

-PRESS RELEASE-

Press Conference of the Afghan Women Prosecutors refugees on their arrival in Spain

On Wednesday 8 February at 1pm, a representation of the 21 Afghan women prosecutors and judges seeking asylum in Spain will hold a press conference at the Ilustre Colegio de la Abogacía de Madrid to report on the current situation of their colleagues in Afghanistan, Iran and Pakistan.

Of the 32 female and male prosecutors and judges seeking asylum at the Spanish Embassy in Islamabad, 21 have already arrived in Spain. Since the seizure of power by Taliban militias in August 2021, the lives of the judges, prosecutors and defence lawyers are at very high risk, and are a priority target for the Taliban, terrorist groups and organised crime in Afghanistan.

At the Ilustre Colegio de la Abogacía de Madrid, a representation of Afghan women prosecutors will be at the media's disposal to thank the Spanish society for the welcome they have received, and to inform in detail about the serious situation of persecution suffered by their colleagues in Afghanistan, and the high risk of deportation from Pakistan to Afghanistan.

Persecution of the legal profession. In March and July 2022, Michelle Bachelet, then United Nations High Commissioner for Human Rights, denounced the repression of this group¹². The persecution of these legal professionals³ has been constant for the last 20 years⁴: 66 judges were murdered in the five years before the Taliban came to power (Source: the Supreme Court of Afghanistan⁵⁶).

¹ <https://www.ohchr.org/es/press-releases/2022/03/un-high-commissioner-human-rights-michelle-bachelet-visits-kabul-afghanistan>

² <https://www.ohchr.org/es/speeches/2022/07/afghanistan-update-human-rights-council-urgent-debate>

³ <https://www.nycbar.org/media-listing/media/detail/city-bar-condemns-assassinations-of-prosecutors-judges-and-court-staff-in-afghanistan>

⁴ <https://news.un.org/en/story/2015/05/498302-un-afghanistan-condemns-talibans-deadly-attack-judges-and-prosecutors>

⁵ <https://www.nycbar.org/media-listing/media/detail/city-bar-condemns-assassinations-of-prosecutors-judges-and-court-staff-in-afghanistan>

⁶ <https://unama.unmissions.org/unama-condemns-attack-outside-supreme-court-kabul>

In January 2021, 2 female judges were assassinated⁷ at the gates of the Supreme Court in Kabul. And since the Taliban takeover, we can confirm the assassination of at least 24 male and female prosecutors⁸.

For the convening organisations (14L, UPF and MEDEL), this persecution *"has a double reason. On the one hand, because these professionals have positioned themselves politically: they chose to defend democracy and the rule of law under the protection of the international community, and to confront the terrorist pressure of the Taliban over the last 20 years. Secondly, because these professionals have been involved in judicial processes that have resulted in the conviction of members of terrorist groups, Taliban and organised crime, who have now been released. The Afghan judicial system has been the repressive apparatus, in law, of the Taliban, terrorist groups, organised crime, and the vanguard in the repression of the fight for women's rights. All of these professionals are collectively represented as the enemy, as an essential part of a system to be eliminated. In the case of women jurists, there is a third reason: women judges, lawyers and prosecutors have been involved in prosecutions that have resulted in prison sentences for men, and this is the anathema of the Taliban ideology"*.

Current situation. At least 150 male and female prosecutors are currently in Pakistan awaiting an interview at the Spanish Embassy in Islamabad prior to obtaining international protection from our country. Most of them have been waiting for a year for an appointment with the Embassy. In Iran there are 120 judges in the same situation. On the other hand, 14Lawyers estimates that there are still 2,500 human rights lawyers, judges and prosecutors in Afghanistan.

In September 2021, a representation of the convening organisations undertook a trip to Pakistan with the aim of getting to know and document the reality of their Afghan colleagues, who are in a critical situation of legal, social and economic precariousness. During this trip, a meeting was held with the Spanish Ambassador to Pakistan, Antonio de Ory, with the aim of conveying to him their great concern about the development of the visa application processes and subsequent international protection.

In this regard, since 1 January, the Government of Pakistan has aggravated the situation by further tightening its migration policy with regard to Afghan citizens; as of that date, any Afghan citizen in an irregular situation (including possession of an expired visa) is liable to be deported to Afghanistan immediately. According to **14Lawyers**, *the deportation of these judges, prosecutors and lawyers is certain to bring severe consequences for them from the Taliban.*

⁷ <https://www.theguardian.com/world/2021/jan/17/two-female-judges-shot-dead-in-kabul-as-wave-of-killings-continues>

⁸ Fuente: Afghanistan Prosecutors Association y 14Lawyers.

Declaration of the Ilustre Colegio de la Abogacía de Madrid. Teresa Mínguez, Member of the ICAM responsible for the international area, has declared that *"the Madrid Bar Association (ICAM) expresses its solidarity and support to all the Afghan women lawyers - judges, prosecutors and lawyers - who have been stripped of their posts and whose lives have been put at risk by those who, under the rule of law, they fought against. They were the last frontier between reason and barbarism, between law and violence, and now they are persecuted for it. As lawyers, defenders of the Law, of liberties and Human Rights, and as the largest Bar Association in Europe, we at the ICAM urge the Spanish and European institutions to grant them all the protection and assistance they need. ICAM will always stand by the threatened and persecuted jurists"*.

Press conference.

13h.

- Presentation of the event by Ms. Teresa Mínguez, Member of the Board of Governors of the Madrid Bar Association (ICAM).

13:05h.

- Speech by Ignacio Rodríguez, President of 14Lawyers.
- Speech by Inés Herreros, President of the Progressive Union of Prosecutors (UPF).
- Speech by Filipe Marques, member of the Steering Committee of European Magistrates for Democracy and Liberties (MEDEL).

13:15h.

- Statement by Afghan prosecutors and judges. Reading by Obaida Sharar Sharify.

13:20h

- Remote intervention from Islamabad by Niyaz Muhammad Rasikh, representative of the Afghan Prosecutors Association in exile (*Afghanistan Prosecutors Association*).

13:20h.

- Question time with the representation of Afghan female prosecutors and judges seeking asylum in Spain: Obaida Sharar Sharify, Farestha Parwani, Shamael Ahmadzai, Farahnaz Sahar, Hussnia Bakhtiyari, Fawzia Salihi, Gulalai Hotak and Fatima Rashidi.

NOTE: after the press conference, the media will be given the opportunity to conduct individual interviews with the participants.

HOST:

lustre Colegio de la Abogacía de Madrid

CONVOCATORS:

14Lawyers (14L) is a private independent not-for-profit organisation based in Bilbao that aims to support human rights lawyers working in hostile contexts.

<https://www.14lawyers.org>

Unión Progresista de Fiscales (UPF) is a professional association of prosecutors in Spain.

<https://www.upfiscales.com/>

European Magistrates for Democracy and Liberties (MEDEL) is an association of professional organisations of European judges and magistrates.

<https://medelnet.eu/>

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