

Flygtningenævnets baggrundsmateriale

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Asia

Islamic Republic of Afghanistan

1. Overview of the human rights and democracy situation: The year 2023 in Afghanistan was another challenging year in terms of Human Rights and Democracy, with a worsening environment on protection and fulfilment of human rights and fundamental freedoms, social welfare, cultural rights, rights of persons belonging to minorities, as well as on inclusive and representative governance. The edicts issued by the Taliban religious leadership continued to institutionalise the systematic violations of the rights of women and girls, Afghanistan thus ranking worst of 177 countries in terms of the status of women, according to the 2023 Women, Peace and Security (WPS) Index.

A parallel political and judicial system prevailed, outside of the still suspended constitution. The constitutional and legal vacuum added to the overall sentiment of unpredictability also regarding the role of key public institutions. Taliban *de-facto* authorities failed to demonstrate their willingness to uphold many of the international norms and standards, as set out in international conventions and instruments to which Afghanistan is a State Party, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC). Afghanistan is also a party to the Rome Statute of the International Criminal Court (ICC).

Persons belonging to ethnic and religious minority groups in Afghanistan continued to be prevented from fully enjoying their rights, and the UN reported credible evidence of torture, and inhuman and degrading treatment of detainees, as well as enforced disappearances and extra-judicial killings. The Taliban *de facto* authorities continued to implement the death penalty, with a second known case of public execution reported in 2023, after the first one in 2021. Judicial corporal punishment, implemented based on court orders and sometimes carried out in public, also continued. There are credible reports about arbitrary arrests and detentions of human rights defenders, media workers or members of minority groups. In 2023, Afghanistan ranked at 152 in Reporters Sans Frontières (RSF) World Press Freedom Index, which compares the level of press freedom enjoyed by journalists and media in 180 countries and territories, with a number of journalists, including some working for international outlets, facing intimidation, threats, arrests and prosecution. Reports indicate that a number of media outlets have also been arbitrarily shut down or prevented from operating if accused of not following Taliban regulations. Many journalists report that a sentiment of self-censorship prevails.

The Taliban *de facto* authorities introduced a series of bans curbing social, political and economic rights of Afghan girls and women and limiting sources of livelihood in 2023. Afghan women were precluded from working for NGOs and UN agencies, making it even harder to deliver humanitarian and basic needs assistance, and beauty parlours were ordered to close in the middle of the year. Non faith-based secondary and higher education for girls remained banned as the Taliban *de-facto* authorities stated they needed more time to adapt the education programmes to Islamic traditions and Afghan culture.

2. EU action - key focus areas: In 2023, the EU continued to implement actions in line with the Foreign Affairs Council Conclusions adopted in September 2021 and reconfirmed in March 2023, outlining five benchmarks, including human rights. The overall human rights situation, in particular for women and girls, remains a key concern for Afghans, as well as for the EU and for the international community. The EU continued to support Afghan civil society, human rights defenders (HRDs), and media and focused its safe passage operations on Afghans particularly at risk. To date, the EU's Safe Passage Task Force brought to safety hundreds of persons at risk, including dependents.

In 2023, the EU also adopted EU Global Human Rights sanctions against five representatives of the Taliban *de facto* government.

3. EU bilateral political engagement: The lack of domestic legitimacy and the subsequent actions by the Taliban made it impossible for the international community, including the EU, to recognise the Taliban *de facto* authorities. The EU Delegation in Kabul ensures the sole representation of the European Union and its Member States in Afghanistan. It allows a channel of communication with the Taliban *de facto* authorities in discussing issues of concern, raising individual cases, including cases of human rights defenders. The Delegation also provides a channel for dialogue with other Afghans, including the business community and civil society representatives. The EU Special Envoy for Afghanistan visits Afghanistan regularly and continues the EU's engagement with Afghan CSOs in and outside of the country.

