

French Address 2022: Rescuing Afghan Women Judges

Susan Glazebrook¹

Introduction

On the 15th of August last year, after twenty years of democracy-building initiatives in the country, the Taliban reclaimed Afghanistan's capital city, Kabul. Overnight, the 250 Afghan women judges and their families were placed in mortal danger.

At the time, I was a few months into my two-year term as President of the International Association of Women Judges, or IAWJ as we call it for short.

The IAWJ is a membership organisation with some 10,000 member judges from all levels of court and from over 100 countries. We are dedicated to promoting and empowering women judges, tackling gender bias and gender violence, promoting access to justice, ending discrimination and generally advancing human rights. Usually, we work towards these goals through educational programmes and providing institutional support to encourage the formation of women judges' associations around the world. We have 43 affiliated national and regional women judges' associations.²

In today's presentation, I will tell the story of how a small group of IAWJ leaders became involved in a major humanitarian effort to help save the lives of the Afghan women judges and their families. We had no choice but to step up, despite being well out of our comfort zone and our normal roles. The values the IAWJ espouses would have seemed empty indeed if we were not prepared to live by them.

Pre-Taliban Afghanistan

Our support for the rescue of Afghan women judges did not come out of the blue. The IAWJ has had a long association with the Afghan women judges and the Afghan Women Judges Association. They have attended our biennial conferences over

¹ President of the International Association of Women Judges (IAWJ) and judge of Te Kōti Mana Nui o Aotearoa | Supreme Court of New Zealand. This paper is the footnoted version of the French Address given in Invercargill, New Zealand on 13 October 2022.

² See <www.iawj.org> for more information on the IAWJ.

the years and five attended the IAWJ Asia Pacific regional conference held in Auckland in 2013.

As an aside, one of the judges who attended that Auckland conference was recently evacuated to New Zealand with her brother and his family with the help of the New Zealand authorities. The family is now settled in Auckland and we are having dinner with them at their new home tomorrow evening, which no doubt means an overabundance of food. Afghan hospitality is legendary.

But I start the story in 2003 when the IAWJ began a cultural and legal exchange program that saw groups of Afghan women judges come to the United States to spend time in Vermont and Washington DC.

Washington seems relatively obvious as a destination. Why Vermont you might ask? That was due to the energy and commitment of an amazing judge from Vermont, Judge Patti Whalen, who is still very involved with the Afghan rescue effort. It was also related to the nature of Vermont as a rural state and at the time with courts that were not particularly technology oriented and thus more on a par with the conditions in the Afghan courts. The program in Vermont covered not only legal and court issues but also more general topics and cultural visits.

The exchange program was two way. A number of female judges from the United States, including Judge Whalen, visited Afghanistan to learn about the Afghan legal system and to collaborate with the Afghan judges on outreach initiatives. One of the initiatives was visiting schools to talk about human rights and encourage girls to consider legal careers. A number of those students went on to become judges, prosecutors and human rights workers.

There were mutual benefits and learning from the judicial exchanges, as well as long lasting friendships. The judges from the United States and Afghanistan found they had much in common, especially on issues related to access to justice and gender equality. They also had much in common in terms of the challenges faced by women judges. There was little transparency around promotion in Afghanistan and many women judges were confined to lower-ranking positions in courts seen as more appropriate for

women, such as youth courts. Similar issues arose for women judges in the United States.

But there were some major differences. Women judges in Afghanistan were often not taken as seriously as their male colleagues. They faced attacks to their reputation, revenge threats for rulings they made and, in some cases, they were pressured to change their decisions by male judges. Some found themselves appointed to courts in insecure and far-away provinces.

