeit with the punishment reduced to imprisonment. The PVPV law affirms the criminalization of same-sex relationships, and the creation of “opportunities and means” for such relations.⁴⁴ Once again, as *Hudūd* crimes, punishment is the responsibility of courts, although *muhtasibs* are required to report allegations of such acts.

60. Under the Taliban, same-sex relationships are subject to corporal punishment, which is generally accompanied by terms of imprisonment. Some individuals have been sentenced to “burial under a wall.” Information on corporal punishment released by the *de facto* Supreme Court does not systematically include disaggregated data, however there was a marked increase in its reporting of corporal punishment for “sodomy” in 2024, with a significant escalation from September, after the PVPV law was announced. LGBT+ individuals accused of or punished for the “offence” of homosexuality are often at greater risk of violence and discrimination, especially if these “offences” become known to their families and communities. Male survivors of sexual violence can also face punishment, risking further revictimization.

6. Religious beliefs and practice

61. Multiple provisions of the law restrict the right to freedom of religion or belief. These restrictions take several forms: by imposing the Taliban's ideology, including its religious views, on the population irrespective of people's personal religious or other beliefs, or lack thereof; by mandating specific religious practices for Muslims; by prohibiting the practice of

⁴² Article 22(1).

⁴³ *Hudūd* refers to crimes regarded as being against God, for which punishment is fixed.

⁴⁴ Article 22(3) and (4).

religious or belief systems other than Islam; and by granting broad powers to restrict Muslim practices and beliefs deemed contrary to the Taliban's interpretation of Sharia.

62. The right to freedom of thought, conscience, and religion includes the freedom to have or adopt a religion or belief of one's choosing, to have no religion or belief at all, and to manifest one's religion or belief in worship, observance, practice, and teaching. Prohibiting or otherwise restricting specific religious beliefs or practices constitutes a clear violation of this right. So too does imposing religious values and practices, and coercing adherence under threat of punishment. The Special Rapporteur stresses that requiring uniform religious practices undermines the personal and voluntary nature of faith and disregards the diversity of personal beliefs and expressions.

63. Religious practices of Muslims are strictly regulated. In addition to mandatory *hijab* and dress code requirements, the law mandates congregational prayers in mosques at set times,⁴⁵ the observance of mandatory fasts,⁴⁶ and for businesspeople, traders, and farmers, the payment of *zakat* and *ushr* and the conduct of their affairs in accordance with the *Hanafi* school.⁴⁷ Individuals who repeatedly fail to observe congregational prayers and fasts without a valid excuse can be referred to courts, as can communities which collectively fail to offer congregational prayers.⁴⁸ Even before the PVPV law, the Taliban had instructed the observance of congregational prayers and those who failed to comply were subject to detention and physical punishments. Since the law was announced, Afghans continue to report inspections to ensure businesses are closed during prayer times and the recording of attendance at prayers.

64. In addition to mandating religious practices for Muslims, the law also restricts the practice or observance of religions other than Islam, for example by banning the wearing of crucifixes and other "un-Islamic" symbols, and prohibiting celebrations with no basis in Islam.⁴⁹ This adds yet further challenges to religious minorities who already face discrimination and are severely restricted in practicing their faith openly.

65. Under the PVPV law, actions or behaviour the Taliban deems "un-Islamic" can result in punishment. This includes publishing content deemed to contradict sharia or Islamic principles, celebration of festivals without a basis in Islam, wearing or promoting "un-Islamic" symbols, and practising or promoting *Bid'ah*.⁵⁰ While these provisions impact all persons in Afghanistan, the broad discretion to determine what constitutes "un-Islamic" behaviour or content, coupled with the Taliban's narrow interpretation of sharia based on *Hanafi* jurisprudence, exacerbates concerns about discriminatory application of the law against Muslim minorities, in particular Shi'a Muslims, who follow their own schools of thought, and who have long faced discrimination and persecution in Afghanistan.

