

The People's Tribunal for Afghan Women

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A Historic Event on the Path to Justice

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Abstract

From 8 to 10 October 2025, as an initiative emerging from Afghan civil society and within the framework of the Permanent People's Tribunal, headquartered in Italy, the People's Tribunal for Afghan Women was convened in Madrid. This tribunal was widely welcomed by Afghan public opinion, and its proceedings were broadcast live by the media and shared transparently.

The organisation of this tribunal was the result of a joint initiative proposed by four dynamic human rights organisations: the [Afghanistan Human Rights and Democracy Organisation \(AHRDO\)](#), the [Organization for Policy Research and Development \(DROPS\)](#), [Rawadari](#), and [Human Rights Defenders Plus \(HRD+\)](#). Since beginning 2024, these four civil society organisations have persistently advocated at the international level for the establishment of a people's tribunal in support of human rights in Afghanistan.

Accordingly, it was essential for these organisations to provide precise evidence and information to the International People's Tribunal in order to confirm the appropriate conditions for convening a special tribunal dedicated to supporting the rights of Afghan women. Ultimately, after sustained efforts and the submission of analyses, reports, and documentation on the human rights situation of women in Afghanistan, the International People's Tribunal reviewed and approved the proposal—an achievement that constitutes a major milestone in human rights advocacy.

This article adopts the descriptive and an analytical approach to introduce the function of people's tribunals to Afghan and international audiences. Particular attention is given to their background, methods of operation, and role, followed by a primary focus on the People's Tribunal in support of Afghan women. A significant number of civil society organisations and human rights activists operate outside the country and maintain links with governments, international structures, and global civil and human rights institutions. In addition, many Afghan youths are studying at universities around the world. This article seeks to inform and connect these dynamic groups so that, through stronger coordination and strategic

participation, they can play a more effective role in supporting the human rights of Afghan women.

History of the Permanent People's Tribunal

The idea of convening people's tribunals originates from the initiative of Bertrand Russell, the British writer and thinker, supported by the renowned French philosopher Jean-Paul Sartre, who organised the first people's tribunal in Stockholm in 1967. The aim was to examine crimes committed by U.S. military forces during the Vietnam War. This initiative introduced a new body of thought in the field of justice and advocacy under the title "people's tribunal" and conveyed an important message to the international community:

"The voices of victims must not be silenced, and perpetrators of crimes against humanity must be condemned in the collective conscience of humankind."¹

The decisions and statements of this tribunal resonated widely across the world and addressed governments directly, emphasising that although global human rights instruments and covenants are part of international law, states must not prioritise their own interests and policies over their implementation or ignore the voices of victims. Russell and Sartre believed that if states evade such responsibilities, citizens must not remain silent; rather, they must rise to seek justice, with civil society organisations playing a central and indispensable role.

To institutionalise and systematically promote these ideas in civil and legal spheres, the Permanent People's Tribunal officially began its work in Bologna, Italy, in 1979, with the participation and support of prominent civil and legal figures deeply committed to human rights values and the protection of victims of crimes against humanity.

The presence of influential global figures drew the attention of governments, international institutions, and global courts. Supporters of the tribunal are not representatives of states but independent, credible individuals who advocate for justice and human rights. Operating on the basis of the Universal Declaration of Peoples Rights², the tribunal examines crimes

1 Preamble of the Statute of the Permanent People's Tribunal

2 What is the difference between the Universal Declaration of Peoples' Rights and the Universal Declaration of Human Rights? The Universal Declaration of Peoples' Rights articulates a position on the collective rights of human societies, emphasising shared and collective dimensions such as the right to self-determination, protection of the environment, collective stability and security, safeguarding of natural resources, and other collective civic needs of communities; by contrast, the Universal Declaration of Human Rights, adopted in 1948, focuses on the civil, political, economic, social, and cultural rights of individuals and places a clear obligation on states to respect, protect, and fulfil those rights.

against humanity, war crimes, mass killings, and genocide. Since its establishment, it has convened more than fifty people's tribunals in support of oppressed peoples worldwide.

The primary objective of these tribunals is to mobilise global conscience and strengthen international advocacy and solidarity for victims of human rights violations in countries experiencing severe human rights crises—often where states themselves are perpetrators or facilitate ongoing violations through their policies and practices.

What Are People's Tribunals and How Do They Function?

