

Documenting and Reporting Gender-Based Violence in Afghanistan

A Human Rights-Based Approach

Resource Manual
September 2022



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MADRE is a member of the Afghanistan Human Rights Coordination Mechanism (AHRM), a consortium of Afghan national human rights-oriented CSOs and international organizations established to respond to the emerging challenges faced by Women/Human Rights Defenders post-August 2021 in Afghanistan. The consortium members are Freedom House, Afghanistan Civil Society Forum, International Federation of Human Rights, MADRE, and Safety and Risk Mitigation Organization.

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HUMAN RIGHTS FRAMEWORK

The international human rights treaties, conventions and other international laws that form the human rights framework are clear that human rights are universal. Human rights are meant to protect every person regardless of race, ethnicity, nationality, political or religious conviction, social status, gender identity, sexual orientation, age, disability status, or other status.

This framework recognizes individuals as “rights-holders” and views governments as having obligations to individuals. These include respecting, protecting, and fulfilling human rights. States also have due diligence obligations to investigate, prosecute and provide reparations for human rights violations.

A human rights-based approach to documenting gender-based violence frames this violence within the international human rights framework. This framework is meant to protect against discrimination and violence, including gender-based violence, and governments are obligated to uphold these protections and address rights violations when they occur. Where there is a failure to respect, protect, or fulfill a right by the state, that failure is recognized as a violation of international human rights law. Advocates and rights-holders can therefore use domestic and international human rights monitoring mechanisms to pressure states to remedy gender-based violence as part of their obligation to uphold human rights. This is how a human rights-based approach to documenting gender violence helps empower advocacy efforts that reinforce states’ obligations to guarantee rights.



WHAT IS GENDER-BASED VIOLENCE?

Gender-based violence (GBV) is violence directed at an individual based on their gender identity, or based on the extent to which they are perceived to adhere to socially defined norms of masculinity and femininity. GBV takes on many forms and can occur throughout a person's life. It includes physical, sexual, and psychological abuse, whether occurring at home or in the community. GBV can negatively impact victims' physical and mental health, access to education, ability to participate in public life, employment and economic well-being. GBV also harms families and communities.

Gender-based violence includes:

- Sexual violence, including coercion and threats
- Murder and other physical violence
- Neglect
- Incest
- Domestic violence
- Sexual abuse
- Elder abuse
- Sex trafficking and forced labor
- Economic deprivation
- Reproductive violence, such as forced pregnancy and forced abortion or contraception

WHAT IS GENDER PERSECUTION?

Gender persecution is a crime recognized under the Rome Statute and other legal instruments that define war crimes and crimes against humanity. Perpetrators of gender-based violence in the context of conflict or atrocities may be charged with the crime of gender persecution. Gender persecution can be carried out through various forms of punishment against people who do not conform to prescribed gender narratives.

Some forms of gender persecution can at first glance look the same as or similar to other crimes against humanity or war crimes; for example, rape, murder or torture. However, it is vital that we recognize when these crimes are committed on the basis of gender discrimination. Holding someone accountable for gender persecution enables us to not only to show that a crime happened, but to explain *why* the perpetrator committed the crime. By recognizing gender persecution, we can help to change attitudes that fuel these acts of violence and allow advocates to ensure meaningful healing and reparations for victims.

Here are some other examples of gender persecution in conflict:

- **A woman is raped and then murdered for working a job not considered appropriate for women.**
- **A woman or girl is raped or tortured because her skirt is deemed too short or her headscarf too transparent.**
- **Pregnant women or girls are forced to have abortions because pregnancies are considered to interfere with their duties to provide sexual services to men.**
- **Men or boys are abused for being unwilling or unable to grow beards.**
- **Men and women are condemned to death because of suspected homosexual behavior.**
- **Rape is imposed as a gender-specific sanction against women held in detention centers and forced into marriages.**
- **Youth are forced to fight each other in a boxing ring to prove their masculinity.**

Documented cases of potential gender persecution crimes have included the murder, rape or torture of men perceived as behaving “effeminately,” or of women who deviated from mandatory dress codes or jobs imposed on them by a government or armed group. These are instances of gender persecution not only because they are crimes of murder, rape, or torture, but because they were conducted with discriminatory intent. The perpetrators meant to punish victims for how they manifested the roles, behaviors, activities, and attributes assigned to them in their local context.