7. Freedom of expression and access to information

66. Freedom of expression, in particular the ability to share and receive information, is heavily curtailed under the PVPV law. General provisions prohibit the "wrongful" use of tape recorders or radio, without defining "wrongful" use.⁵¹ Making pictures or videos of living beings on any device is banned.⁵² The ban on images of living beings extends to media and news organizations, which are banned from publishing reports containing such images,⁵³ and traders, artisans and farmers, who cannot sell, buy, or use such pictures when advertising products.⁵⁴ Media and news organizations are also forbidden from publishing reports which the Taliban deem to contradict Islamic law and religion, "belittle" or "humiliate" Muslims.⁵⁵

⁴⁵ Articles 18(1), 19(2), 22(16).

⁴⁶ Article 17.

⁴⁷ Article 18. *Zakat* is a religious obligation for wealthy Muslims to donate a proportion to support those in need each year, while *ushr* is a tax on agricultural produce.

⁴⁸ Article 26.

⁴⁹ Article 22(20) and (21).

⁵⁰ Articles 17(1), 22(21), 22(22), and 22(23). *Bid'ah* refers to forms of worship not present in the *Qur'an* or *Hadiths*.

⁵¹ Article 22(8).

⁵² Article 22(8).

⁵³ Article 17(3).

⁵⁴ Article 18(5) and (6).

⁵⁵ Article 17.

67. The right to freedom of expression includes the freedom to seek, receive, and impart information and ideas of all kinds and through any media. Under international human rights law, any restriction to this right must be provided by law; serve a legitimate aim such as protecting the rights and reputation of others, national security, public order, public health or public morals; and be necessary and proportionate to achieve its aim. The provisions of the PVPV law which restrict freedom of expression fail to meet these requirements.

68. Since seizing power, the Taliban has severely restricted freedom of expression, detaining peaceful protesters and education activists, clamping down on independent media, and banning books considered contrary to the Taliban's ideology, including on religion, minority rights, and politics. Against this backdrop, the Special Rapporteur is concerned that vaguely worded provisions in the law can, and will, be used to further prevent criticism of the Taliban or the sharing information about human rights violations.

69. Since the law was announced, the *de facto* authorities have continued to limit the operating space for independent journalists and media. *De facto* officials in several provinces have verbally warned journalists against the broadcast or publication of images of living beings and in several places, television stations have been forced to suspend operations. Some have resumed broadcasts without programming with images of living beings. Media outlets have also been targeted for broadcasting allegedly "un-Islamic" content, including the arrest in December of several media workers at a television station in Kabul. While the media workers were released, the station remains closed.

70. To date, the ban on images of living beings has not been uniformly enforced and is even being flouted by some Taliban officials who continue to appear on news broadcasts and post photographs on social media. The ban has impacts beyond the news media, including on the employment and incomes of artists, photographers, and other creative professionals. Educators have also raised concern about the impact on education for children, including on safety issues such as land-mine awareness.

8. Cultural events and celebrations

71. Since seizing power, the Taliban have regularly sought to restrict celebrations of important festivals and events, sometimes justifying these restrictions on security grounds. Under the PVPV law, cultural events and festivals, including Nowruz (the first day of the solar calendar) and Yalda (celebrated on the winter solstice) are specifically banned, as is the use of fireworks by Muslims, and the celebration of undefined "other days" which are not part of Islamic tradition.⁵⁶ The Special Rapporteur notes that both Nowruz and Yalda are registered as intangible cultural heritage by UNESCO, which Afghanistan is required to safeguard.⁵⁷

72. In addition to violating the right to participate in cultural celebrations, this provision violates the right to freedom of religion or belief as the celebration of non-Islamic festivals is prohibited. Moreover, the vague wording means *muhtasibs* are given broad and arbitrary powers to forbid all kinds of celebrations, including those associated with minority Muslim groups. This is especially concerning in a context where *de facto* authorities have already restricted the Shi'a observance of Ashura.