4. EU financial engagement: Since August 2021, the EU has allocated an overall assistance package of over EUR 1.2 billion in support to the people of Afghanistan including basic needs assistance, humanitarian aid and crisis response funds. In line with EU's policy towards Afghanistan, EU funding is not channelled through the Taliban *de facto* authorities. The EU has spearheaded the formulation of a set of guiding principles adopted by the donor community for the delivery of humanitarian assistance and basic needs and livelihoods support. The principled approach ensures that support is delivered with women at the centre of design and delivery ("by women for women and girls" and in a "do no harm" approach), ensuring also that no resources are channelled through Taliban-controlled entities.

More specifically, EUR 8.9 million were allocated in the area of human rights for the period 2021-2024. In 2023, the EU continued to fund support to Afghan human rights defenders. Continued support was provided for the "Threatened Afghan Students and Scholars Scholarship Programme" for the academic years 2022-2024.

5. Multilateral context: The EU continued to coordinate with the UN Special Rapporteur on the situation of Human Rights in Afghanistan, and supported the renewal of his mandate with adequate resources. In addition, the EU actively engaged with the UN Special Coordinator for the Independent Assessment on Afghanistan (UNSCR 2679-2023) and announced its readiness to participate in the discussions on the follow-up to his report published in November 2023. The International Criminal Court (ICC) authorised the Prosecution to resume the investigation into the Afghanistan situation in October 2022, which the EU continues to support as a key mechanism for increased accountability in Afghanistan.

In 2023, the EU included Afghanistan in the Council Conclusions on EU priorities in UN Human Rights in 2023, in a number of statements in the 52nd, 53rd and 54th Human Rights Council sessions, and in the UNGA Third Committee

The EU has condemned the multiple Taliban edicts such as the one banning female staff from working for national and international NGOs. The EU has raised concerns regarding the human rights situation of persons belonging to minorities, children, LGBTI persons, human rights defenders, former personnel of the republic, journalists and media workers and others who suffer human rights violations and abuses, as well as the perceived persecution on the grounds of gender, which is a crime against humanity defined in the Rome Statute, to which Afghanistan is a party. The EU has also condemned the reintroduction of corporal and capital punishments.

People's Republic of Bangladesh

1. Overview of the human rights and democracy situation: Bangladesh experienced a volatile period ahead of parliamentary elections on 7 January 2024. The period was marked by increasing restrictions to fundamental freedoms, political violence and mass arrests. The Secretary General of the main opposition party (Bangladesh Nationalist Party, BNP) was one of thousands of opposition leaders and activists detained following a large rally in October. At the end of the year, many were still detained, waiting for sentencing or release. Large-scale demonstrations of garment workers demanding a higher minimum wage also took place in 2023. Several workers lost their lives during the protests.

Civil society continued to struggle with a shrinking civic space. Non-governmental organisations were closely regulated by the NGO Affairs Bureau that is charged with the registration of NGOs. After the bureau refused to renew the legal registration of prominent human rights organisation Odhikar in June 2022, two of its leaders were sentenced to prison in September 2023 for publishing an allegedly inaccurate report on extra-judicial killings by security forces a decade earlier. Other human rights defenders were also subjected to surveillance, intimidation and harassment.

The media landscape is diverse and growing, but self-censorship, intimidation and arbitrary arrests remained a reality for many journalists. The Digital Security Act (DSA) and other legislation was used to stifle criticism of the authorities. The Cyber Security Act (CSA) replaced the DSA in September 2023. More lenient prison sentences were introduced for some offences, but the new law still falls short of international human rights standards. A new Data Protection Act, which the EU has commented on, has yet to be adopted.

The draft anti-discrimination law has remained under consideration of the Parliament since April 2022, with little progress achieved in 2023.

Extrajudicial killings and enforced disappearances have decreased in past years, but new cases continue to be reported and Bangladesh has yet to create an impartial, independent and transparent mechanism to investigate both old as well as new allegations.

Bangladesh retains the death penalty and has extended capital punishment to offences such as rape and non-violent drug-related offences. Although there are around 2 000 individuals on death row, only four executions were carried out in 2022 (reliable figures for 2023 not yet available).