

4.4.3. Freedom of movement

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Since the Taliban takeover women have been instructed not to travel more than 72 km without an accompanying male relative (*mahram*),1263 and since March 2022, unaccompanied women have been barred from boarding domestic or international flights.1264 Women and girls have moreover been restricted from accessing public spaces such as public bathhouses, gyms and parks,1265 and in some areas, there have been further restrictions on unaccompanied women accessing to certain religious sites such as shrines1266 and restaurants.1267 Drivers of commercial vehicles have been instructed not to pick up female passengers without a *hijab* covering their hair (26 December 2021),1268 and the 'Morality law' further specifies that women offered transport are not to be uncovered, unaccompanied or 'sit or mingle with an unrelated man' (31 July 2024).1269

The restriction on solo travelling of women has sometimes been enforced for shorter distances than 72 km,1270 reportedly even for short trips1271 or leaving the house.1272 In 2023, journalist Ali Latifi stated that the restriction was implemented inconsistently, being ignored by 'thousands of women' still going out on a daily basis'.1273 Yet, since the 'Morality law' the implementation and the enforcement of the *mahram* requirement intensified.1274 In several instances, it was more stringently enforced than stipulated in the current laws.1275 Women are increasingly self-regulating1276 and some 'limit their outings to essential needs or avoid going out altogether'1277 or 'rarely leave the house, or only with a man'.1278

Even though the de facto MPVPV has stated that the *mahram* regulation is not absolute and does not apply for families without male relatives,1279 it has been described as a source of distress for women without a *mahram* in their family.1280 Women without access to a *mahram* were described as having a particularly precarious situation, as the restrictions made it more difficult for them to access services and humanitarian assistance.1281 It is not possible to say from what age a boy can be considered as a woman's *mahram*.1282 Some situations allow young boys to accompany a woman,1283 and the enforcement of the *mahram* requirement is reportedly sometimes circumstantial, with women being allowed to accompany each other for shorter trips in some more conservative provinces,1284 and women traveling in groups of other women.1285

The implementation of the *mahram* requirement has differed across the country.1286 In October 2024, Ruttig noted that in the south, 'much more pressure' existed, whereas the de facto authorities were more flexible in Kabul. Two other persons interviewed by ACCORD in August and November 2024 also described the *mahram* regulation in Kabul as more lenient, for

example in the sense that a woman could go out and purchase something without a *mahram*. A person interviewed by ACCORD in October 2024 described that in Badakhshan, women went to the market by themselves, whereas in Nangarhar, it was more conservative, and women were 'always under the watch'.1287 The AAN also reported on restrictions on women's movement being more noticeable in some areas;1288 some Afghans in the provinces of Jawzjan, Baghlan and Ghazni told the AAN that having a *mahram* was being strictly enforced, even for short distances, making it impossible for women to go outdoors alone.1289 The UN Special Rapporteur on Human Rights in Afghanistan noted that, within weeks of the 'Morality law's' announcement, women across Afghanistan reported facing tightened restrictions on their movement, including being stopped, interrogated, and harassed at checkpoints, regardless of the distance they travelled. Even when accompanied by a *mahram*, women reported scrutiny to ensure that their *mahram* was an immediate family member. In some areas enforcers have been using loudspeakers to humiliate unaccompanied women.1290 The de facto authorities have reportedly been focusing on the enforcement of the ban on using transport without a *mahram* in particular.1291

Sources reported on consequences for travelling without a *mahram* including arrests,1292 sometimes with 'rigorous inspections',1293 harassment and beatings.1294 According to Rawadari, women had also been arrested for leaving the house without a *mahram*.1295

There have been cases in which unaccompanied women were barred from leaving the country 1296 and in some cases even despite having a *mahram*, for example when trying to go abroad to study.1297 Reportedly, in some cases it is still possible to leave the country via the airport without a *mahram* after individual negotiations with the airport staff.1298

The *mahram* requirement creates barriers for women and girls to access public services, work and conduct other activities outside their homes.1299 Women have also been barred from entering de facto government offices without a *mahram*.1300 According to the Office of the United Nations High Commissioner for Human Rights (UN OHCHR), in some provinces, also women with a *mahram* were denied access to de facto government premises.1301 In general, women cannot appear in court without a *mahram*.1302 As reported by UNAMA, the de facto MPVPV have instructed health clinics, shops, markets, government offices and taxi drivers to deny services to unaccompanied women.1303 Unaccompanied women have moreover been denied access to markets in some provinces,1304 including in Uruzgan, Farah and Kandahar, as reported by UNAMA.1305 Moreover, sources reported that women in some provinces have to be accompanied by a *mahram* to access healthcare facilities, and that female healthcare workers had to be accompanied by a *mahram* to go to work.1306 The *mahram* requirement has also made the effective delivery of humanitarian assistance to women more difficult.1307

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