9. Music

73. During its first period of control, the Taliban actively imposed a ban on music. Since retaking power, the group has once again sought to prevent the playing of music, banning singing, playing instruments, and public musical performances. *De facto* authorities have conducted raids to confiscate and destroy musical instruments, including the *rubab*, inscribed by UNESCO as intangible cultural heritage.⁵⁸ The crackdown has extended to social gatherings, including weddings, artistic performances, and radio stations. Musicians and radio journalists have been harassed, detained, and in some cases forced to flee the country.

74. The PVPV law confirms these previously imposed restrictions. *Muhtasibs* are required to prevent the sound of music from emanating from gatherings or homes,⁵⁹ while

⁵⁶ Article 22(21).

⁵⁷ Convention for the Safeguarding of the Intangible Cultural Heritage.

⁵⁸ [LHE/24/19.COM/Decisions](https://www.unesco.org/en/repertoire/decisions).

⁵⁹ Article 22(10).

commercial vehicle staff and drivers are prohibited from playing music.⁶⁰ In practice, the provisions have been patchily implemented, however, increasing enforcement has been observed, particularly in the southeastern, eastern, and western regions. Several radio stations have been forced to close after broadcasting music; some were allowed to resume operations only after assuring *de facto* authorities that they would no longer broadcast music.

E. Punishment and enforcement

1. Broad and arbitrary powers

75. The law grants *muhtasibs* broad and arbitrary powers to detain and punish individuals accused of infractions of its provisions, without any requirement for evidence or due process, in flagrant violation of international human rights law and standards. In conferring such broad and discretionary powers, the law enables *muhtasibs* to simultaneously function as law enforcement officers, judges, and prison wardens, which very few limitations or checks on their power.

76. *Muhtasibs* can administer *Ta'zir* punishments in accordance with the PVPV law; punishment for acts prohibited in the law which constitute *Hudūd* crimes must be administered by the courts.⁶¹ *Muhtasibs* follow a seven-step process for violations, which begins with giving advice, warnings, and verbal reprimands, then destruction of property, and extends to imprisonment of up to three days. The law also grants *muhtasibs* the power to mete out punishments which they deem “appropriate” provided it does not fall under the jurisdiction of the courts. This is especially problematic as it is highly subjective, granting *muhtasibs* excessive powers to determine what constitutes an “appropriate” punishment. Nowhere in the law are there safeguards against torture or other ill-treatment, nor are accused given the rights to legal recourse or due process. It is important to note that *muhtasibs* are not just authorised to monitor and discipline the general public, but also other *de facto* ministries and officials.

77. While Chief and the Heads of the *de facto* PVPV Ministry have broad powers and can apply all seven forms of punishment, local *de facto* officials must consult with their superiors for punishments involving destruction of property, imprisonment, or other “appropriate” measures. Individuals who commit repeated violations are to be referred to the relevant court.⁶² *Muhtasibs* are also tasked with ensuring detainees basic needs are met and that they are released after their sentence is completed.⁶³

2. Enforcement

78. Since the law was announced there have been multiple reports of its enforcement in addition to strict enforcement of other Taliban restrictions, especially on women and girls. Afghans have described an increased presence of *muhtasibs* on the streets, inspecting people for compliance at markets and on public transport, and meting out punishments including verbal reprimands, public humiliation, fines, and at times physical violence. In some areas, *muhtasibs* use loudspeakers to humiliate women not accompanied by a *mahram* or observing the “correct” *hijab*. Across different provinces, there are consistent reports of *muhtasibs* checking people’s phones for banned content and entering people’s homes to conduct searches. While enforcement has been patchy, the overall trend is towards conformity.

79. Echoing Taliban efforts at enforcement from the 1990s, in October, the Taliban leader ordered the creation of committees, headed by *de facto* Provincial Governors, to oversee implementation and report regularly on progress. In some provinces, local *de facto* authorities have reportedly local orders to further support implementation.

