

# CONFERENCE OF CHIEF JUSTICES

## RESOLUTION 1

### **In Support of Assisting the Resettlement of Afghanistan's Women Judges and Other Vulnerable Justice System Refugees**

WHEREAS more than 270 women in Afghanistan have lost their positions as judges following the withdrawal of United States military forces and the takeover of the government of Afghanistan by the Taliban in August 2021;<sup>1</sup> and

WHEREAS approximately 220 Afghan women judges and their families are presently hiding and living under threat of death and violent reprisals for having ruled in favor of women in cases involving family violence, divorce and custody cases, and for having sentenced men to prison in cases involving murder, assault, kidnapping and rape;<sup>2</sup> and

WHEREAS the bank accounts of Afghan women judges who have worked courageously for the last 20 years to enforce the legal and human rights of women and girls have been frozen, the personal information on those accounts including addresses have been shared online, and hundreds of defendants sentenced to prison by those same women judges have been released;<sup>3</sup> and

WHEREAS even prior to the United States military withdrawal, two women judges on the Supreme Court of Afghanistan were murdered by unidentified gunmen in Kabul in January 2021, underscoring the threat to women judges in Afghanistan who have courageously risked their lives and worked under extremely

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<sup>1</sup> David Zucchino, *Afghan Women Who Once Presided Over Abuse Cases Now Fear for Their Lives*, N.Y. Times, Published Oct. 20, 2021, Updated Oct. 22, 2021 at A1, <https://www.nytimes.com/2021/10/21/world/asia/afghan-judges-women-taliban.html>

<sup>2</sup> BBC News, Sept. 28, 2021, "Female Afghan Judges Hunted by the Murderers They Convicted." <https://www.bbc.com/news/world-asia-58709353>

<sup>3</sup> New York Times, Oct. 21, 2021, "Afghan Women Who Once Presided Over Abuse Cases Now Fear for Their Lives." <https://www.nytimes.com/2021/10/21/world/asia/afghan-judges-women-taliban.html>

dangerous conditions for the last 20 years to administer justice and uphold the rule of law;<sup>4</sup> and

WHEREAS despite the grave risk of harm that exists to Afghan women judges at this time, the vast majority of these judges have been unable to evacuate Afghanistan in order to find sanctuary and asylum in other countries because they and/or their family members lack passports or other required documentation; and

WHEREAS many international organizations and nations are working to support and safely evacuate Afghan women judges, including the governments of Greece and Poland, which have facilitated the evacuation of approximately 44 women judges and lawyers from Afghanistan since August;<sup>5</sup> and

WHEREAS many vulnerable Afghan citizens, men and women, who have worked within their country's justice system are now also subject to reprisals for their work in support of the rule of law and the fair administration of justice; and

WHEREAS the United States, through many different programs and organizations, including the Conference of Chief Justices, is committed to fostering fair, efficient, and transparent justice systems around the world in order to provide the foundation for peaceful societies governed by the rule of law; and

WHEREAS these efforts to enforce human rights, deliver equal justice and uphold the rule of law around the globe cannot possibly succeed without the courageous participation of foreign judges and their colleagues, such as the women judges of Afghanistan;

NOW, THEREFORE, BE IT RESOLVED, that the Conference of Chief Justices expresses its unqualified support and solidarity for those who worked to promote the rule of law, and most especially for the plight of Afghan women judges who are presently hiding and living under threat of death and violent reprisals; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices urges its members to cooperate and work closely with United States Department of State, where

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<sup>4</sup> Reuters, Jan. 17, 2021, "Gunmen Kill Two Female Supreme Court Judges in Afghanistan." <https://www.reuters.com/article/us-afghanistan-attack-judges/gunmen-kill-two-female-supreme-court-judges-in-afghanistan-police-idUSKBN29M076>

<sup>5</sup> Id. (Polish authorities helped 20 women and their families leave Afghanistan, and 24 female judges have been evacuated to Greece since August).

possible, to identify employment opportunities for Afghan refugees who worked in their country's justice system; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices encourages the National Center for State Courts to create an Afghan Justice Sector Clearinghouse to facilitate the efforts of the United States to resettle these Afghan women judges and justice system refugees.

Adopted by the Conference of Chief Justices Board of Directors on November 3, 2021.