But the really significant difference between Afghanistan and the United States was that the United States' judges could go to work in conditions of security, unlike their Afghan colleagues. Between 2015 and 2020 it is estimated that more than 300 Afghan judges, prosecutors, prison personnel and other justice sector workers were killed, injured or abducted.³ The Taliban are believed to have been behind many of these attacks.⁴

In January 2021, two of the Afghan women judges, Judge Zakia Herawi and Judge Qadria Yasini, were gunned down and killed on their way to court in Kabul.⁵ Their deaths were a major tragedy for their families, their loved ones and their colleagues, both in Afghanistan and globally. One of the assassinated judges had participated in the United States' exchange program and that made it very personal for the IAWJ.

But this was more than a private tragedy. The killings were part of an orchestrated campaign targeting public figures working towards a more equal and inclusive Afghanistan. Women leaders were especially targeted in an effort to intimidate not only women holding public office but women generally.

At the IAWJ biennial conference in Auckland, held partly in person and partly virtually in May 2021, two Afghan women judges explained how insufficient court security had left them vulnerable to violence. Some judges had even been attacked at their desks

³ United States Department of State *Afghanistan 2020 Human Rights Report* (2020) at 33.

⁴ Joel Gunter "Afghanistan: A year of violence on the road to peace" (28 February 2021) BBC News <www.bbc.com>.

⁵ See "Killings of Women Judges in Afghanistan – Statement of the IAWJ" (25 February 2021) New Zealand Bar Association | Ngā Ahorangi Motuhake o te Ture <www.nzbar.org.nz>.

and in court, as well as on their way to work. As precautionary measures, judges had been advised to change their clothes, vehicles and travel times constantly, and had been given guns and trained on how to use them. Many had recruited family members as private security guards.

The Afghan judges who attended the Auckland conference asked the IAWJ to help bring their terrible security situation to the attention of world and to assist in facilitating educational programmes. Of course we agreed as this was very much within the IAWJ's normal role.

It is notable that, despite the discrimination they faced and the ever-present threat of violence, the Afghan women judges were determined to continue to dedicate themselves to their work as judges and to the country they loved. Motivated by a commitment to justice, the rule of law and the fair treatment of women in the Afghan legal system, these women judges went into work each day not knowing if they would return home to their families in the evening. Their courage is beyond belief.

The impact of their bravery was also significant. The mere presence of women judges, lawyers and police officers helped empower more women to use the justice system, including women victims of crime, abuse and domestic violence.⁶ Women judges helped create a more welcoming and respectful atmosphere for victims and worked to prevent re-traumatisation of women through the justice process.⁷ They reduced the prevalence of harmful stereotypes and helped ensure women received fair treatment.⁸ This was particularly significant in the more patriarchal, rural areas of the country. As one Afghan judge rightly put it, these judges were truly “moving mountains”⁹ and paving the way for even more progress in the future.

Sadly, however, things took a dramatic turn for the worse in August 2021. And the focus of our small Afghan support committee changed from support in country to

⁶ Panel discussion with Tayeba Parsa, former judge at the commercial division of the Afghanistan appellate court (Hayley Evans, *Afghanistan's Women Judges: Exiled From the Bench*, 27 July 2022).

⁷ Parsa, above n 6.

⁸ Parsa, above n 6.

⁹ Parsa, above n 6.

saving the lives of our colleagues and their families by helping them to leave the country they love.

The story is in three stages: before the final withdrawal of foreign troops, followed by a period of air evacuations and the current period where rescue is becoming more and more difficult while the danger escalates.

Before foreign troop withdrawal

After signing a peace deal with the Taliban, the United States eventually set the date for full and final United States withdrawal from Afghanistan as the 31st of August 2021.

In the months preceding that date, the United States had started to reduce its troop numbers. Emboldened by the retreat, the Taliban swiftly reclaimed Afghanistan's cities. And, on the 15th of August, the Taliban reached Kabul.

As this was happening, the members of our IAWJ support committee looked on in horror. It was no secret that the Taliban had played a significant role in the security threats women judges were facing. The idea of women as judges just does not fit with the Taliban view of the world. They consider it unacceptable for women to sit in judgment over men. Some of the women judges are Hazara, a minority ethnic and religious group at especially high risk of persecution. Furthermore, many of the women judges had roles sitting on courts focused on the elimination of violence against women and countering terrorism. The Taliban views these courts and the judges sitting on them as hostile agents of the Western agenda.