DOCUMENTING HUMAN RIGHTS VIOLATIONS

WHY IS DOCUMENTATION IMPORTANT?

As advocates, we want to promote human rights, ensure justice for victims of human rights violations, and understand how human rights abuses fit into larger systems and patterns of abuse and discrimination. The voices of women, of LGBTIQ persons, and of members of other groups that are historically discriminated against are often either silenced or condemned in society. This means that the discrimination that



often underlies the attacks they suffer in times of conflict often go unrecognized in the transitional justice processes that are meant to transform societies. To change that, we need facts. Documenting GBV helps gather those facts so that we can share them with larger audiences, in order to support women and marginalized groups to access justice and end the cycle of violence in their communities.

Documentation is essential if an individual wants to exercise any legal rights available to hold perpetrators of human rights violations, including GBV, accountable. Individuals often cannot rely on the state to conduct an adequate investigation of a crime. Therefore, documentation by civil society organizations can be invaluable.

Why is Documentation of Gender-Based Violence and Gender Persecution Important?

In many societies, people do not consider GBV a human rights violation or crime. Because of this, victims of gender-based violence are forced to endure physical and psychological trauma without access to medical, legal, or social services.

Documenting GBV can help change this by:

- Bringing GBV to the attention of the public. Publicizing a pattern of human rights violations is a way to demand justice for survivors by pressuring governments to respond to prevent violence, provide services to victims, and hold perpetrators accountable;
- Raising awareness in society and mobilizing support and services for GBV survivors;
- Challenging society to recognize that all people of all gender identities deserve equal and fair treatment;
- Informing the international community, governments, and local community of the situation of GBV, helping to bring stakeholders together to prevent and address gender violence.

In short, documentation provides the evidence we need to create advocacy tools to challenge entrenched discrimination. The more we talk about ensuring the rights of women, LGBTIQ persons, and others to live without fear of violence, the more likely other advocacy groups will start viewing GBV as a human rights issue that merits support. More civil society support leads to greater pressure on governments and other key officials to act.

SAFETY AND SECURITY¹

Gender-based violence and other human rights violations can be documented in various ways. Documenters can compile first-hand knowledge of incidents, such as their own observations of an incident or violent act. More commonly, documenters gather information through social media posts and online sources shared by survivors, witnesses, or news outlets. Documenters may also obtain documentation through interviews with survivors and witnesses, drawing from the first-hand experience of others.

Documenters, survivors, and witnesses' safety is of the utmost importance to any human rights documentation effort. Measures should be taken to assess and mitigate any safety and security concerns before documentation processes begin. Documenters have a crucial responsibility to be aware of the risks which could arise for themselves as well as for survivors, witnesses, and communities in which they reside or operate. A comprehensive approach to safety and security management should consider:

- Physical security: protecting bodily safety, documentation, offices, supplies, vehicles, homes, etc.
- Psychosocial wellbeing: protecting mental health
- Digital security: protecting digital information, private communication, and equipment

¹ This section draws in part from the important Front Line Defenders publication, "Workbook on Security: Practical Steps for Human Rights Defenders at Risk," https://www.frontlinedefenders.org/sites/default/files/workbook_eng_master.pdf; and "The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict," [https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International Protocol 2017 2nd Edition.pdf](https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/06/report/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict/International%20Protocol%202017%202nd%20Edition.pdf).

Do No Harm Approach

“Do No Harm” is the key ethical principle at the heart of any documentation process, especially any documentation that involves interviewing victims, survivors, and witnesses of crimes or human rights violations. This approach means ensuring that the documentation process prioritizes interviewees’ needs and safety, and respects their autonomy. Employing the Do No Harm approach entails:

- being aware of the possible negative impacts of documentation on victims, survivors, and witnesses, as well as the broader community;
- being prepared for these possible negative impacts;
- putting measures in place to prevent or minimize those impacts and the related harm.

Important things to think about when deciding if a documentation effort has the potential to cause harm include:

- how information will be used
- who will see it
- when and how the information will be reported
- for what purposes it will be reported
- who will benefit from the information being reported

Confidentiality

Confidentiality is a key component of the Do No Harm approach and requires documenters to protect information they receive from interviewees, especially identifying information of victims, survivors, and witnesses. Procedures should be put in place to ensure that principles of confidentiality are always upheld and that processes are frequently reviewed to ensure that all documenters are well-equipped to handle sensitive information. Confidentiality not only keeps everyone safe during the documentation process, but it can help build trust with victims, witnesses, and survivors and strengthen the relationship between the documenter and interviewee.