80. While enforcement is being felt across the country, marginalized communities with pre-existing vulnerabilities are disproportionately impacted, including widows, female-headed households, and internally displaced persons. Meanwhile, there are troubling indications that the law is being implemented more strictly in areas which are home to ethnic

⁶⁰ Article 20(1).

⁶¹ *Ta'zir* refers to punishments which are left to the discretion of a judge (or other official).

⁶² Article 26.

⁶³ Article 27.

and religious minorities, particularly in central, northern, north-eastern, and western Afghanistan.

81. Another worrying trend is the increasing involvement of community leaders, religious leaders, and family members in enforcement. Religious leaders especially appear to play an influential role, with imams encouraging adherence to the law in sermons, including observance of *hijab* and *mahram* requirements. The Bishnaw survey also found that instruction from local mosques was one of the most cited methods of implementation. Within families, male family members are increasingly enforcing restrictions on their female relatives, and more women report needing permission to leave their homes. There are also increasing reports of female family members ensuring compliance.

82. While the extent of community enforcement varies across the country, the overall trend points to an increasing normalization of restrictions and blurring of the lines between Taliban control and private and community pressure.

3. Lack of independent oversight mechanisms

83. The *de facto* PVPV Ministry is tasked with overseeing the conduct of *muhtasibs*,⁶⁴ however the law contains no provisions outlining consequences or accountability mechanisms for *muhtasibs* who fail to comply with their duties or abuse their authority. According to a spokesperson for the *de facto* PVPV Ministry, a dedicated unit handles allegations of abuse of authority. The *de facto* PVPV Ministry has also encouraged people to submit complaints through a 24-hour telephone line. However, there are concerns about the potential for reprisals against individuals who complain.

84. The situation is exacerbated by the absence of independent oversight mechanisms and safeguards, and the dismantling of protections such as the Afghanistan Independent Human Rights Commission, since the Taliban retook power. The result is a lack of institutions and mechanisms which can offer protection, accountability, and assistance to victims and their families.

4. Socialization, training, and education

85. The *de facto* Ministry of PVPV is required to educate and train *muhtasibs* and other relevant officials to ensure that they understand the law and their responsibilities.⁶⁵ To this end, *de facto* officials have engaged in awareness-raising efforts at both the national and subnational levels. The *de facto* PVPV Minister has travelled extensively to socialize the law, while provincial departments of the PVPV Ministry have held regular briefings with district level *de facto* civil and military officials, religious leaders and others to educate them on the law and the importance of compliance.

86. In parallel, the *de facto* Ministry appears to have embarked on an online campaign aimed at countering criticism of its restrictions on women and girls and instead presenting itself as a defender of their rights. In particular, the Ministry highlights examples of when it claims to have intervened in cases of forced marriage and domestic violence and securing women's inheritance. Analysis of content posted by the *de facto* Ministry on its social media indicates a significant increase in mentions of key words related to women's rights since October 2024.⁶⁶ The majority of these posts were in local languages, however some were also in English. The campaign appears to coincide with increasing reports of enforcement of the PVPV law, suggesting a deliberate strategy to portray the *de facto* authorities as protectors of women's rights and dispel, for a domestic audience, reports of harsh or abusive implementation.

⁶⁴ Article 29.

⁶⁵ Article 31.

⁶⁶ Afghan Witness and additional analysis shared with the Special Rapporteur.

VI. Impacts and implications

A. A roadmap of things to come

87. It is important to stress that the PVPV law, while a deeply regressive piece of legislation, is not an anomaly, and represents a continuum of the Taliban's policies of discrimination and persecution since returning to power, and of those imposed during the first period of its rule. Many of the provisions in the PVPV law codify decrees and edicts which had already been introduced by the group since retaking power. By formalizing these restrictions, the PVPV law affirms they were not a series of *ad hoc* and piecemeal orders, rather they form part of a purposeful and institutionalized system of oppression, discrimination, and control. The fact that the PVPV law, and the Taliban's wider web of restrictions on the population on Afghanistan, so closely mirror those in place between 1996 and 2001, further confirm that the Taliban has not moderated its behaviour. The group remains committed to pursuing its deeply discriminatory and misogynistic agenda.