From a legal perspective, people's tribunals are complementary, people-based institutions, meaning they are not established by states. National courts are formed under national laws, and international courts under international law with global support. People's tribunals, while grounded in international human rights law, are not recognised as formal sources of international law; however, they serve as complementary mechanisms to national and international legal systems.

As complementary bodies, their findings and decisions are referred to national judicial authorities, where they may be scrutinised and used within domestic legal frameworks. This mechanism—known as international jurisdiction—enables national courts to prosecute perpetrators of serious crimes, particularly human rights violations.

At the level of the United Nations, there is also a court that oversees and adjudicates international law derived from the General Assembly and the Security Council of the organisation. This court is known as the International Court of Justice (ICJ). Its primary mandate is to assess and resolve disputes between states on the basis of international law. In addition, states may bring before this court and pursue cases concerning violations by UN member states of international conventions. From this perspective, this highly credible court can also be regarded as having important human rights functions. This authoritative international institution likewise draws upon the findings of people's tribunals as complementary bodies in the field of human rights.

As noted, people's tribunals are usually convened in circumstances where states themselves are perpetrators and violators of human rights norms. Nevertheless, authoritarian and absolutist political regimes and governments are not permanent and ultimately give way to legitimate and popular forms of governance. In such contexts, the findings of people's tribunals held in relation to the offenders of deposed regimes become established as important sources in their case files. In this way, the decisions of people's

tribunals help pave the way for the realisation of transitional justice in post-crisis and post-conflict societies.

The decisions of people's tribunals also play a significant role in the advocacy efforts of civil society organisations. By drawing on the research conducted during tribunal proceedings, these organisations gain access to extensive documentation that can play an effective role in preventing the recurrence of crimes against humanity. Civil society actors, which serve as a bridge between the people, the state, and the international community, can rely on universal human rights principles to influence political and legal decisions of governing structures at both national and international levels. People's tribunals, as outcomes of civil society activism, provide an opportunity for perpetrators to be identified and for the nature of their crimes to be examined and investigated in a systematic manner.

How do people's tribunals established for specific countries operate?

The structure of people's tribunals consists of three fundamental components that together strengthen their operational chain.

1. Prosecutors

The first component of this structure is formed by prosecutors. Prosecutors are responsible for organising and managing cases. To this end, they carry out several essential tasks:

First: Identifying the nature of crimes

At this stage, prosecutors identify the nature and types of human rights crimes and examine and analyse them on the basis of national and international law. They define the crimes and investigate their root causes. With the support of civil society, reports from credible academic institutions, think tanks, UN special human rights rapporteurs, as well as periodic reports and recommendations of human rights monitoring bodies, prosecutors assess the nature of the crimes. They then analyse these crimes in relation to the conduct of the state under review by the tribunal.

Prosecutors also complement their assessments through field research and dialogue with human rights defenders, victims of human rights violations, and civic activists.

Second: Identifying perpetrators of human rights crimes

At this stage, relying on the findings from the analysis of the nature of crimes, prosecutors examine and identify the perpetrators of human rights violations. They assess the individual

conduct of natural and legal persons involved in the commission of crimes and evaluate the harms resulting from these acts.

Prosecutors give particular attention to the supportive role of civil society as monitoring bodies of the human rights situation and make use of their data and documentation. Perpetrators are identified on the basis of national and international law and are presented by prosecutors to the panel of judges and the tribunal as suspects or accused persons of crimes against humanity or as human rights violators.

Third: Completing case files

At this stage, prosecutors identify and examine the consequences arising from the nature of the crimes and their impact on both victims and perpetrators. The most significant consequences of crimes against humanity are borne by the victims; therefore, prosecutors strive to identify victims on the basis of criminological research and damage assessment criteria. To this end, they conduct necessary studies concerning victims and their survivors.

It is essential for prosecutors to provide evidence that is acceptable to the court. Accordingly, witnesses who are themselves victims of crimes against humanity or their survivors play a crucial role in completing case files. Information provided by civil society and human rights organisations is central to accurately identifying perpetrators and victims. Witnesses must be direct, transparent, and accountable, and must assume responsibility for their testimony.

Fourth: Presentation of cases before the tribunal

Once case files are completed, prosecutors submit them to the judges for review. Prosecutors must possess sufficient expertise and broad knowledge of national and international law. They categorise cases according to the nature of the crimes and then present to the tribunal the circumstances, perpetrators, and consequences of the crimes.

