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World Report 2021 - Afghanistan

2020 saw the first serious negotiations among all the parties to the Afghanistan conflict to end the war. However, fighting between Afghan government forces, the Taliban, and other armed groups continued, causing almost [6,000](#) civilian casualties in the first nine months of the year, a marked reduction over previous years. Urban attacks by the Taliban and airstrikes by US forces declined, but improvised explosive devices (IEDs) planted by the Taliban killed a large number of civilians, as did Afghan government airstrikes. Abductions and targeted killings of politicians, government employees, and other civilians, many by the Taliban, increased. On March 5, the Appeals Chamber of the [International Criminal Court](#) (ICC) reversed the Pre-Trial Chamber's 2019 decision and authorized the court's prosecutor to investigate possible war crimes and crimes against humanity by all parties in Afghanistan.

Human rights groups called for a broad representation of Afghans in the peace talks, including women, and for any settlement to preserve human rights protections, including constitutional guarantees on women's rights and freedom of expression.

The government failed to prosecute senior officials responsible for sexual assault, torture, and killing civilians. Although the government dropped a proposed law that would have imposed restrictions on media, threats to journalists by both the Taliban and government officials continued.

Violations of International Humanitarian Law

According to the United Nations Assistance Mission in Afghanistan (UNAMA), the Taliban were responsible for [45 percent](#) of attacks that caused civilian deaths and injuries in the first nine months of 2020. Pro-government forces were responsible for [27 percent](#). Attacks by the Islamic State of Khorasan Province (ISKP), the Afghan branch of the Islamic State (ISIS), declined, but the group was responsible for several deadly bombings. Women and children comprised over [44 percent](#) of all civilian casualties.

On May 12, gunmen attacked the Médecins Sans Frontières (MSF)-run maternity wing of the Dasht-e Barchi hospital in Kabul, [killing](#) at least 24 people, including five women in labor and 10 who had recently given birth, a healthcare worker, and three children, and injuring 14 others. Three weeks after the attack, MSF [suspended its support](#) for the hospital, citing a failure by the authorities to adequately investigate the incident. No group claimed responsibility for the attack; the predominantly Hazara Dasht-e Barchi neighborhood has been the site of numerous ISKP attacks. Also, on May 12, ISKP carried out [a suicide attack](#) at a police commander's funeral in Nangarhar, killing 24 and injuring 82.

Roadside and magnetic IEDs, mostly planted by the Taliban, caused at least [1,274](#) civilian casualties. The Taliban's widespread use of pressure-plate IEDs, which function as banned anti-personnel mines, killed and injured hundreds of civilians using public roads, a [43 percent increase](#) over 2019.

[On July 11](#), a vehicle carrying civilians hit a roadside IED in the Jaghato district of Ghazni, killing six members of one family and injuring eight. On May 23, three boys ages 5 to 12 were killed when they triggered a pressure-plate IED in Badghis province. On [June 8](#), seven boys ages 9 to 15 were injured when their donkey stepped on pressure-plate IED in Faryab province. The Taliban also continued to target civilians, including humanitarian workers, members of the judiciary, tribal elders, religious leaders, and civilian government employees.

Afghan government forces were responsible for killing and injuring civilians in indiscriminate mortar attacks and airstrikes. In one of the deadliest incidents, [on June 29](#), the army fired three mortar rounds that landed in a busy marketplace in Sangin, Helmand, killing at least 19 civilians, including 6 children, and injuring 31. Civilian casualties from government airstrikes saw a [70 percent increase](#) compared to the same time period in 2019; women and children comprised more than 60 percent of civilian deaths and injuries. On September 19, government airstrikes in Kunduz [killed 15 civilians](#).

Although President Ashraf Ghani [pledged to ban](#) night raids in September 2019, such operations by special forces continued, including a [December 2019 raid](#) in which special forces killed a 15-year-old boy in Laghman. A [January 7](#) operation by National Directorate of Security (NDS) forces killed a prominent politician, Amer Abdul Sattar, and five others at a house in Kabul. Government officials [claimed](#) to be investigating [the killings of civilians](#) in night raids by [CIA-backed special forces](#), but no findings from these [investigations](#) were made public.

US military operations declined after the US-Taliban agreement was signed in February, but a number of US airstrikes in the beginning of the year caused apparently disproportionate civilian casualties, including an [airstrike on February 17](#) in Kushk district, Herat, which destroyed a house, killing three women and five children.

Women's Rights and Violence against Women and Girls

The government-backed delegation to the intra-Afghan negotiations included four women among its 21 members. The Taliban team included no women.

