

Position Paper

Committee: United Nations Human Rights Council (UNHRC)

Country: Federal Republic of Germany

Agenda: Addressing the Institutionalization of Gender-Based Discrimination in Afghanistan: Examining the Recognition of "Gender Apartheid" Accountability Mechanisms and the International Community's Responsibility to Protect Fundamental Rights

I. Background and Position of the Country

The Federal Republic of Germany strongly condemns the institutionalized discrimination against women and girls in Afghanistan by the Taliban's de facto authorities. Since August 2021, Afghan women and girls have endured limits on their right to study, work, receive medical care, move freely and join public life. These limits erode human rights, equality, dignity and the principles set out in the Universal Declaration of Human Rights (UDHR).

Germany sees the situation in Afghanistan as an international human rights issue. Germany has consistently demanded the restoration of women's and girls' rights. Germany stresses that Afghanistan must meet its duties under human rights law, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Germany recognizes that the systematic exclusion of women from society creates serious worries about gender persecution and crimes against humanity. Germany also backs work to examine whether "gender apartheid" can be recognized in international law so that the legal framework can properly tackle institutionalized gender-based oppression.

II. Previous Actions and International Cooperation

Germany has actively supported initiatives that tackle human rights violations in Afghanistan. In September 2023, Germany joined a declaration with other countries that condemned systematic discrimination against Afghan women and girls. Germany demanded the lifting of restrictions on their basic freedoms.

Furthermore, in September 2024, Germany participated in an initiative seeking accountability for Afghanistan's violations of CEDAW. Germany has always advocated for protecting human rights defenders for Afghan women to meaningfully join decision-making and for humanitarian aid to vulnerable communities.

Germany believes that diplomatic engagement must not give up human rights. International cooperation should therefore mix diplomatic pressure, humanitarian aid and reliable accountability mechanisms.

III. Proposed. Recommendations

1. Recognition of Gender Apartheid: Germany encourages legal discussions that treat gender apartheid as a separate crime under international law. Germany also strengthens the use of existing rules that address gender persecution and crimes against humanity.

2. Strengthening Accountability Mechanisms: Germany supports investigations, preservation of evidence and cooperation with United Nations mechanisms and qualified international courts.

Germany ensures that those who commit international crimes can be held accountable under the law.

3. Restoration of Fundamental Rights: Germany calls upon the Taliban's de facto authorities to lift restrictions. Germany demands access for women and girls to education, work, health care, freedom to move and to join public life.

4. Protection of Afghan Women and Human Rights Defenders: Germany expands support for women-led civil society groups, human rights defenders and safe routes for those facing persecution. Germany ensures that Afghan women meaningfully join decisions about their future.

5. Gender-Responsive Humanitarian Assistance: Germany keeps aid flowing while making sure that help reaches women and girls without bias. Germany supports women aid workers and women-led groups to keep services open for vulnerable communities.

6. International Responsibility and Cooperation: Germany encourages action by the United Nations, regional groups and Member States. Germany follows law and the principles of the Responsibility to Protect. Germany stresses that accountability, prevention and civilian protection must stay at the heart of work.

Conclusion

The Federal Republic of Germany reaffirms its commitment, to dignity, gender equality, international cooperation and the protection of basic rights. The systematic exclusion of women and girls cannot be seen as a private issue that justifies violations of international duties. Germany calls upon the community to adopt coordinated, legal and effective actions that advance accountability shield those at risk and restore the rights and freedoms of every Afghan woman and girl.