88. Looking forward, the Special Rapporteur considers it is highly likely that the situation will deteriorate still further. Left unchecked, the Taliban will intensify, expand, and further entrench its restrictions on the people of Afghanistan, in particular women and girls and likely religious and ethnic minorities, subjecting them to ever expanding circles of discrimination, segregation, and oppression.

B. Perpetuating gender persecution

89. The Special Rapporteur has repeatedly documented severe deprivations of the rights of women and girls by the *de facto* authorities since 2021. He has also documented violations against LGBT+ persons and individuals the Taliban perceives as allies of women and girls. This architecture of gender oppression has been enforced using a range of measures, including decrees and edicts, coercing complicity through threats, humiliation, and violence, and by repressing those resisting. The Special Rapporteur has concluded that the Taliban's institutionalized system of discrimination exclusion and repression of women and girls constitutes a widespread and systematic attack on the civilian population of Afghanistan and may constitute crimes against humanity, including gender persecution. The PVPV law not only forms part of this attack, it also provides further evidence that it is planned and orchestrated at the highest levels, pursuant to or in furtherance of an organizational policy.

90. In January 2025, the Prosecutor of the International Criminal Court announced applications for arrest warrants for two senior Taliban leaders, citing reasonable grounds to believe that these individuals bear criminal responsibility for the crime against humanity of persecution on gender grounds.⁶⁷ The Special Rapporteur welcomes this announcement and looks forward to further applications.

91. The PVPV law's "status" as a law, provisions, and methods of enforcement, underscores the institutional, intentional, and ideological nature of the Taliban's system of gender oppression in Afghanistan. Afghans, in particular women, often use the term "gender apartheid" to describe the Taliban's abuses against them. The Special Rapporteur also considers that this term accurately characterises the deliberate, systematic, and ideological nature of the Taliban's conduct and reiterates his support for the codification of gender apartheid as a crime against humanity.

C. A climate of surveillance and self-censorship

92. The Taliban's oppressive policies, including the PVPV law, not only allow the *de facto* authorities to exert control over nearly every aspect of Afghans' daily lives, they reinforce a pervasive climate of fear that the Special Rapporteur has noted with concern since his initial report in September 2022. Public spaces, homes, and even personal interactions are monitored, eroding the distinction between private and public life. Non-compliance can result

⁶⁷ Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in Afghanistan, 23 January 2025.

in harsh punishments, including public shaming, imprisonment, or physical violence. This in turn fosters an atmosphere of anxiety, as individuals live in constant fear of violating the Taliban's moral code.

93. Equally worrying is the growing fear of being reported by neighbours, colleagues, or even family members for real or perceived infractions of Taliban's policies. The result is that communities are increasingly resorting to self-regulation and self-censorship. Over time, this fear and mistrust is likely to erode the social fabric, with communities becoming more and more fragmented under the weight of growing collective suspicion.

94. The Special Rapporteur has heard from Afghans inside the country about how new restrictions and regulations are further exacerbating stress, anxiety, and depression, increasing feelings of despair and hopelessness. The presence of *de facto* officials and suspected informers in communities, the threat of constant surveillance, and the unpredictability of enforcement are further contributing to feelings of insecurity, heightening psychological stress and anxiety, especially among young women.

D. Discrimination and exclusion of minority and marginalized communities

95. Taliban policies not only deny fundamental rights of diverse ethnic and religious minorities but also exclude them from the centre of Afghan society, marginalizing their cultures to centralize power around the Taliban's own identity and ideology. This is likely to exacerbate and entrench discrimination and exclusion of minority and marginalized communities which, over time, is likely to erode social cohesion, creating deep divides that perpetuate discrimination and violence.