Documentation teams should:

- Create clear confidentiality procedures and ensure that all documenters are trained to safely collect information, store it, and access it.
- Ensure that information protection procedures are in place for all identifying information, including pseudonyms and coding systems for personal information
- Ensure that all referrals to support services also adhere to confidentiality procedures
- Clearly explain these procedures to interviewees and receive their informed consent before conducting documentation. Develop procedures for contacting interviewees to ensure that their confidentiality is maintained in their homes

and communities.

In order to protect the confidentiality of all victims, survivors, and witnesses, interviewed, it is critical to store all information in a secure place and ensure only authorized staff can access it. Information should not be kept in hard copy, and everything should be password protected on a computer. Do not store any information on mobile phones.

It is important to keep survivors and witnesses' identity private and unrecognizable in public documents. Extreme care should be taken to ensure that identifying information, such as a victim or witness' name, address, or identifying physical characteristics, are not shared in public documents. Note that identifying information that should be protected may also include specific details about human rights violations or other incidents that would point to a certain individual. For example, if the village where the violation occurred is small, publicly naming the village might reveal the sources' identity.

Documenters should inform victims and witnesses of the types of information that may be shared in public documents, and let them know that they will keep identifying information confidential. In the case of tribunal or judicial investigations, victims may want to identify themselves to a judicial body or court in order to receive redress and reparations. Documenters should establish mechanisms to safely store contact information separate from documentation on rights violations or crimes in case they need to reach the victim.

Practical Tips for Using Social Media

In recent years, a large part of the publicly available documentation of gender-based violence has been shared via social media platforms, such as Twitter, YouTube, Facebook, and Instagram. Documentation shared on social media helps to show communities and the world what is happening in conflict and crisis and supports calls for redress and support, but social media is open to all users and information can end up in the wrong hands if used incorrectly. Keep these practical tips in mind when posting on social media or online sources:

- **Blur images of victims, survivors, witnesses, and their family members. Original images can be stored in secure locations, but identifying information such as faces should not be shared online.**
- **If possible, use a virtual private network (VPN) when using the internet. VPNs hide your computer or phone's identifying IP address and protects your identity. Do note, however, that some countries regulate the use of VPNs and may require users to register with the government, so research your country's laws and regulations measures before using VPNs.**
- **If sharing information on social media, consider using a profile or account managed by an organization, rather than a personal account. This helps to protect your identity as an individual.**
- **Many social media posts come directly from mobile phones connected to social media platforms, resulting in sensitive information being stored on mobile phones. When traveling through check points or in areas patrolled by armed groups or government security forces, remember that information on your mobile phone could pose a risk. For example, a guard at a checkpoint could search your phone for photos, recent SMS or email messages sent, and other information. Consider deleting sensitive information from electronic devices if you are at risk of being searched.**

Storing Information Securely

Any information on victims, survivors, witnesses or others supporting the documentation efforts as well as information obtained during interviews or on social media must be protected. Information that is not secured could lead to a breach in confidentiality; put the documenters, victims, survivors, and witnesses at risk; and jeopardize the goals of the documentation process.

Risks to information can include:

- Theft of digital or paper files

- Loss or destruction of information
- Modification of information
- Hacking of digital information

Security experts recommend that documenters create safety plans for information “in transit” as well as for information “at rest.” “In transit” information includes documentation material when it is shared over a phone or video call, email, SMS text message, or other digital communication methods. “At rest” information includes digital files, paper files in a desk or filing cabinet, printed details about victims, survivors and witnesses or others supporting the documentation efforts, and print-outs of digital information such as spreadsheets, etc.