So, when the Taliban began to reclaim power, the members of the IAWJ were acutely aware that this would place our friends and colleagues in Afghanistan in grave danger. We had no reason to believe that the Taliban would act any differently than they had during their previous regime and, unfortunately, we were proven right.

What is more, it was not just the Taliban that women judges have had to fear. During their takeover of the country, the Taliban emptied the prisons of even the worst criminals and terrorists, many of whom who had been sentenced by our sister judges and who are now out for revenge. There is also a particularly high risk of revenge

attacks from disgruntled litigants in family law cases. One judge who had been a judge on both a terrorism and a drug court said that her most dangerous time had been when she was a family court judge.

The Taliban and in many cases the disgruntled individuals out for revenge have access to the judges' addresses and phone numbers through records in the courthouses where the judges used to work. They are able to use this to hunt the judges and their families down.

I will give three examples among many of the dangers women judges are facing. You will be relieved to hear that all three of the judges I am about to tell you about are now safe and in final destinations.

After the Taliban arrived in Kabul, one judge and her husband visited the bank to withdraw cash. A Taliban guard with an AK-47 challenged them. It turns out that he was one of the released prisoners who had been sentenced by the Judge for rape. He had recognised her name on the bank card and asked her to remove her mask. The bank manager luckily intervened and the couple were able to slip away while the guard and the manager were discussing the situation. After this incident, when the Judge tried to transfer money online, she found that all of her accounts had been blocked.

Another judge had fled her home with her family when the Taliban took over, fearing that they would come looking for her. She was right. The housekeeper who was left looking after the house was unable to tell the men where the Judge had gone. In retaliation, they trashed the house and shot and killed the family dog. The Judge has no doubt that, if she had been there, they would have killed her too.

My third judge had sat on a custody case involving a child whose father had murdered her mother. The Judge had granted custody of the child to the dead mother's family. The father felt that his family should have been granted custody, in line with Afghan tradition. Released from prison by the Taliban, the father phoned the judge, saying he knew where she was. He demanded that she tell him his child's location by the next day. Otherwise, he said, he would kill both the Judge and her daughters. The Judge and her family had to go into hiding.

In light of all these developments and the serious danger these women judges were now facing, our IAWJ Afghan support committee knew we had to act.

First stage

Once the Taliban had taken Kabul, there were no more commercial flights out of the country. The only option was to secure places on official evacuation flights, leaving Kabul airport, which was still under United States military control. We thought, naively as it turns out, that the obvious dangers these women were facing and the important role they had played in democracy building would guarantee them and their families a spot on these evacuation flights. We could not have been more wrong. Far from it being women and children first, it seemed to us that it was women and children last.

Nevertheless, we tried very hard during this period to get judges out on the official flights. We engaged in extensive advocacy efforts, speaking to international media as much as we could to raise awareness about the plight of the women judges, preparing endless lists for officials, and contacting governments all over the world in an attempt to get assistance. But with very limited success.

We only managed to get some 30 of the 250 Afghan women judges out of the country during this time. Most of the spots we secured were on the Polish aircraft leaving Afghanistan after a tremendous advocacy effort from an intellectual property lawyer in Poland.

Even for those judges who were allocated a place on official evacuation flights, actually getting to the airport was another story entirely. Only official vehicles were being let in and out of the airport, so the judges and their families had to make their way to the airport on foot. The journey on average took 30 hours, through searing heat and immense crushes of people, with little food and water, and often with young children.

The Polish authorities mainly used a gateway called the Abbey Gate as the entrance to the airport. To reach this point, the judges had to go through two armed checkpoints, where they were often turned away. Tear gas was administered, rifles were shot up into the air and people were beaten, including with plastic hoses. The husband of one judge had a rifle pointed at his head. Many had to turn back at this point and a number of the

judges' children had to seek medical attention as a result of the heat. One judge's four year old was lost in the crowd for an endless half hour before he was found safe and well by her neighbours.

