Position Paper

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Committee	United Nations Human Rights Council (UNHRC)
Country	Georgia
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 of the Issue

In 1996, the Taliban first took Kabul. They banned girls from school, barred most women from work, required the burqa and stopped women from leaving home without a male guardian (mahram), drawing condemnation from the UN while only three states recognised their government. After the US-led coalition removed them in 2001, Afghan women regained many rights: the 2004 Constitution guaranteed equality between men and women, at least 27 per cent of parliamentary seats were reserved for women, the 2009 Elimination of Violence Against Women law was passed, and millions of girls returned to school, though insecurity and conservative customs still limited progress, especially in rural areas. When the Taliban returned to power on 15 August 2021, they reversed these gains step by step. Girls were barred from secondary school in September 2021, women from universities and NGO work in December 2022, and from working for the UN in April 2023; the 2024 Vice and Virtue law banned women’s voices in public; and in 2026, Decree No. 12 removed women’s equality before the law and Decree No. 18 made divorce harder for women while implicitly permitting child marriage. The international response has developed on several tracks: Australia, Canada, Germany and the Netherlands began a CEDAW Article 29 process toward the International Court of Justice in September 2024; the Human Rights Council created the Independent Investigative Mechanism for Afghanistan (IIMA) by consensus in resolution 60/2 on 6 October 2025; and on 5 October 2026 the International Criminal Court unsealed arrest warrants against four senior Taliban leaders for the crime against humanity of gender persecution. Meanwhile, six states have proposed adding gender apartheid to the draft Crimes Against Humanity Convention, due for negotiation from 2028, even as some governments have moved toward engagement with, or recognition of, the Taliban.

II. Georgia and the Issue

Georgia’s connection to Afghanistan is personal as well as principled. From 2004 to 2021, Georgian soldiers served in Afghanistan under a UN Security Council mandate; at its peak, Georgia deployed about 1,500 troops in Helmand, the largest combat contribution of any non-NATO state, and more than 30 Georgian soldiers lost their lives. Georgia did not make these sacrifices so that half of Afghanistan’s population could be shut out of public life. Georgia is also a State Party to both the Rome Statute and CEDAW, which places on it a direct legal duty to cooperate with the International Criminal Court, including on the arrest warrants now public, and to uphold the equal rights of women. Georgia itself relies on international justice: the ICC’s investigation into crimes committed during the 2008 war remains vital to Georgian victims. Finally, with 20 per cent of its territory in Abkhazia and the Tskhinvali region under Russian occupation, Georgia knows what it means for people to lose their rights under authorities the international community does not recognise, and it consistently upholds a policy of non-recognition of illegitimate control. As Georgia’s Foreign Minister affirmed at the 61st session of this Council, Georgia remains committed to the universal and interdependent nature of human rights, which no authority may suspend on the basis of gender.

III. The Cure

The cure is simple. First, on accountability, Member States must fund and staff the IIMA fully before its first report in early 2027. Every State Party to the Rome Statute must execute the ICC arrest warrants should the suspects enter its territory. The CEDAW Article 29 initiative should proceed to arbitration and the International Court of Justice, and Georgia supports states using universal jurisdiction in their national courts. Second, on recognition of the term, Georgia condemns the Taliban's policies as an institutionalised system of gender-based discrimination and persecution, and supports serious consideration of codifying gender apartheid within the Crimes Against Humanity Convention, so that this Council can unite on duties rather than divide over a single word. Third, Georgia recommends that any normalisation of relations with the de facto authorities be tied to verifiable benchmarks, namely the reopening of secondary schools and universities to girls and women, the right of women to work, and the repeal of Decrees No. 12 and No. 18, and that states engage Islamic scholars and the OIC in affirming girls' right to education. Fourth, Georgia proposes an Afghan Girls' Learning Bridge, a UN-coordinated programme of online, radio and community education with internationally recognised examinations, alongside scholarship opportunities abroad. Finally, Georgia calls for humanitarian aid that is delivered by and reaches women, a halt to forced returns of women and girls at risk, and the meaningful participation of Afghan women in every international meeting on Afghanistan. Georgia firmly rejects military intervention and blanket sanctions that would harm ordinary Afghans.