Here are some steps you can take protect information:

- Put in place information security policies covering access to sensitive information, data communication, data storing, use of social media, handling of sensitive information, and transportation. These documentation policies can require:
 - the use of a coding system to maintain interviewee confidentiality;
 - limiting the number of people with access to sensitive information;
 - use of a hard drive which can be stored in a fireproof safe or stand-alone computer not connected to any server to store sensitive information (e.g. some organizations store contact information separately on the drive, apart from the details of events and crimes they have witnessed);
 - use of password protected folders and encrypted drives;
 - never leaving sensitive documents or electronic devices unattended in any public spaces such as vehicles, restaurants, hotels, or at home;
 - avoiding carrying sensitive information, particularly any information that could identify interviewees or witnesses, especially when crossing any borders or checkpoints.
- Consider the use of high standards encrypted electronic systems but note that encryption is often regulated by national law and may be illegal in some countries, so consult with a local security expert to see what is allowed in your specific context.
- For digital data, consider the use of encryption technologies, use up-to-date anti-virus software, protect all IT devices and sensitive folders with strong passwords, make regular back-ups to a remote server and remove hard drive if necessary.
- Put in place an approval procedure for any material posted online, either on an organization’s website or through social media (e.g. Facebook, Twitter) to ensure sensitive information has been scrupulously redacted to avoid posting a document or picture inadvertently revealing a victim/witness’s identity, her/his whereabouts, location of interviews, images of workplace or with workplace in the background, etc.

If you find that you or your organization cannot safely store information, MADRE and other organizations can help you access safe storage. To discuss this with MADRE, please email advocacy@madre.org in English, Dari, or Pashto.

Safety and Security of Victims, Survivors, and Witnesses

Victims, survivors, and witnesses face various types of risks to their health and well-being, and the documentation process should mitigate these risks as much as possible. Participating in the documentation process can put them at risk of further harm, and documenters should be aware of common threats so that they can make victims, survivors, and witnesses aware before participating in the documentation process. They must be consulted throughout every step of the documentation process.

Common risks can include:

- Re-traumatization and additional emotional harm
- Intimidation by perpetrators or those connected to perpetrators
- Retaliation and violence by perpetrators or those connected to perpetrators
- Social stigma
- Family or community rejection
- Arrest and detention
- Lack of support from service providers and judicial actors

Documenters must take steps to mitigate these risks :

- Adhere to the principle of Do No Harm
- Set up information-storage processes with the highest standards of confidentiality.
- When documenting sexual violence, only interview victims, survivors, and witnesses if absolutely necessary, and limit the number of interviews to such individuals.
- Be aware of your surroundings: conduct interviews in safe and private locations that are neutral, comfortable, and easily accessible to victims, survivors and witnesses.
- Do not discuss information obtained in any public space where individuals other than the documenters are present or with friends/family members outside of the documentation team.
- Always ask the interviewee what the safest way is to contact them.
- Share information only on a need-to-know basis.
- Never give interviewees any information about others involved in the documentation process, in particular victims, survivors and witnesses.
- Where available, always have referral resources' contact information on hand, so that interviewees have information to obtain health services, psychosocial support, and other necessary services that can respond to different physical

and emotional needs.

Safety and Security of Documenters

Documenting human rights violations is a powerful tool for making change in communities, but doing so in areas experiencing conflict or disaster comes with risks. Documenters should be aware of potential risks and try to mitigate them as much as possible before, during, and after the documentation process. When mitigating the risks is not possible, documenters should not engage in documentation activities. Documenters can always reassess the situation later on and proceed with documentation once risks can be mitigated.

Common risks can include:

- Violence or threats of violence against the documenter from armed groups or others in the community
- Conflict-related violence and attacks
- Arbitrary arrest or detention of interviewees, witnesses or documenters
- Retaliation against NGOs conducting documentation
- Emotional fatigue and vicarious trauma that harms documenters' psycho-social wellbeing

Documenters should also be prepared for risks relating to their surrounding area, particularly if they are traveling to and from interviews in a disaster area. These risks can include road traffic accidents and other road barriers, and environmental or climate disasters, such as floods or fires.

To mitigate these risks, documenters should create an individual and organizational security plan. Each person and organization's security plan differs based on their context, identity, and other factors that impact the type or risks, frequency of threats, etc. Creating a security plan involves:

- context analysis
- risk assessment
- threat analysis
- security plan production
- plan implementation and review

Front Line Defenders has developed a "Workbook on Security: Practical Steps for Human Rights Defenders at Risk," which contains helpful resources and practical tools to develop a robust and comprehensive security plan. In addition, "The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict" contains useful information on developing safety and security strategies.