At this stage, witnesses who have been directly or indirectly affected by the crimes are asked to present their evidence and testimonies to the panel of judges or jurors. Judges have the right to continuously question prosecutors and witnesses regarding the nature, circumstances, perpetrators, and consequences of the crimes.

Experts

The second structural component of people's tribunals is formed by experts. To ensure impartiality, adherence to the rule of law, transparency, and accountability throughout the tribunal process, people's tribunals bring together a cohesive support group of experts in

national and international law, psychology, social sciences, and anthropology. This group has three main responsibilities:

First, to provide legal advice to prosecutors during the investigation process, ensuring that the nature of the crimes, the rule of law, and the examination of offenders, conditions, and consequences of crimes are addressed carefully and step by step.

Second, to support the case-building process so that prosecutors can observe the temporal and geographical conditions of a case in accordance with the principle of access to justice.

Third, to provide supplementary recommendations to the panel of judges during the finalisation of cases and to offer legal and technical support to prosecutors. Experts play an advisory role to ensure that the tribunal process proceeds in line with its fundamental principles.

2. Judges or the Panel of Jurors

Judges or members of the panel of jurors are selected by the Permanent People's Tribunal. They are chosen from among distinguished jurists or prominent social activists after a comprehensive review conducted by the Tribunal. Efforts are made to appoint judges who possess familiarity and expertise with the types of crimes under consideration. Professional competence, impartiality, and commitment to justice constitute the most important criteria for the selection of judges.

The number of judges in people's tribunals is usually more than seven. Judges are required to examine the background of the cases in a comprehensive manner, including the roles of offending actors and the responsibilities of states and political authorities.

The process of reviewing cases takes place in three stages:

- **First stage:** Preliminary review of case files prior to the holding of the tribunal, aimed at preparing the judges and ensuring their adequate familiarity with the cases.
- **Second stage:** Hearing of cases during the tribunal proceedings. At this stage, cases are presented to the judges in summary form and, in some instances, in greater detail.
- **Third stage:** Following the tribunal, case files are placed at the disposal of the judges together with the final ruling, so that the process of review and issuance of the judgment is prepared and announced in a transparent and well-documented manner.

The People's Tribunal in Support of the Rights of Afghan Women

As stated at the outset of this article, the People's Tribunal in support of the rights of women emerged as a result of advocacy by Afghan civil society. It is evident that women in Afghanistan are grappling with grave human rights violations, defined by widespread and structural discrimination. When the Taliban seized political power for a second time in August 2021, the human rights catastrophe in Afghanistan reached its peak. The Taliban sought to entirely exclude women from social, economic, and cultural life.

This inhuman approach resulted in Afghan women being deprived of their civil, political, economic, social, and cultural rights and freedoms. Discrimination against women extended from the Taliban's legal, political, security, judicial, and justice systems to the deepest layers of social relations. By strengthening and expanding surveillance mechanisms through their so-called "Ministry for the Promotion of Virtue and the Prevention of Vice," the Taliban imposed suffocating conditions on Afghan women. The rights to work, education, social participation, and access to health and medical services were stripped away or severely restricted in an unprecedented and overt manner. In the current era, humanity has not witnessed such a crime against human rights in any other part of the world.

Some human rights organisations have described this inhuman policy of the Taliban as a "crime against humanity" and have called for international intervention. United Nations human rights rapporteurs have extensively documented these crimes against women, children, and minorities. Civil society organisations and human rights activists have also responded actively and through sustained advocacy. Nevertheless, these inhumane practices by the Taliban have not diminished; rather, additional restrictions and constraints have been imposed on Afghan women.

A group of civil society activists and experts in law, anthropology, sociology, and political science analysed this widespread discrimination against Afghan women as "gender apartheid" and called on the international community—particularly international courts and the UN Human Rights Council—to recognise this situation and incorporate it into the legal discourse of international human rights law and, consequently, international law. Efforts in this regard continue and have generated renewed hope within the global civil society and human rights community, especially the hope that a convention on crimes against humanity—focused on contemporary forms of inhumane crimes, particularly gender apartheid in Afghanistan—will be adopted by the international community.

Under these circumstances, it was reasonable for the Permanent People’s Tribunal to accept and support the request of Afghan civil society. Accordingly, the four civil society organisations mentioned in this article initiated constructive dialogue with the Secretariat of the Permanent People’s Tribunal, based in Italy. In practice, these organisations represented the demands of Afghan women and civil society, both inside and outside the country. These dialogues led to tangible outcomes, including the convening of a people’s tribunal for Afghan women and the establishment of well-substantiated case files examining the dire situation faced by women.

