

nation against Women and the Convention on the Political Rights of Women; noted a recommendation of the World Declaration on Education for All, stating that the most urgent priority is to ensure access to, and improve the quality of, education for girls; referred to article 28 of the Convention on the Rights of the Child, stipulating that states shall recognize the right of all children to education and to have, on the basis of equal opportunity, universal access to primary education; expressed deep concern at the situation of women in Kabul and the other parts of Afghanistan controlled by the Taliban; expressed dismay at the Taliban's claim that Islam supports their policies concerning women; and recalled that the Cairo Declaration on Human Rights in Islam — adopted by the Organization of the Islamic Conference in 1990 — guarantees the rights of women in all fields. The Sub-Committee also: expressed concern that the Commission on Human Rights has not given the required attention to human rights in relation to women and girls, as requested in the Beijing Declaration and Platform for Action; noted numerous reports dealing with the unprecedented and extremely difficult situation of women in Kabul and the other parts of Afghanistan controlled by the Taliban, in particular widows who cannot support themselves because they are not permitted to work or to benefit from humanitarian assistance, which is given only to men; expressed deep concern at the continuous suffering of Afghan women under the prohibitions placed upon them by the Taliban; considered that the current policies of the Taliban with regard to women in the territories under their control constitute a flagrant violation of the principles of Islam and international law; and called upon Muslim religious leaders and scholars to give special attention to the situation of women in Afghanistan with a view to bringing the policies and practices of the Taliban into line with the true spirit of Islam and human rights law; appealed to all states not to encourage the Taliban by extending diplomatic recognition to them; appealed to commercial enterprises to refrain from entering into financial agreements with the regime until the Taliban ends its discriminatory treatment of women; and decided to continue consideration of this question at its 1999 session.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 76–79)

The report notes that no new cases of disappearance were transmitted to the government. The Working Group (WG) stated that while it is aware that many more cases of disappearance could have occurred in Afghanistan, individual cases have not been brought to its attention to allow it to take action. There are two outstanding cases that concern a Jordanian journalist who reportedly disappeared in Jalalabad, province of Nangarhar, in 1989 while on assignment, and an American citizen of Afghan origin who allegedly disappeared in 1993 when he was on

a visit to Afghanistan. The report notes that in the past the government has provided information on these cases, stating that: in one case the person concerned had never been arrested; in the second case, following a lengthy investigation by the security forces, as well as efforts in the Ministry for Foreign Affairs, the subject's name had not been found in the register of any prison. No new information was received from the government clarifying the fate and whereabouts of the persons reported as missing.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1998/68, paras. 12, 14, 15, 27, 32, 39, 85; E/CN.4/1998/68/Add.1, paras. 442–445)

The Special Rapporteur (SR) reports that cases were referred to the head of the Taliban Council, not to the government. The report notes the SR's concern with violations of the right to life during armed conflict — the loss of life among civilians resulting from the use of indiscriminate or disproportionate force, anti-personnel mines, or the blockage of goods and services including relief assistance. Some of the cases transmitted involved capital punishment. The SR referred to particularly disturbing reports relating to the imposition and execution of death sentences in that part of Afghanistan under the de facto control of the Taliban movement. The information indicated that: persons were sentenced to death by Islamic courts set up by the Taliban authorities; many of the judges in these courts were virtually untrained in law; such courts often decided many cases each day in sessions which might have taken only a few minutes; there were no provisions for defendants to be assisted by legal counsel; verdicts are final with no mechanism for appeal; defendants are presumed guilty and must prove their innocence; testimonies and statements of convicts in which they accepted their sentences had frequently been extracted under torture; and, death penalties were sometimes imposed and executed on the orders of Taliban commanders or Taliban prison guards.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1998/40, para. 56)

In the section dealing with women and freedom of expression, the report notes information in the 1997 report of the Special Rapporteur on Afghanistan (A/52/493) referring to the fact that: many Afghan women are cut off from the media and other sources of information; their sense of desperation was aggravated because they lived under the impression that the world was not aware of the extent of their plight; and, they felt they did not have the opportunity to raise their voice.

Religious intolerance, Special Rapporteur on: (E/CN.4/1998/6, paras. 48, 50, 60, 63, 66)

The report refers to violations of freedom of religion and belief against Christianity and Islam and notes that the extremism of the Taliban affects the whole of society, including all its religious components, whether Muslim or non-Muslim. The Special Rapporteur stated that some categories of persons seem to be more affected than