REPORTING HUMAN RIGHTS VIOLATIONS TO INTERNATIONAL MECHANISMS

Documentation of human rights violations form the foundation of human rights reports. These reports compile important information pertaining to human rights violations in a specific country or on a specific topic and are shared with different international mechanisms that oversee implementation of human rights law. Civil society plays an essential role in providing credible, reliable, and independent information. Their human rights reports help hold governments accountable to their human rights obligations.

Often, these reports from civil society are called “shadow reports,” for their intention to to supplement, or “shadow,” the information governments’ provide to human rights monitoring mechanisms. They are meant to give a full picture of human rights violations that are occurring. Shadow reports address omissions, deficiencies, or inaccuracies in the official government reports.

In addition to providing critical information to UN human rights treaty monitoring bodies or other international mechanisms, human rights reports can also enhance advocacy efforts within a specific country and can provide a concrete tool for:

1. Monitoring, assessing and reporting a government’s track record for fulfilling its human rights obligations under a particular treaty or framework;
2. Mounting political pressure for reform through publicity and education activities to promote awareness of the content of the report;
3. Highlighting examples of “best practices” which civil society can use to advocate for further governmental action;
4. Creating the foundation for broader advocacy efforts within the international system;
5. Giving a voice to survivors and empowering them;
6. Building a coalition and a movement for advocacy.



INTERNATIONAL MECHANISMS

A number of international human rights monitoring mechanisms and United Nations entities are available to receive information regarding the rights of women, girls, and marginalized communities in Afghanistan. Afghan women human rights defenders should take advantage of these mechanisms. Human rights advocates can share rights violations documentation, as well as their recommendations and priorities for supporting the immediate needs of women and girls and for building sustainable peace. This section highlights some of the relevant mechanisms and provides their contact details.

UN Special Rapporteurs

Special Rapporteurs are human rights experts with mandates to investigate the situation of human rights either in a specific country or based on a thematic focus in all parts of the world. Special Rapporteurs analyze human rights issues, advise governments on measures they should take to uphold their human rights obligations, alert the UN and international community of the need to address specific situations and issues, advocate on behalf of the victims of violations, and ensure recommendations are followed.

UN Special Rapporteurs have underscored the necessity of upholding the rights of women, LGBTIQ persons, and other groups that face gender-based discrimination, including the right to work, the right to the highest attainable standard of health, the right to be free from torture or extrajudicial executions, the right to be free from discrimination, and others.

Special Rapporteur on the situation of human rights in Afghanistan

The UN Human Rights Council created a new mandate for a Special Rapporteur on the situation of human rights in Afghanistan, and in April 2022, appointed Mr. Richard Bennett as the first expert to fill the role. The Special Rapporteur is tasked with reporting on the developing situation of human rights in Afghanistan and making recommendations to improve it. His mandate also includes assisting in fulfilling the human rights obligations arising from international treaties that Afghanistan has ratified; and offering support and advice to civil society and to seek, receive, examine and act on information from all relevant stakeholders pertaining to the situation of human rights in Afghanistan. He must also integrate a gender perspective and a survivor-centered approach throughout the work of the mandate, and report regularly to the Human Rights Council and to the General Assembly.

Special Rapporteur Bennett has made a concerted effort to engage with women human rights defenders from Afghanistan to ensure that their priorities and perspectives are included in his statements and reports to the Human Rights Council.

Email: hrc-sr-afghanistan@un.org

Other Special Rapporteurs:

- 1) Violence Against Women
- 2) Human Rights Defenders
- 3) Extrajudicial, Summary, or Arbitrary Executions
- 4) Internally Displaced Persons
- 5) Migrants
- 6) Arbitrary Detention

Violence Against Women

The UN Special Rapporteur on violence against women, its causes and consequences seeks out and receives information on violence against women from governments, human rights treaty bodies, UN agencies and mechanisms, and non-governmental organizations including women's civil society groups. The Special Rapporteur recommends measures to prevent violence against women at the local, national, regional, and international levels. Her work covers a wide range of gender issues, including sexual and gender-based violence and gender-based discrimination and persecution.

Email: vaw@ohchr.org

Human Rights Defenders

The UN Special Rapporteur on Human Rights Defenders promotes the effective implementation of the UN Declaration on Human Rights Defenders. The Special Rapporteur is tasked to seek, receive and respond to information on the situation of human rights defenders, with particular attention to women human rights defenders.