As explained in this article regarding the working procedures of people’s tribunals, it was necessary to establish an appropriate legal and technical structure and methodology for a special tribunal on Afghan women. To this end, the Permanent People’s Tribunal appointed a competent panel of distinguished international judges³ to examine the situation of women in Afghanistan.

The People’s Tribunal for Afghan Women was convened in Madrid, Spain, with the active participation of prominent human rights figures, academics, UN special rapporteurs, representatives of civil society, think tanks, and media organisations. In terms of both its structure and its manner of organisation, this tribunal was unprecedented in its examination of the human rights situation of women. Three main reasons led this tribunal to attract widespread national and international attention.

First, the tribunal was planned and launched at the initiative and request of Afghan civil society organisations. While global campaigns and advocacy efforts for women’s human rights have been led by international organisations, the ideas and objectives of this tribunal originated from within Afghanistan itself. Its foundation emerged from the lived struggle of Afghan women against the brutality of Taliban rule.

Second, the Taliban’s de facto authorities have consistently claimed that human rights are an internal matter of Afghanistan and that the international community should not intervene.

3 The Panel of Judges were composed of:
1: Araceli (Arancha) Garcia del Soto
2: Elisenda Calvet-Martinez (Spain).
3: Emilio Ramirez Matos (Spain).
4: Ghizal Haress (Afghanistan).
5: Mai El-Sadany_(Egypt/United States).
6: Marina Forti (Italy).
7: Rashida Manjoo (South Africa).
8: Kalpana Sharma (India).

The planning and holding of this tribunal—amplifying the voices of Afghan women from within the country to the world—directly challenged and discredited this narrative.

Third, the crimes committed against Afghan women by the Taliban’s de facto authorities have deeply shaken the collective conscience of humanity and are almost unparalleled in contemporary history. These discriminatory policies compelled human rights advocates to reconsider the concept of gender apartheid as a clear form of crime against humanity and to work toward the drafting of an international convention in this regard.

These three factors led media outlets active on Afghanistan to dedicate live coverage to the People’s Tribunal for Afghan Women. This valuable media engagement enabled public access to accurate information about the objectives, process, and significance of this people’s tribunal.

The Process of Holding the Tribunal

The tribunal was conducted in four stages.

First stage: Presentation of the case and submission of legal arguments and explanations regarding the widespread human rights violations against Afghan women. At this stage, prosecutors presented violations of women’s human rights across different layers.

1. Violations of women’s civil rights through widespread gender discrimination against Afghan women and girls

Prosecutors examined and analysed the situation of gender discrimination in light of national and international law and presented their findings to the tribunal. These analyses demonstrated that gender discrimination originates from decrees issued by the Taliban leadership and has been generalised across all layers of the de facto administration. This discriminatory approach has resulted in structural discrimination that targets society as a whole. As a consequence of comprehensive gender-based discrimination, Afghan women have lost all their fundamental rights, and the country has effectively been transformed into a system of severe confinement and exclusion for them.

Subsequently, three witnesses who were victims of gender discrimination in Afghanistan presented their testimonies to the tribunal. Based on their direct observations, the witnesses described the terrifying and harsh practices of the de facto authorities in Kabul and the provinces toward women.

2. Violations of the fundamental rights of Afghan women and girls through other inhumane practices of the Taliban de facto administration

In this section, “other inhumane practices” refers to a range of violations that the de facto authorities have directly or indirectly imposed on Afghan women and girls. These misogynistic practices, carried out within the framework of dominant patriarchy in society, have shaped the strategic and operational culture of the Taliban de facto administration and have led to the marginalisation and isolation of women in society. These inhumane practices have severely damaged women’s dignity and deprived them of their basic human rights.

At this stage, two in-person witnesses and one virtual (online) witness presented evidence of violations that had led to the denial of their basic and fundamental rights in Afghanistan. The witnesses spoke of disrespect, insult, humiliation, torture, and the erosion of their human dignity. The severity and breadth of these violations deeply affected all listeners and affirmed the painful realities of the human rights situation in Afghanistan.