If the judges and their families got past the checkpoints, it was still a harrowing, long trip in a crush of people to the airport gate. At the end the families had to wade through what had effectively become a sewer to get close enough to the gate for the Polish soldiers to find them in the immense crowds and let them in.

One judge had to give up at the very last minute as she and her husband just could not get their five young children through the sewer, after spending the night on a bridge near the gate and having the children trampled on while they slept. You will be relieved to know that we did get that family out in our second phase later in the year and that they are now safe in New Zealand.

Our committee members and our wonderful interpreters were there with the judges every step of the way to the airport gates: encouraging them, giving them directions (on one memorable occasion through Google Maps) and helping them connect with the soldiers at the gates. As our members live in different time zones, this meant that there was always someone awake and available via a 24-hour Zoom and WhatsApp group. However, in reality, we all got very little sleep during this time, anxious as we were to ensure that our sister judges made it out safely. By the end of this period I felt I could smell the sewer.

The courage, persistence and often luck needed to get into the airport was something no one should have to endure, least of all women and children.

It was also just outside the Abbey Gate by the sewer that the 26 August suicide bomb attack happened, killing almost 200 people.¹⁰ We had several judges attempting to get to the airport that day and after a long, frightening wait, we eventually got the news that all of them were safe. But that bomb attack basically meant there were no more flights and that was the end of the first phase.

¹⁰ Nick Paton Walsh and others "Horror at Kabul's gate to freedom: Inside the final deadly moments of the US' longest-running war" (8 February 2022) CNN <edition.cnn.com>.

Second stage

Once the foreign troops officially left Afghanistan at the end of August 2021, there were very few remaining official evacuation options. With little action from governments around the globe, civil society was left with the enormous burden of organising rescues for those who had not yet been able to escape. To be frank, it is a matter of great international shame that so many people, and in particular so many women who had worked so hard for democracy and human rights in Afghanistan, were abandoned in this way.

Our IAWJ committee therefore had to partner with other non-governmental organisations, including the International Bar Association and the Aleph Institute (a Jewish organisation), to try and organise evacuations of the remaining 220 or so judges and their families. We are incredibly grateful for their assistance and especially because they arranged on the ground support in Afghanistan which we would just not have been able to arrange on our own. And, as a lot of that on the ground support was organised by military personnel, we learned a whole new vocabulary and way of thinking.

Until the end of 2021, evacuations were through chartered planes. This was an enormously expensive exercise and a logistical nightmare. It involved securing landing rights in both Afghanistan and in destination countries, working out how to get the judges safely to the airport and arranging transit destinations (which we learned to call lilypads) where judges and their families could wait until visas could be organised for their final destinations. The two main transit countries for our judges were Greece and the United Arab Emirates. The judges have only recently been moving from there to final destinations. Some are still waiting, a state of limbo which is very hard as you can imagine.

One of the complications in finding final destinations, apart from the very large numbers of Afghan nationals displaced by the Taliban, has been the Afghan view of family which is much broader than most western countries' immigration policies are designed for. But of course the Afghan definition of family is shared by the Taliban

and, if the Taliban cannot find the judge, they will target the family. Not to mention some of the family members of the judges are in danger in their own right.

Overall, this phase of the rescue operation was significantly more successful than the first, and, with our partners, we managed to arrange the evacuation of some 130 judges and their families. Other judges were evacuated by other groups and by Germany which has been one of the few countries still doing evacuations. And some have moved themselves to neighbouring countries because of the high threat level they were facing. These judges are in a rather precarious situation, however, in those neighbouring countries as there is always a risk they will be returned to Afghanistan. So, we are still trying to find final destinations for them.

We are very grateful to the countries who have been able to offer our sister judges permanent places to stay. We now have 125 judges in final destinations, including Australia, the United Kingdom, Germany, Spain, Ireland, Canada and the United States.