96. Afghanistan has a long history of serious violations against ethnic, religious and other minority groups, often committed with impunity. In addition to the Taliban's discriminatory and exclusionary policies, the Special Rapporteur is concerned about the presence of other triggers for violations against minority and marginalized groups, including the erosion of the rule of law, lack of accountability mechanisms, and suppression of civil society groups and an independent media.⁶⁸ The Special Rapporteur calls for increased monitoring of the situation of ethnic, religious, and other minority groups, with an emphasis on early warning and prevention.

E. Erosion of Afghan culture and identity

97. Afghanistan has a long, rich, and diverse cultural heritage of art, handicrafts, poetry, literature, music, and dance. These not only showcase individual and collective artistic and cultural traditions, they often serve as important economic activities for many communities. The Taliban's control over cultural expression therefore not only diminishes the vibrancy of Afghan society, it is impacting individual, family, and community incomes and livelihoods.

98. Continued cultural suppression is likely to have profound and long-lasting effects on Afghan society, resulting in a loss of diversity, creativity, and cultural vibrancy. Over time, it risks creating a society that is culturally impoverished and disconnected from its historical roots, and which lacks creative outlets, leading to intellectual stagnation. Moreover, the absence or even erasure of diverse cultural narratives can foster mistrust and division which in turn can perpetuate cycles of discrimination, alienation, and even violence, especially against minority and marginalized groups.

F. Economic impacts

99. Afghanistan's economic situation deteriorated significantly after the Taliban took power, with international sanctions, the freezing of Afghan central bank assets, and the diminishing of foreign aid plunging the country into financial crisis. Although the situation appears to have stabilized, economic stagnation persists. Unemployment, underemployment,

⁶⁸ See UN Framework of Analysis for Atrocity Crimes: A Tool for Prevention, 2014.

household debt, and poverty remain widespread. Meanwhile, the humanitarian response remains chronically underfunded.

100. The Taliban's discriminatory policies, including restrictions on the rights of women and girls, are further compounding the economic crisis. Women, who faced challenges participating in the economy even before the Taliban took power, now face severe economic marginalization and worsening poverty levels nationwide. Female-headed households and women and girls from poor and marginalized communities are disproportionately affected. The situation can only deteriorate due to girls and women being barred from education beyond Grade 6, further limiting their future employment prospects, increasing their economic insecurity and deepening the feminization of poverty. It will also significantly weaken Afghanistan's future labour force, with long-term economic impacts.

101. Meanwhile, the emigration of educated and skilled professionals has also been identified as among the economic shocks affecting Afghanistan's economy in the aftermath of the Taliban takeover. Although data on the "brain drain" is limited, the lack of skilled professionals and gaps in expertise in key fields such as healthcare, education, engineering, and technology will significantly hinder growth. The continuing economic crisis, lack of opportunities, and Taliban restrictions – particularly on women and girls – will likely drive further outflows of Afghans, in particular educated Afghans.

G. Security risks

102. The Special Rapporteur has repeatedly warned that the Taliban's extreme policies, especially its policies of gender oppression and dehumanization of women and girls, are likely to fuel a dangerous ideology among generations of Afghans, particularly men and boys, posing security risks in the region and beyond. As the Taliban tightens its grip on the people of Afghanistan with further discrimination and oppression, these risks will only grow. Increasing poverty, lack of opportunities and education, and further restrictions on individual and collective rights and freedoms with further heighten the threat of radicalization and regional and global insecurity.

VII. Conclusion and recommendations

103. **The PVPV law is a deeply discriminatory and regressive law, which codifies and consolidates the numerous discriminatory and oppressive policies imposed by the Taliban since seizing power in 2021. It confirms that extreme forms of discrimination are not an incidental feature of Taliban rule, but rather a core element of their overall ideology and official policy. The law, and the wider restrictions on the lives and rights of Afghans, forms part of a deliberate and calculated strategy to entrench Taliban control by enforcing a rigid and repressive social order. As such, the PVPV law functions as both a symptom and a tool of Taliban oppression, persecution, and control.**