3. Deprivation of the right to education for women and girls in Afghanistan and violations of children’s rights

The deprivation of the right to education for women and girls in Afghanistan is a serious and alarming issue. Following the Taliban’s takeover in 2021, severe restrictions were imposed on the education of women and girls. Schools and universities were repeatedly closed to girls, and in many parts of the country, girls were prevented from continuing their education at various levels.

This situation has not only negatively affected the education and individual development of women and girls, but has also harmed the overall development of society and the country. Education for women and girls plays a crucial role in improving public health, the economy, and social life, and its absence can lead to increased poverty and inequality, particularly among women.

Children’s rights in Afghanistan are also among the most sensitive and critical issues, having faced serious challenges and crises in recent years. After the establishment of the Taliban de facto administration, the situation of children’s rights deteriorated sharply, with widespread problems emerging in education, health, and social affairs.

In the field of education, the closure of schools to girls deprived large numbers of children of their fundamental right to education. Education, especially for girls, is

among the core rights of children, and denial of access to schooling can have irreversible consequences for their future.

In terms of health and healthcare access, poverty and crisis conditions have severely limited children's access to health and medical services. Many children lack access to basic healthcare, increasing the risks of disease and child mortality.

Regarding social protection, social measures to support children at risk—particularly those living in conditions of war and violence—have significantly declined. Many children have been left without adequate support from families, the state, or society.

Child labour has also increased due to Afghanistan's severe economic conditions. Many children, lacking family support, are forced to work in difficult and dangerous conditions. This not only disrupts their education but also negatively affects their quality of life and future prospects.

Neglect of these fundamental issues has led to widespread violations of children's rights, particularly the rights of girls in Afghanistan. Witnesses in this section presented their first-hand accounts to the tribunal regarding the lack of facilities, deprivation of basic rights to education, and violations of children's rights.

4. Deprivation of access to healthcare for women and girls in Afghanistan

One of the most serious and concerning issues is the deprivation of women and girls from healthcare rights, which has intensified in recent years due to political, social, and economic crises. The main factors contributing to this deprivation include:

- **Shortage of health services:** Following the Taliban's takeover, many health centres providing services to women and girls were closed or severely restricted.
- **Lack of female healthcare workers:** Restrictions imposed on women working in the health and medical sectors have deprived many women of access to female healthcare professionals, negatively affecting the quality of care.
- **Social and cultural discrimination:** In many families, cultural and social norms oppose women's access to healthcare services, preventing them from obtaining essential medical care.
- **Economic poverty:** Reduced household income and rising poverty have prevented many women from affording medical treatment and transportation to healthcare facilities.

- **Political factors:** Existing political and legal conditions have hindered the development and implementation of appropriate policies to improve healthcare access for women and girls, resulting in weakened health service delivery.

These factors, rooted in widespread discrimination against women, have deprived Afghan women of their social rights, particularly the right to health and healthcare. Subsequently, three witnesses who were victims of healthcare access violations presented their testimonies to the tribunal, which were deeply distressing.

5. Rights of women with disabilities

This is a highly important and sensitive issue that requires serious attention, particularly under the current conditions in Afghanistan. Women with disabilities face numerous challenges and limitations, including:

- **Deprivation of basic rights:** Many women and girls with disabilities are denied access to education due to the lack of appropriate educational, physical, and psychological facilities. Schools and universities rarely provide adequate accommodations.
- **Limited healthcare services:** Women with disabilities lack access to appropriate healthcare and treatment services, as many health centres are not equipped to address their specific needs.
- **Lack of awareness:** Insufficient information and awareness about the rights and healthcare needs of women with disabilities hinder their ability to benefit from available services.
- **Social attitudes:** Women with disabilities face cultural discrimination and inequality. Traditional beliefs often marginalise them and disregard their rights.
- **Family influence:** In some cases, families, due to financial or social concerns, fail to provide adequate support or discourage women with disabilities from participating in social and economic activities.

These compounded challenges, layered upon widespread discrimination against women, have brought the human rights situation of women with disabilities to a catastrophic level. Evidence presented by victims demonstrated that the Taliban de facto administration has shown no regard for women with disabilities and has subjected them to extensive discrimination.

6. Suppression of freedom of movement and bodily autonomy

The suppression of freedom of movement and bodily autonomy in Afghanistan has become a serious issue, particularly in recent years following political changes and the Taliban's takeover. These two rights, which are directly linked to daily life and fundamental human rights, have been severely affected by restrictions imposed by the Taliban de facto administration.