Former governor and Afghan Football Federation president, Keramuddin Karim, remained at large in Panjshir province, [despite having been indicted](#) on multiple counts of rape, sexual assault, and harassment of female players dating to 2017. [On August 23](#), Afghan government special forces launched an operation to apprehend Karim, but were thwarted by local militia forces in Panjshir protecting him.

In February, the Ministry of Women's Affairs [reported](#) a slight increase in registered cases of violence against women, including murder, assault, and rape. Such cases are seldom prosecuted due to pressure from family members, and there are very few services available to people seeking to escape violence. In the case of Lal Bibi, a 17-year-old girl in Faryab who had been beaten and burned by her father and husband, [local strongmen](#) exerted pressure to secure the release of the accused perpetrators.

In September, human rights organizations called for a [total ban](#) on so-called virginity tests, abusive procedures that are a [routine](#) part of criminal proceedings in Afghanistan even though they have no scientific validity. The Afghan penal code requires a court order and the consent of the woman for the tests, but these requirements are often ignored.

On September 3, the government approved a law allowing for the inclusion of the [mother's name](#) on national identity cards (*tazkiras*), a move Afghan women's rights groups had long demanded.

Sexual Orientation and Gender Identity

In February 2018, Afghanistan adopted a new penal code that explicitly criminalizes consensual same-sex relations. The penal code punishes *musahiqeh* (sexual relations between women) with up to one year in prison. It punishes sodomy, defined as “penetration of a male sexual organ into a female or a male anus,” with up to two years in prison. Under the previous penal code, “pederasty,” not further defined, was criminalized, as was all sex outside of marriage (*zina*).

Attacks on Media and Human Rights Defenders

[Fatima Natasha Khalil and Ahmad Jawid Folad](#), both employees of the Afghanistan Independent Human Rights Commission (AIHRC), were killed when an IED attached to their car in Kabul detonated on June 27. The AIHRC vehicle had government plates.

In late November 2019, the NDS [detained and threatened](#) two staff members of a human rights group that reported the widespread abuse of hundreds of schoolboys in Logar province. In January, the attorney general's office [arrested 18 people](#) in connection with the reported abuse. [However](#), none of the police or senior officials alleged to have been responsible were arrested.

In June, media organizations, human rights groups, and other civil society organizations denounced the government's proposed [amendments to the Media Law](#) that would have compelled journalists to reveal sources and allowed government censorship of news reports. In response to the outcry, President Ghani withdrew the amendments.

While media remained generally free, after [Pajhwok Afghan News](#) reported on June 22 that [32 ventilators](#) meant for Covid-19 patients had been stolen and sold by government officials, Pajhwok's editor Danish Karokhel was summoned for questioning and accused of “acting against [national security](#).” On July 1, NDS officers [detained](#) a Pajhwok journalist whom they accused of criticizing President Ghani on Facebook. Also, on July 1, NDS officers [detained](#) a Reuters correspondent in Khost; the NDS later said his detention had been “a mistake.”

[On May 30](#), two employees of Khurshid TV were killed and six others were wounded in Kabul when an IED detonated on their van. [ISKP claimed responsibility](#).

On May 9, protests broke out in Chaghcharan, the capital of Ghor province, over allegations of unfair bread distribution during a lockdown implemented between March and June to stop the spread of Covid-19. Ahmad Khan Navid, a correspondent for Ghor’s local radio station, was fatally shot along with at least three protesters and two police officers. Police allege shots first came from the crowd; protesters claim police opened fire first. The results of a government investigation were not made public.

Covid-19

As of October 15, Afghanistan had officially registered more than [40,026](#) cases of Covid-19 and nearly 1,500 deaths. With only [115,968](#) tests conducted, the actual number of deaths was [almost certainly](#) significantly [higher](#).

Afghanistan’s healthcare system has long been underfunded and understaffed, with many rural districts and areas affected by the conflict lacking even basic healthcare services. According to a [September UN report](#), hospitals and clinics had little capacity to maintain essential services while treating patients with Covid-19, causing a 30-40 percent decline in people accessing health care. The pandemic and the government’s response to it had a disproportionately adverse impact on people with disabilities, [particularly women and girls](#), who already lack access to adequate health care and social services due to widespread discrimination.

In June 2020, [200 medical staff](#) at government hospitals in Herat, the city with the highest number of reported Covid-19 cases, protested the lack of personal protective equipment (PPE) and claimed they had not been paid since March. At least [76 healthcare workers](#) across the country had died from Covid-19 as of mid-October.