104. **Current Taliban restrictions replicate many of the appalling practices that the group imposed when it was in power between 1996 and 2001. Two decades later, and despite initial claims of reform, the Taliban is slowly but surely reinstating the same draconian policies, proving that its ideology remains unchanged and unyielding. The current trajectory suggests that the situation is likely to deteriorate still further. Those who will continue to bear the brunt are the people of Afghanistan, in particular women girls, and ethnic and religious minorities.**

105. **That does not mean that there is no hope. The people of Afghanistan, both inside the country and in the diaspora, are determined and resilient. Their courage and perseverance must be matched with increased, coordinated, and principled international action, which centres Afghan perspectives and agency.**

106. **While international support is – and will continue to be – essential, challenging the Taliban's discriminatory and oppressive policies will be most effectively driven by the people of Afghanistan themselves. Social movements, independent media, grassroots organizations, humanitarian workers, religious leaders, underground networks, and online activism all play a critical role in documenting abuses, protecting**

at risk and vulnerable communities, educating and informing people about their rights, and demanding accountability.

107. With sustained and principled international pressure, strengthened support for civil society, increased humanitarian assistance, and an unwavering commitment accountability, it is possible to push back against the Taliban's repression. UN Member States must act decisively – not only to mitigate the current crisis but to lay the groundwork for a future Afghanistan defined by freedom, equality, and dignity. This is in the interest not only of the Afghan people, but the wider global community.

108. The Special Rapporteur reiterates his calls to the *de facto* authorities to fulfil their responsibilities under international human rights law, including by revoking and reversing all policies and practices that violate these obligations, such as the PVPV law.

109. The Special Rapporteur further reiterates his call to States not to officially recognize the *de facto* authorities and to ensure that any normalization of engagement with the *de facto* authorities is based on demonstrated, measurable and independently verified improvements in human rights, in particular for women and girls, assessed against clearly established human rights benchmarks.

110. The Special Rapporteur reiterates the need for an “all tools” approach to challenge and dismantle the Taliban's institutionalized system of gender discrimination and oppression and wider restrictions on the rights and lives of the people of Afghanistan. In addition to his previous recommendations, the Special Rapporteur calls on States to:

(a) Ensure that the human rights situation in Afghanistan is a priority for discussion and action in national, international, multilateral and regional settings;

(b) Support, both financially and politically, platforms for non-Taliban Afghan experts and Islamic scholars, including women and members of minority and marginalized communities, to share information and analysis. This includes by ensuring their participation in international forums and discussions on the future of Afghanistan;

(c) Support organizations and initiatives providing holistic, rights-based, and inclusive education in Afghanistan;

(d) Muslim-majority countries and the Organization of Islamic Cooperation should intensify efforts to persuade the Taliban to modify policies and practices inconsistent with mainstream Islamic principles, including equal access to education for all.

111. In order to support and strengthen civil society, in particular Afghan- and women-led civil society organizations, the Special Rapporteur calls on States to:

(a) Increase support for non-governmental organizations and independent media operating in/on Afghanistan, committing to long term and flexible funding and ensuring that they lead in identifying key areas of work and in setting priorities;

(b) in and from Afghanistan, ensuring the inclusion of a wide range of voices and perspectives, in particular women, children and youth, and members of minority and marginalized communities.

112. To increase vital humanitarian support to the people of Afghanistan, the Special Rapporteur calls on States and international donors to ensure sustained humanitarian funding and to increase support to Afghan-led and women-led organizations, especially those working with minority or marginalized communities.

113. To end impunity and ensure accountability for international crimes committed in Afghanistan, the Special Rapporteur urges States to:

(a) Ensure that the International Criminal Court has the resources and cooperation needed to investigate and prosecute those responsible for international crimes;

(b) Support efforts to bring Afghanistan before the International Court of Justice for violations of international human rights treaties to which it is a party;

- (c) **Support the codification of gender apartheid as a crime against humanity;**
 - (d) **Identify and strengthen survivor-centred pathways for accountability, as part of a broader, holistic, and inclusive approach to transitional justice.**
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Advance unedited version