- **Geographical restrictions:** After the establishment of the de facto administration, severe restrictions were imposed on women's movement across Afghanistan. Women were barred from streets, parks, and recreational spaces without a male guardian, gravely undermining their personal freedoms.
- **Security-related restrictions:** Harassment and violence against women in public spaces have socially and psychologically discouraged many women from leaving their homes.
- **Bodily autonomy:** Women's access to healthcare services—particularly reproductive and sexual health services—has been severely restricted, depriving them of choice and control over their own bodies.
- **Right to decision-making:** Many women are denied the right to make decisions about their personal lives, including marriage and childbearing, due to prevailing laws and cultural norms.
- **Loss of self-confidence:** The suppression of movement and bodily autonomy has severely damaged the self-confidence of women and girls, preventing their active participation in society and public life.

These restrictions have led to increased domestic and social violence against women and have exposed them to serious mental and psychological harm, constituting clear violations of women's human rights.

7. Deprivation of women's freedom of expression in Afghanistan

The deprivation of women's freedom of expression has become a profound crisis in recent years. This restriction has imposed severe limitations on women's rights and individual freedoms and has deeply affected their daily lives.

Factors Contributing to the Deprivation of Freedom of Expression for Women in Afghanistan

- **Media restrictions:** Following the Taliban's takeover, many media outlets were forced into self-censorship due to fear of intimidation, harassment, and threats of closure. This has had a particularly negative impact on programs and publications related to women and human rights issues.
- **Threats and harassment of women journalists:** Women journalists and women's rights activists face serious threats and physical and psychological harassment. Many have been compelled to leave their jobs or migrate in order to protect their safety.
- **Cultural restrictions:** Women face limitations on expressing their views in public and social spaces. These restrictions have even affected their speeches and social activities.
- **Violence against women:** The inability to express criticism and protest has prevented women from voicing complaints about discrimination and violence, contributing to an increase in violence against them.

Witnesses in this section shared painful testimonies before the court about the psychological, political, and social pressure exerted by the Taliban's de facto authorities on journalists and media workers in Afghanistan. These accounts showed that women journalists have been deliberately subjected to threats, insults, and intimidation by official authorities and intelligence personnel of the Taliban's de facto administration, forcing a large number of women journalists to leave the country.

8. The Right to Freedom of Assembly for Women in Afghanistan

In recent years, women's rights to freedom of assembly and protest in Afghanistan have been severely restricted. The Taliban's de facto administration has officially limited women's right to assemble and demonstrate, and many peaceful gatherings organised by women have been suppressed under security pretexts and claims of non-compliance with Sharia principles. As a result, women are unable to freely participate in demonstrations and civic gatherings or make their voices heard.

Women active in civil society and human rights face numerous risks, and many have been subjected to pressure, threats, or persecution because of their civic activities and advocacy. Consequently, the right to assembly and protest for women remains deeply critical and alarming.

In this section, witnesses described inhumane conduct by the Taliban's religious police against women, including beatings during street protests, violations of dignity, and physical assaults. Such behaviour also contradicts religious principles. Although the Taliban claim to follow Islam, they fail to observe religious teachings in their treatment of women.

9. Arbitrary Detention, Ill-Treatment, and Torture of Women and Girls

Arbitrary detention, ill-treatment, and torture of women and girls in Afghanistan—particularly over the past three years—have become among the most serious and concerning human rights issues. Women and girls engaged in civic, educational, or human rights activities have repeatedly been subjected to arbitrary arrests and abuse.

Some women have faced detention, torture, and sexual violence for participating in peaceful protests or challenging social and legal restrictions. In the absence of international monitoring and with reduced access to legal and protective mechanisms, the situation has become even more critical. Conditions in women's prisons present deeply painful images of women's human rights violations. Although access to these prisons is extremely limited, witnesses who experienced detention and imprisonment provided horrifying and shocking testimonies.

Human rights organisations and other international bodies have attempted to improve this situation through advocacy and political pressure. Some governments have also sought to apply diplomatic pressure on the Taliban to respect the civil rights of women and girls. However, Afghanistan's security and political conditions continue to pose major and structural challenges for human rights defenders.

