**Portfolio:** Cuba



**Committee:** United Nations Human Rights Council
**Country:** Republic of Cuba
**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

## 1. INTRODUCTION

The Republic of Cuba considers the systematic restriction of women's and girls' fundamental rights in Afghanistan a serious human-rights concern. Since the Taliban returned to power in August 2021, Afghan women and girls have faced restrictions on secondary and higher education, employment, movement and participation in public life.

According to UNESCO's 2025 Afghanistan Education Situation Report, approximately 2.2 million adolescent girls had been excluded from secondary education since 2021. The report also identified a severe decline in female participation in higher education. These restrictions affect not only individual rights but also Afghanistan's long-term social and economic development.

Cuba supports addressing these violations through the United Nations human-rights system, international cooperation and evidence-based accountability. It also supports international legal discussion on whether the term "gender apartheid" should receive a specific definition and legal recognition.

## 2. NATIONAL POLICIES & INTERNATIONAL INITIATIVES

### a) National Commitment to Gender Equality

Article 42 of Cuba's 2019 Constitution establishes equality before the law and prohibits discrimination. Article 43 specifically addresses women's equality and the State's responsibility to ensure equal rights and opportunities.

In 2021, Cuba adopted its National Programme for the Advancement of Women, which addresses women's participation in decision-making, employment, education and the prevention of discrimination and gender-based violence.

Cuba considers these measures relevant to its position that gender equality requires legal protections and practical implementation.

### b) International Legal Framework

Afghanistan is a party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Article 2 requires States parties to pursue the elimination of discrimination against women, while Article 10 addresses equality in education.

Cuba supports using existing treaty obligations to assess restrictions on Afghan women and girls. It also emphasizes that international legal claims should be supported by evidence and assessed through appropriate legal procedures.

**c) Recognition of Gender Apartheid**

The Rome Statute of the International Criminal Court lists persecution on gender grounds as a possible crime against humanity under Article 7(1)(h), provided the required legal elements are established.

However, “gender apartheid” is not separately listed as an independent crime in the Rome Statute. Cuba therefore supports international legal discussions on whether a specific definition and legal framework should be developed to address the institutionalized and systematic denial of rights on the basis of gender.

Any proposal should clarify the prohibited conduct, individual responsibility, jurisdiction and relationship with existing international criminal law.

**d) Accountability for Violations in Afghanistan**

On 8 July 2025, the International Criminal Court announced arrest warrants for Taliban Supreme Leader Haibatullah Akhundzada and Chief Justice Abdul Hakim Haqqani. The Court found reasonable grounds to believe that they had committed the crime against humanity of persecution on gender grounds. These were arrest warrants, not final convictions.

On 6 October 2025, the Human Rights Council adopted Resolution 60/2, establishing an ongoing independent investigative mechanism to collect, consolidate, preserve and analyse evidence of international crimes and the most serious violations of international law in Afghanistan. The mechanism is intended to prepare files to facilitate fair and independent criminal proceedings.

Cuba supports evidence preservation, victim protection and accountability consistent with international law.

**e) Voting Position and International Cooperation**

Human Rights Council Resolution 60/2 was adopted without a vote. Therefore, it would be inaccurate to claim that Cuba cast a recorded vote against this resolution.

Cuba generally emphasizes multilateral cooperation, sovereignty and opposition to what it regards as selective or politicized human-rights approaches. Nevertheless, its position on sovereignty should not be presented as a justification for denying fundamental rights to women and girls.

Cuba supports constructive engagement that addresses documented violations and produces measurable improvements.

**f) Proposed Measures**

Cuba proposes that the Human Rights Council:

1. Support the full implementation of Resolution 60/2, including the investigative mechanism’s capacity to preserve evidence and prepare files for fair legal proceedings.

2. Encourage international legal consultations on a precise definition of gender apartheid and its possible recognition under international law.
3. Call for the restoration of girls' access to secondary and higher education and women's access to employment.
4. Support safe access to healthcare, vocational training and humanitarian assistance for Afghan women and girls.
5. Protect Afghan women human-rights defenders, witnesses and survivors who participate in documentation or accountability processes.
6. Ensure that Afghan women and civil-society representatives can participate meaningfully in discussions about policies affecting their rights.
7. Establish measurable indicators for monitoring access to education, employment and essential services.

**3. STATISTICS**

**a) Secondary Education**

UNESCO's 2025 report estimated that approximately 2.2 million adolescent girls had been excluded from secondary education in Afghanistan since 2021.

**b) Higher Education**

According to the same report, female university enrolment fell from 27% in 2019 to zero by 2024, following restrictions imposed by the de facto authorities.

**c) International Criminal Accountability**

On 8 July 2025, the ICC announced arrest warrants for two senior Taliban leaders concerning alleged persecution on gender grounds as a crime against humanity. The warrants demonstrate the use of existing international criminal law to address gender-based persecution.

**d) UNHRC Investigative Mechanism**

Resolution 60/2, adopted on 6 October 2025, established an independent mechanism to collect, preserve and analyse evidence of international crimes and serious violations committed in Afghanistan, including violations against women and girls.

**4. CONCLUSION**

The Republic of Cuba considers the restrictions imposed on Afghan women and girls a serious challenge to the protection of fundamental rights. Cuba supports international cooperation to restore access to education, employment and public life, alongside impartial accountability for serious violations.

Cuba further supports legal discussions on the recognition of gender apartheid, provided that any proposed framework is clearly defined and consistent with international law.

The delegation calls for the effective implementation of existing UN mechanisms, protection for Afghan women and human-rights defenders, and practical measures whose impact can be assessed through measurable outcomes.