Almost 10 million students were out of school from March through early September, even as the [number](#) of children [studying](#) was already [falling](#) in many provinces because of the escalating conflict and diminished donor funding. Options for distance education are low in Afghanistan, as only 14 percent of Afghans have access to the internet. Many parents cannot help their children study as only about [30 percent of women](#) and [55 percent of men](#) are literate.

Because of insufficient PPE, the government suspended polio vaccinations of children between March and July; reported total polio cases [reached 34](#). In June, the government vowed to investigate reports that ministers had [embezzled funds](#) provided by donors for the response to the pandemic, but had yet to make the results of any such investigation public at time of writing.

On March 26, the [Afghan government announced](#) that it would release up to 10,000 prisoners, including women, children, and older people, to reduce the risk of the virus spreading in prisons. A [UN report](#) noted that despite the releases, there were still “concerns related to overcrowding and the spread of Covid-19” among the remaining prison population. Detainees and prisoners in Afghanistan have [extremely poor access to health](#) care, and cramped and unsanitary conditions in prisons make Covid-19 prevention measures extremely difficult.

Partial lockdowns in major cities caused increased hardship for daily wage earners; in June, the United Nations estimated that [14 million](#) people—nearly 40 percent of the population—needed urgent humanitarian assistance, a [50 percent increase](#) since December 2019. Price rises led to [food shortages](#) in some areas, and the government established bread distribution centers.

Key International Actors

On February 29, 2020, a US negotiating team led by Ambassador Zalmay Khalilzad concluded an agreement with Taliban leaders in Doha, Qatar, outlining the terms for a withdrawal of US forces by May 2021.

Five countries have played a critical role supporting talks between the Taliban and a government-backed delegation—Germany, Norway, Qatar, Indonesia, and Uzbekistan, collectively known as the “quint.” Qatar, the seat of the Taliban’s political office, hosted the first round of the intra-Afghan negotiations that began on September 12.

On May 29, the [European Union affirmed](#) that its political and financial support for Afghanistan would be contingent upon compliance with key principles, including “safeguarding democratic and human rights gains made since 2001.”

As the intra-Afghan negotiations began, a number of Afghanistan’s donors addressed the proceedings and called for human rights protections. EU High Representative Josep Borrell [said](#) the process “must preserve and build on the political, economic and social achievements ... since 2001, especially on women’s rights.” [German Foreign Minister](#) Heiko Maas said Afghans “want to see rule of law and human rights respected—not in theory, but in practice.” He noted that “continued international support depends on the adherence to these fundamental rights and Afghanistan’s constitutional order.”

Norway's Minister of Foreign Affairs [Ine Eriksen Søreide](#) stated that "inclusion of women, victims, minorities and other stakeholders in the process" was important to ensure successful implementation of any agreement. [The French government called on](#) the negotiators "to ensure justice for the victims of the conflict," and said it would "pay close attention" to ensuring that the process was inclusive and included the effective participation of women."

On November 23-24, Afghanistan's donors and the World Bank met in Geneva to discuss renewed assistance, including conditions on women's rights, and a draft economic plan for post-settlement Afghanistan.

Despite allegations of war crimes by foreign forces since 2002, few cases have been investigated. One exception was on March 19, when Australia's Defence Department announced that it had identified and suspended from duty "Soldier C.," an Australian Special Air Service Regiment (SAS) member implicated in killing Afghan [civilians](#) and captured combatants in 2012, and that the matter had been referred to the Australian Federal Police. Since 2016, the inspector-general of the Australian Defence Force has been conducting an inquiry into violations of the laws of war in Afghanistan. In August, new [evidence came to light](#) that in 2012, a British military unit in Afghanistan had a "deliberate policy" of killing Afghans even when "they did not pose a threat." The UK government continued to [pursue legislation](#) that would make it difficult to prosecute alleged crimes committed by UK forces overseas.

In June, the US [authorized sanctions](#) that could be used against ICC officials and others assisting the court. The US has not held senior officials to account before its courts for authorizing or failing to punish [torture and other grave crimes](#) its personnel committed in relation to the conflict in Afghanistan.

On April 15, the Afghan government [requested a deferral](#) of the ICC investigation, claiming it was investigating 151 cases. However, none of these involved senior police, intelligence, or military personnel, and few were prosecuted. Some Taliban members accused of serious crimes were released as part of a [prisoner exchange](#) in which the Taliban released hundreds of captured government soldiers for 5,000 Taliban prisoners as a precondition for the talks.

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