



## Open Letter

To the Esteemed Members of the 6th Committee of the United Nations,

Subject: Urgent Appeal for the Codification of Gender Apartheid as a Crime Against Humanity in the Convention under the Discussion of the Committee

29 March 2024

1. Members of Afghanistan Transitional Justice Coordination Group (TJCG)<sup>1</sup> extend their profound gratitude and recognition to the 6th Committee of the United Nations for your tireless efforts to advance international justice, notably through the ongoing discussion for adopting the Convention on Crimes Against Humanity. This monumental step reaffirms the international community's commitment to justice and human dignity and opens new avenues for addressing some of the most pressing injustices faced by vulnerable populations worldwide.
2. While we commend these efforts, we wish to draw urgent attention to the harrowing issue of gender apartheid in Afghanistan. The systemic and institutionalised segregation and discrimination against Afghan women and girls by a de facto misogynist regime with the intention of maintaining the regime has reached an alarming level, severely impacting women's rights to education, employment, freedom of movement, freedom of expression, access to justice and access to healthcare. This grave situation undermines not only the principles of gender equality and justice but also the very fabric of humanity.
3. As we propose, ***“Gender Apartheid” involves systematic or widespread institutionalised practice or measures where one or more gender groups, particularly women, are segregated, persecuted, or discriminated against based on their gender, leading to severe deprivation of fundamental rights contrary to international law, with the intent to maintaining the apartheid regime by a State or organised group.***

4. The codification of gender apartheid as a crime against humanity within the convention is not just necessary; it is imperative. It would serve as a pivotal step in acknowledging and addressing the severe human rights violations women and girls face daily in many countries, particularly Afghanistan. Moreover, it would significantly empower advocates, survivors, and accountability bodies to take decisive actions against perpetrators of gender-based discrimination and violence, ensuring accountability and justice for the survivors.
5. The inclusion of gender apartheid as a crime against humanity would also send a strong message to the global community, underscoring the intolerable nature of gender-based discrimination and violence. It would reaffirm the international community's resolve to combat all forms of discrimination and violence, regardless of where they occur or whom they affect.
6. We, therefore, urge the 6th Committee of the United Nations to consider this appeal as a matter of urgency and to take all necessary steps to incorporate gender apartheid into the under-discussion draft of the convention as a crime against humanity. By doing so, we can collectively ensure that the rights and dignity of individuals, including women and girls, are further protected and upheld, paving the way for a more just and equitable world.
7. In conclusion, Afghanistan Transitional Justice Coordination Group (TJCG) stands ready to support the Committee's efforts and provide any assistance needed to address this critical issue. Together, we can make a significant difference in the lives of those who have suffered too long under the shadow of gender apartheid.

Thank you for your attention and continued dedication to advancing human rights and justice worldwide.

Sincerely,

Members of Afghanistan Transitional Justice Coordination Group (TJCG)

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About the TJCG: Afghanistan Transitional Justice Coordination Group (TJCG) is a coalition of human rights organisations and individual experts active in the field of transitional justice for Afghanistan. The TJCG was formed in 2008 to strengthen advocacy and strategic coordination between organisations involved in transitional justice in Afghanistan. Since its inception, the group has been active and outspoken on transitional justice issues, including accountability for mass atrocities committed against the civilian populations in Afghanistan. It has dedicated itself to raising the voices of Afghanistan's victims of war and oppression.