I am happy to say New Zealand has also welcomed six judges and their families. New Zealand has also been cognisant of the Afghan view of family and therefore not too rigid in its resettlement policies.

And now back to the rescue efforts. The second stage came to an abrupt end when we had a failed evacuation flight at the end of 2021, with some of our judges and family members detained for some 24 hours before being released. I leave you to imagine what that was like for the judges and for our committee members anxiously waiting for news.

Third stage

So we are now in the third stage where we still have some 70 judges and their families in hiding and at risk in Afghanistan. Due to the deteriorating situation in the country and the difficulty in securing the appropriate documentation, air evacuations are now all but impossible. There is no other option but to evacuate by land. As a consequence, the focus is on the painstaking task of getting one family out at a time. Then they face long waits in transit countries (at present Pakistan) before being processed for final destinations—we are hoping the United States.

And all this slow down in the evacuation process comes at a time when the conditions in Afghanistan are deteriorating and the danger to women judges escalating. The Taliban has been conducting systematic searches in the main centres, searching for weapons and proof of involvement with the previous government. There has been sustained questioning in the course of these searches and this has been very frightening. Luckily through our contacts we have been able to pass on warnings of searches to our judges so they can be prepared. So far none of our judges have been killed or identified as Government workers but we wake every morning fearful that today will bring the news we have all been dreading.

As if this were not bad enough, restrictions on women generally are tightening every day. When they first entered Kabul, the Taliban claimed that they were changed and would not reinstitute the harsh restrictions on women's rights that existed under their regime in the 1990s.¹¹ Many commentators were highly sceptical. And rightly so.

Over the past year, the Taliban have introduced harsh restrictions on women, impacting every facet of their daily lives. They have replaced the Ministry of Women's Affairs, responsible for progressing women's rights, with the Ministry of Vice and Virtue, a moral police force tasked with taking their rights away.¹²

Girls have been banned from attending secondary school.¹³ Women are forbidden from travelling more than 72km without a male chaperone, are no longer eligible to apply for a driver's licence¹⁴ and have been told to stay at home unless absolutely necessary.¹⁵ If they do leave the house, women must wear full body and face coverings.¹⁶ In practice, women are at high risk *whenever* they leave the house without a man. This is particularly problematic considering the significant number of widows in Afghanistan,

¹¹ See generally John R Allen and Vanda Felbab-Brown "The fate of women's rights in Afghanistan" (September 2020) Brookings www.brookings.edu; and Al Jazeera "Taliban says will respect women's rights, press freedom" (17 August 2021) <www.aljazeera.com>.

¹² Aljazeera "Taliban replaces ministry for women with 'guidance' ministry" (18 September 2021) <www.aljazeera.com>.

¹³ Stefanie Glinski and Ruchi Kumar "Taliban U-turn over Afghan girls' education reveals deep leadership divisions" *The Guardian* (online ed, London, 25 March 2022).

¹⁴ Sravasti Dasgupta "Taliban regime stops issuing driving licenses to women, reports say" *The Independent* (online ed, London, 5 May 2022).

¹⁵ United Nations "Afghanistan: Taliban orders women to stay home; cover up in public" (7 May 2022) <news.un.org>.

¹⁶ Lara Owen "Afghanistan face veil decree: 'It feels like being a woman is a crime'" (15 May 2022) BBC <www.bbc.com>.

a country that has lived through decades of war.¹⁷ A recent edict prohibits women being treated by male doctors but women doctors have effectively been stopped from working.¹⁸

The Taliban has also disestablished the courts focused on the elimination of violence against women, despite the very high levels of domestic abuse across the country. Male elders or Taliban members now preside over family and property cases in rural areas, usually with unfavourable outcomes for women.¹⁹ Women’s shelters and safe houses have been closed, forcing women to return to their abusers or go into hiding.²⁰

As will be unsurprising, women play no part in the country’s leadership, with these positions dominated by Taliban members and sympathisers. All 33 members of cabinet are men.²¹ As one Taliban spokesperson put it, a “woman can’t be a minister, it is like you put something on her neck that she can’t carry. It is not necessary for women to be in the cabinet—they should give birth.”²²

