Joint Civil Society Statement: Two Years of the ICJ-CEDAW Afghanistan Initiative - Call for Action and Transparency

An Open Call to the Ministries of Foreign Affairs of Australia, Canada, Germany, and the Kingdom of the Netherlands

25 September 2026

Two years after the announcement of the ICJ-CEDAW initiative on Afghanistan, the women of Afghanistan are calling for renewed action, greater transparency, and continued consultation on this important legal process.

On September 25, 2024, Australia, Canada, Germany, and the Netherlands announced their commitment to hold the Taliban accountable for systemic violations of women's and girls' rights under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), potentially leading to a case before the International Court of Justice (ICJ). We welcomed and were encouraged by this important and historic initiative.

Today, as we mark the second anniversary of this announcement, we continue to witness a catastrophic deterioration in the situation of women and girls in Afghanistan. The Taliban have intensified their war against women to further entrench their institutionalized regime of gender apartheid. At the same time, there remains limited public information regarding the status and anticipated next steps of the CEDAW initiative. Given the severity and continuing escalation of violations, greater clarity regarding the process is increasingly important.

The Taliban continue to issue new repressive laws and decrees, normalizing oppression and discrimination against women and girls and criminalizing any form of dissent. In early 2026, the Taliban introduced a Criminal Procedure Code that effectively grants impunity to gender-based violations, where an abusive husband faces a mere 15 days of imprisonment, only if the woman can show proof of bruises, wounds, and broken bones. Furthermore, the Decree on Separation of Spouses implicitly legalizes child marriage and strips away women's fundamental agency in marital relationships.

Additionally, the pervasive and widespread implementation of the 'Promotion of Virtue and Prevention of Vice' (PVPV) law has resulted in a harsher, more violent crackdown on women and girls across the country. One recent example is the alarming surge in the arbitrary detention and imprisonment of dozens of women in Herat province in June 2026. Women and girls are systematically barred or restricted from accessing educational institutions, work opportunities, critical health services, and public spaces, including parks, restaurants, and recreational facilities.

No other nation subjects women and girls to such an extreme level of state-imposed restrictions and violations as currently in Afghanistan under the Taliban.

Despite grave risks to women's lives in Afghanistan, they continue to resist the Taliban's oppression in courageous and creative ways, including through clandestine classrooms and grassroots networks. Their testimonies before the People's Tribunal for Women of Afghanistan further illuminate their resilience and resistance against the Taliban's brutal campaign to silence them and dismantle their fundamental rights.

The CEDAW initiative represents an important opportunity to affirm that systematic violations of women's and girls' rights carry consequences under international law. Yet nearly two years into the Article 29 process, there is no publicly visible indication that negotiations are moving the dispute toward resolution. Instead, the Taliban have continued to expand and institutionalize restrictions on women and girls, with no meaningful signs of reversal or improvement. As negotiations appear stalled while violations deepen, the case for moving to the next procedural step is increasingly clear and urgent. We therefore call on the four governments to proceed to formal arbitration under Article 29. Doing so would sustain the momentum and credibility of this historic initiative and demonstrate that the commitments made in 2024 are being pursued with the urgency, transparency, and meaningful consultation the situation demands.

Current Signatories

- Expert Working Group on the Potential case (s) for Afghanistan at the International Court of Justice (ICJ)
- Rawadari
- End Gender Apartheid Campaign
- Centre for Dialogue and Progress- Geneva
- Global Centre for the Responsibility to Protect
- Center for Human Rights Advocacy
- Femena
- Canadian Feminist Alliance for International Action
- Afghanistan LGBTIQ+ Organisation (ALO)
- HAMRAH Network
- European Center for Constitutional and Human Rights (ECCHR)
- Women for Afghanistan (WFA)
- International Bar Association's Human Rights Institute (IBAHRI)
- International Justice Counsel
- Musawah
- Asia-Pacific Centre for the Responsibility to Protect

- The Afghanistan Human Rights and Democracy Organization (AHRDO)
- Human Rights Defenders Plus (HRD+)
- Civil Society and Human Rights Network – CSHRN
- Rights Monitor Media
- Legal Action Worldwide (LAW)
- Shamama
- FARAGEER
- Women's Rights First
- MADRE
- DGB Frauen
- Afghans For A Better Tomorrow