The final group of witnesses shared bitter and painful accounts of their treatment by the Taliban's police and intelligence services—from the moment of arrest, through detention and torture centres, to imprisonment. Their testimonies clearly revealed the dire situation of protesting women and girls in Afghanistan. Witnesses spoke of various forms of torture and inhumane treatment inflicted on Taliban opponents, especially women. According to the witnesses, some had attempted suicide multiple times but were unsuccessful; they stated that they preferred death to such a terrifying existence.

Second Stage: Review of Prosecutors' Statements and Witness Testimonies by the Panel of Judges

At this stage, after hearing the statements, analyses, and legal, social, and human rights arguments presented by the prosecutors, and after reviewing the evidence provided by witnesses, the panel of judges posed questions to both prosecutors and witnesses. The purpose of this question-and-answer session was based on three core elements:

1. Whether the prosecutors' statements were formulated in accordance with universal human rights laws, which form part of international law;
2. Whether these statements were prepared on the basis of objective realities and the prevailing conditions in Afghanistan;
3. Whether professionalism, impartiality, and justice were observed in the preparation of the prosecutors' statements.

The judges also questioned certain witnesses who were themselves victims of human rights violations and had provided direct testimony. This session was likewise based on three fundamental principles:

1. Whether the witnesses presented objective realities without political affiliation;
2. Whether the witnesses exaggerated or overstated facts for personal benefit;
3. Whether the witnesses respected the rule of law grounded in justice, honesty, and transparency.

The question-and-answer session with prosecutors and witnesses was held publicly in the presence of participants and was widely covered by the media. In order to uphold the principles of justice and impartiality, the President of the panel summarised the first day's session and granted the Taliban's de facto administration the opportunity to contact the people's tribunal should they wish to object or submit information.⁴

⁴ Representatives of the Taliban's de facto administration were not present at the court. Nevertheless, the Chair of the Panel of Judges announced that if any representative of the Taliban were present, they would be given the right to speak and to present their defence. The Panel of Judges also conveyed this message to the Taliban's de facto administration through the media.

Third Stage: Announcement of the Judges' Preliminary Findings Following the Prosecutors' Hearing

After reviewing the prosecutors' statements and conducting a comprehensive examination of the evidence presented by eyewitnesses on the first day of the tribunal, the panel of judges presented their preliminary findings and decision on the second day. Drawing on their extensive international experience, the judges decided to issue an initial and provisional declaration. The panel also requested two months to further examine all matters raised during the tribunal and announced that the final decision would be delivered in December 2025.

The judges' preliminary declaration was based on five principles:

1. The judges, in light of universal human rights laws and with due respect for the rule of law, will deliver impartial and professional decisions concerning Afghan women victims of human rights violations.
2. Afghan women have been subjected to gender discrimination, and the global legal system will not remain indifferent to this reality.
3. The prosecutors' statements, which present a painful picture of human rights violations in Afghanistan, will be taken seriously.
4. The data and testimonies provided by witnesses reflect the harsh realities of violations against women's human rights and will play a decisive role in determining the final ruling.
5. The final judgment, to be announced in December, will be issued on the basis of the demands of oppressed women, victims, and credible evidence and data.

Fourth and Final Stage of the Tribunal

At this stage, the tribunal's final ruling was issued following a thorough review of the prosecutors' claims and the evidence obtained. The final judgment was announced and widely disseminated at a conference held on 11 December 2025 in The Hague, the Netherlands, in the presence of media representatives.

According to the final ruling, the Taliban's de facto administration was found responsible for widespread violations against women and accused of committing comprehensive gender discrimination. This level of gender discrimination has resulted in grave violations of international law, global conventions, and Afghanistan's international obligations and is

interpreted as a crime against humanity against Afghan women. Accordingly, the Taliban's de facto administration was held responsible for these inhumane acts and obligated to be held accountable.

In addition, the following individuals, identified by the prosecutors as defendants, were found responsible for crimes against humanity in Afghanistan, and further examination of their cases was referred in accordance with Article 7 of the Rome Statute:

Sheikh Hibatullah Akhundzada, Sirajuddin Haqqani, Mullah Mohammad Yaqoob, Abdul Ghani Baradar, Noor Mohammad Saqib, Sheikh Mohammad Khalid Hanafi, Sheikh Abdul Hakim Haqqani, Neda Mohammad Nadim, Habibullah Agha, and Abdul Haq Wasiq.