Many have labelled the regime gender apartheid and there have been warnings that this persistent dehumanisation has significantly increased the risk of mass atrocities against women.²³

In general, the Taliban regime has little respect for the rule of law and human rights. There have been widespread reports of arbitrary detention, torture, extrajudicial

¹⁷ RFE/RL’s Radio Azadi and Abubakar Siddique “Afghan Widows Struggle To Survive Amid Humanitarian Disaster” (25 March 2022) Radio Free Europe/Radio Liberty <www.rferl.org>.

¹⁸ See generally Chantelle Lee “What’s the Status of Healthcare for Women in Afghanistan Under the Taliban?” (9 August 2022) PBS <www.pbs.org>.

¹⁹ Belquis Ahmadi and Matthew Parkes “After a Year of Taliban Rule, Advances for Afghan Women and Youth Have All but Evaporated” (25 August 2022) United States Institute of Peace <www.usip.org>.

²⁰ Amie Ferris-Rotman and Zahra Nader “‘I don’t know where to go’: uncertain fate of the women in Kabul’s shelters” *The Guardian* (online ed, London, 1 October 2021).

²¹ Weeda Mehran “The Taliban’s Islamic Emirate: An Exclusive Mullah Government” (16 August 2022) *The Diplomat* <www.thediplomat.com>.

²² Amnesty International *The Rule of Taliban: A Year of Violence, Impunity and False Promises* (15 August 2022).

²³ Global Centre for the Responsibility to Protect “Afghanistan” (31 August 2023) <www.globalr2p.org>; and Tahlia Mullen and Tallan Donine “Women and Hazara in Afghanistan Face Heightened Risk of Mass Atrocities After Taliban Takeover” United States Holocaust Memorial Museum (13 September 2021) <www.ushmm.org>.

killings, as well as the return of public whipping and stoning.²⁴ Human rights activists, former government workers and journalists have been particularly targeted.²⁵ Terrorist attacks by other groups are increasing. And the threat of civil war looms large.

Particularly at risk is the Hazara community, an ethnic and religious minority. According to the Human Rights Watch, since August 2021, 16 terrorist attacks have claimed more than 700 Hazara casualties.²⁶ The latest attack was on an education centre where over 50 young Hazara women were killed and over 100 wounded in a bomb attack while in a classroom preparing for their university entrance exam.²⁷ A recent expert inquiry into the situation of the Hazara in Afghanistan and Pakistan concluded that, as a religious and ethnic minority, the Hazara are at serious risk of genocide at the hands of the Taliban and ISIS-K or “Islamic State-Khorasan Province”, a branch of the Islamic State terrorist organisation.²⁸ The Afghan Hazara community in New Zealand organised a protest last Sunday in solidarity with similar protests throughout the world about these atrocities.²⁹

As if all this was not bad enough, the people of Afghanistan are also suffering in other ways because of natural disasters and the dire economic situation. It is estimated that 97 per cent of the population is on the brink of poverty³⁰ with over a million children under five years of age at risk of severe acute malnutrition.³¹ Rampant inflation and the knock on effects of the Ukraine war have increased the price of essential goods by more than 50 per cent.³² The situation is particularly severe for female-only households, many of whom have lost their ability to earn an income as a result of the

²⁴ Mahir Hazim “Going Back to Zero: How the Afghan Legal and Judicial System Is Collapsing Under the Taliban Regime” (7 March 2022) Jurist <www.jurist.org>; and Amnesty International, above n 22.

²⁵ Amnesty International, above n 22.

²⁶ Human Rights Watch “Afghanistan: ISIS Group Targets Religious Minorities” (6 September 2022) <www.hrw.org>.

²⁷ News Wires “Death toll tops 50 in suicide attack on female Afghan students, UN says” (3 October 2022) France 24 <www.france24.com>.