Email: hrc-sr-defenders@un.org

Extrajudicial, Summary, or Arbitrary Executions

The UN Special Rapporteur on extrajudicial, summary, or arbitrary executions examines the right to life and deprivation of this right in all countries, regardless of the status of a state's ratification of treaties. The Special Rapporteur is tasked with bringing serious violations of the right to life to the attention of the international community. The Special Rapporteur's office has a history of focusing on gender in its reporting, including a report on gender-sensitive approaches to preventing and addressing arbitrary killings.

Email: eje@ohchr.org

Internally Displaced Persons

The UN Special Rapporteur on the human rights of internally displaced persons focuses on strengthening the international response to internal displacement situations, which includes the participation of internally displaced persons in these responses and transitional mechanisms. The Rapporteur also advocates for the respect of human rights of internally displaced persons.

Email: idp@ohchr.org

Migrants

The UN Special Rapporteur on the human rights of migrants examine ways and means to overcome obstacles to the full and effective protection of migrants' human rights, recognizing the particular vulnerability of women, children and those undocumented or in an irregular situation. The Special rapporteur is also mandated to uphold a gender perspective when requesting and analyzing information, and to give special attention to the occurrence of multiple forms of discrimination and violence against migrant women. The mandate of the Special Rapporteur covers all countries, irrespective of whether a state has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, of 18 December 1990.

Email: migrant@ohchr.org

Arbitrary Detention

The UN Working Group on arbitrary detention is mandated to investigate cases of deprivation of liberty imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the states concerned. The Working Group on arbitrary detention also formulates deliberations on issues of a general nature in order to assist states to prevent and guard against the practice of arbitrary deprivation of liberty and to facilitate consideration on future cases. The Working Group has not reported extensively on gender dimensions of arbitrary detention, but it has condemned the deprivation of liberty of women and LGBTI persons for discriminatory reasons.

Email: wgad@ohchr.org

UN Assistance Mission in Afghanistan

The UN Security Council created the United Nations Assistance Mission in Afghanistan (UNAMA) in 2002, and its current mandate extends to March 2023. The mandate has shifted since its establishment to reflect the changing political climate and urgent needs within Afghanistan. Women's rights and gender justice advocates are continually calling for UNAMA to give robust attention to addressing gender-based violence and ensuring women's meaningful inclusion in peace efforts. UNAMA is tasked with integrating gender perspectives across all of its work; engaging with women-led civil society; and monitoring and reporting on gender-based violence, including violence against human rights defenders, journalists, health-care and humanitarian workers, and public and judicial officials. Civil society groups can meet with UNAMA staff in

Afghanistan and share information, including documentation of human rights violations, with them directly about the priorities of the Afghan women's rights movement.

UNAMA can be contacted at this website: <https://unama.unmissions.org/contact>

UN Office of the High Commissioner for Human Rights

The Human Rights Service (HRS) was established in 2002 as an entity integrated with UNAMA and serves as the UN Office of the High Commissioner for Human Rights (OHCHR)'s presence in Afghanistan. The HRS is headquartered in Kabul and has three provincial and eight regional offices throughout Afghanistan. The HRS focuses on monitoring, documenting, analyzing, and reporting human rights abuses. It engages with government actors, conflict parties, civil society, and the international community. The HRS compiles independent data and evidence to report on human rights abuses and strengthen the rule of law. In particular, the HRS focuses on five areas: protection of civilians in armed conflict; children and armed conflict; elimination of violence against women and the promotion of women's rights; prevention of torture and respect for procedural safeguards; human rights and peace (including victim-centered justice); and promotion of national human rights institutions, civil society, and human rights defenders. Civil society can share documentation and information with the HRS and advocate for gender-based violence to be a particular focus of their work.

The International Criminal Court

The International Criminal Court (ICC) is a treaty-based, independent criminal court governed by the Rome Statute. The Court seeks to end impunity for perpetrators of the most serious crimes, as defined by the international community. According to the Rome Statute, the Court has jurisdiction with respect to the following crimes: (1) the crime of genocide; (2) crimes against humanity; (3) war crimes; (4) the crime of aggression.

As of September 2021, the Court's Prosecutor has requested authorization from Court judges to investigate crimes committed in Afghanistan since July 2002, in particular crimes allegedly committed by the Taliban and the Islamic State – Khorasan Province ("IS-K"). Civil society can work directly with investigators from the Court's Office of the Prosecutor (OTP) to provide evidence of crimes, as well as important background and context.