Charges Against the Taliban's De Facto Administration

- **Count One:** Organised and systematic discrimination against women in Afghanistan.
- **Count Two:** Taliban actions classified as "other inhumane acts" under the Rome Statute, referring to deliberate acts causing severe suffering or serious injury to physical or mental health, including a range of abuses and violations of humanitarian law. Such acts fall under the jurisdiction of the International Criminal Court (ICC) and carry serious consequences under international law.
- **Count Three:** The Taliban's de facto administration has violated the fundamental rights of women and girls in Afghanistan and has breached all international human rights conventions to which Afghanistan is a party, including:
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - Convention on the Rights of the Child
 - Convention on the Elimination of All Forms of Discrimination against Women
 - Convention on the Elimination of All Forms of Racial Discrimination
 - Convention on the Rights of Persons with Disabilities

The tribunal emphasised that all states of the world bear responsibility toward a set of universally accepted values and norms, reflected in the Universal Declaration of Human Rights. Furthermore, the applicability of the principles of *erga omnes*, *erga omnes partes*,

and *jus cogens* establishes a framework of international obligations requiring every state, as a member of the international community, to respect universal human rights values without any form of discrimination. These principles constitute part of global public law and allow no exception.⁵ Therefore, no state is exempt from these obligations under international law, and Afghanistan is no exception.

This approach underscores the importance of deep and structural changes capable of bringing genuine improvements to the living conditions and rights of women and all vulnerable groups in Afghanistan. Achieving this goal requires the international community to employ legal and diplomatic tools to exert effective and targeted pressure on human rights-violating authorities and to ensure accountability.

Conclusion

The People's Tribunal for Afghan Women, in terms of its working methodology, does not fully resemble formal and internationally recognised courts. It is not able to examine cases individually or to conduct detailed legal debates under each specific charge. Moreover, the tribunal lacks sufficient resources and capacity to carry out extensive and in-depth legal scrutiny, particularly from the perspective of domestic law. Theoretical research are usually compares with empirical data. For these reasons, secondary research based on reports and documentation from international organisations and human rights defenders was considered sufficient. Naturally, this approach involved certain shortcomings and limitations in legal studies and analyses.

In addition, the tribunal suffered from the absence of a deep and systematic legal analysis capable of critically examining Afghanistan's new legal and structural developments in light of international law. One of the major technical shortcomings of the tribunal process was the absence of the accused party—namely, the Taliban's de facto administration. However, this feature has been present in almost all previous people's tribunals and is considered a common practice.

The tribunal's decisions were mostly presented in the form of declarations or legal messages consisting of three parts: the first part provides a legal analysis of the conduct of the

5 *Erga omnes* means “toward all” and refers to obligations that a state holds toward the international community as a whole. *Erga omnes partes* refers to obligations that a state party to a treaty owes to all other states that are also parties to that treaty. *Jus cogens* refers to norms that are legally binding on all states and include prohibitions against torture, genocide, and acts of aggression. These principles help establish a global standard for the protection of human rights and obligate states to be accountable for human rights violations, particularly those affecting women and vulnerable groups.

authorities and their leaders, based on the prosecutors' investigations; the second part highlights the consequences of these violations and raises awareness within the international community about the situation of victims and the urgency of addressing their plight; and the third part offers a set of recommendations and proposals addressed to the Taliban's de facto administration and its leaders, urging them to refrain from continuing human rights violations. In addition, the people's tribunal presented recommendations and strategies to the international community, international organisations, human rights activists, and civil society aimed at improving the human rights situation in Afghanistan.

Nevertheless, the reality is that the convening of this tribunal was an act of advocacy in support of the rights of victims of crimes against humanity in Afghanistan. The tribunal's definition and recognition of widespread and systematic violations of women's rights in Afghanistan as "crimes against humanity" constitutes a significant and historic achievement for Afghan human rights defenders and the victims.

Global experience has shown that the decisions of people's tribunals are effective tools for identifying various crimes, their perpetrators, and for introducing them to competent international courts. At both sessions of the People's Tribunal for Afghan Women, held in Madrid and The Hague, representatives of international courts were present and closely followed the tribunal's decisions.

The rulings of people's tribunals are also not without impact on international politics and decision-making. When a global people's tribunal identifies a government or its leaders as serious violators and perpetrators of crimes against humanity, this inevitably influences the approaches and policies of other states and international institutions. According to a well-established legal principle, once a court issues a ruling or decision, only a competent authority can alter it. Therefore, individuals accused of committing crimes against humanity remain responsible for their actions, and the principle of accountability cannot be disregarded.