²⁸ The Hazara Inquiry *The Situation of the Hazara in Afghanistan* (August 2022) at 5.

²⁹ Hasht-E Subh “Protesters in New Zealand: Urgent Measures Should be Taken to End the Hazara Genocide” (9 October 2022) <8am.media>.

³⁰ Ishaan Tharoor “One year later: In Afghanistan, a legacy of U.S. failure endures” *The Washington Post* (online ed, Washington DC, 15 August 2022); and Human Rights Watch “Economic Causes of Afghanistan’s Humanitarian Crisis” (4 August 2022) <www.hrw.org>.

³¹ Rahim Faiez “1.1 million Afghan children under 5 could face severe malnutrition this year, UN says” (5 May 2022) PBS <www.pbs.org>.

³² “‘Some days we eat grass’: families on the edge in Afghanistan’s food crisis – in pictures” *The Guardian* (online ed, London, 19 September 2022).

Taliban restrictions.³³ This extreme poverty is forcing families to make desperate choices in an effort to beat off starvation, including sending children as young as three or four to work to make ends meet³⁴ and selling their young daughters into marriage in exchange for dowries.³⁵

Where to now?

So, where does this leave our IAWJ committee now? While we have achieved a lot over the past year, it is not enough. It will never be enough until all the women judges and their families are out of Afghanistan and safe in new, permanent homes. And we will not give up fighting for them until we achieve this. We made a promise that no one would get left behind and we intend to do our very best to keep that promise. Heartbreakingly that promise is becoming more and more difficult to achieve. But, as our amazing Spanish committee member says, we continue.

Life afterwards for the refugees

It is also worth reflecting that, for those judges who have managed to escape Afghanistan and those who escape in the next little while, this is only the first step. As I have already said, the next step is usually a long stay in a lily pad or transit country in basic conditions and in a state of limbo and uncertainty. Some 60 of our judges are currently in that state and of course, as we get more judges out, this number will increase.

I also need to mention that even getting judges to final destinations is not enough. There is obviously an amazing sense of relief when the judges finally reach safety.

But these judges have lost the careers they worked so hard for and have become refugees in countries where they do not speak the language. They will face years of hardship and retraining and many are seriously traumatised. Most are also desperately worried about family members left behind in Afghanistan.

³³ Human Rights Watch “Economic Causes of Afghanistan’s Humanitarian Crisis” (4 August 2022) <www.hrw.org>.

³⁴ Samantha Mort “One Year On: A update on the situation in Afghanistan” (discussion at the Australian International Development Network Webinar, 27 September 2022).

³⁵ Human Rights Watch, above n 33.

The IAWJ has made the decision that our involvement finishes when the judges get to their final destinations. The committee will, of course, still be interested in how they are getting on and our affiliated associations, like the New Zealand Women Judges Association, will continue working with those in their jurisdictions.

I should say too that the IAWJ is very conscious that there are other groups at risk in Afghanistan but we are a very small group of volunteers and cannot help everyone. We are a women judges group and we felt an obligation to our sister judges, particularly because of our history with them. It is also an easy group to verify and we were able to convey a consistent message about the risks.

I want to finish by reflecting on some of the lessons learned throughout this experience. First the power of modern communication methods, including encryption, which has enabled us so far to keep in contact with the Afghan judges safely, as well as communicating among ourselves. Second the importance of international networks. The final lesson came from our early 24-hour Zoom days and it is never to underestimate the power of a group of determined old women in their pyjamas.

There have been moments of great joy and relief. There have been periods of pure exhaustion and moments of terrible heartbreak (at least two of our judges have suffered miscarriages and we recently lost one of our judges in Pakistan to a heart attack). And we are not at the end yet.

Recently our Afghan support committee was awarded the inaugural DLA Piper Lead Her pro bono award. I am going to finish with a video made by them about our efforts.

But first I need to make it clear that the real heroes in this story are the Afghan women judges. I am in awe of their courage and resilience.

I pay tribute to them.