



The Law Society
of England and Wales



Organization: International Bar Association's Human Rights Institute
Item: Interactive Dialogue with the Special Rapporteur on Afghanistan, Item 2
Date: 6 March 2023
Speaker: Eleonora Scala

Oral Statement to the 52nd Session of the UN Human Rights Council from the International Bar Association Human Rights Institute (IBAHRI), Lawyers' Rights Watch Canada (LRWC), Lawyers for Lawyers (L4L), Law Society of England and Wales (LSEW), and the Law Council of Australia (LCA).

Grave concerns for members of the legal profession, particularly women, in Afghanistan

Mr. President,

This is a joint statement of several lawyers' organizations. We condemn the demise of the rule of law in Afghanistan since the Taliban's unlawful takeover of the country in August 2021, including the forcible appropriation of files and closing down of the Afghanistan Independent Bar Association in November 2021.

Since this takeover, there is no independent legal system, only a "de facto system that flagrantly violates international standards", as noted by Special Rapporteurs. There is no longer a prosecution office. Prosecutors, female lawyers, and many judges can no longer practice their profession. Many of them are threatened and suffer attacks. The Afghanistan Prosecutors Association reports that, as of December 2022, 32 prosecutors have been victim of targeted killings by the Taliban and criminals who they released.

There are intensified restrictions on women's and girls' rights and increased attempts to erase women from public life. Many legal professionals fled Afghanistan and still await resettlement; others request urgent assistance to flee the country. Countless are in hiding. Women lawyers from the Hazara community face added discrimination based on their ethnicity and religion.

We urge:

- this Council to establish an ongoing accountability mechanism mandated to collect and analyze gross human rights violations; and
- the international community to provide legal professionals with adequate assistance, including resettlement.

Thank you.