

Helene Tranderup Olesen

Emne: VS: Kristne - Afghanistan

-----Oprindelig meddelelse-----

Fra: Karin DAVIN [mailto:DAVIN@unhcr.ch]

Sendt: 6. oktober 2004 12:57

Til: Lone Pie Turner

Emne: Re: SV: COI on Afghanistan

19/10'04

Dear Lone,

This summer we received a request from Sweden concerning apostasy in Afghanistan and the below information was shared by our colleagues in Kabul. It is not exactly related to your question, but may still be of interest. Kind regards Karin Davin

..... 1. Reference is made to your requests for information on the situation of converts from Islam to Christianity in Afghanistan. Please find below the information and assessment available to UNHCR.

2. The risk of persecution continues to exist for Afghans suspected or accused of having converted to Christianity, or Judaism.

3. The current constitution of Afghanistan does not provide sufficient protection for converts. Article 2 of the Constitution states: Followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law. The boundaries of the law however are open to interpretation. The situation for converts is further compounded by the fact that Article 3 of the 2004 Constitution states that "In Afghanistan, no law can be contrary to the sacred religion of Islam and the values of this Constitution".

4. If conversion is suspected or known and given the fact that the judicial system is largely comprised of conservative Islamic judges who are in favor of enforcement of provision of Hanafi or Jafari doctrines, execution of a convert would be the result. In Islamic Law, conversion is punishable by death throughout Afghanistan. UNHCR is however not aware of reports of any Afghans who have been punished by death due to conversion by the formal judicial system. The state structures, excluding the judiciary system, are not in a position to take appropriate action for the protection of this category of Afghans.

5. There are reports that would point out to the existence of a small community of Afghans who have converted to Christianity. They continue to practice their religion in secrecy.

6. Afghans who are involved in activities that criticize the practical application of Islamic norms in the country could also be falsely accused of promoting Christian values or having converted. Members of the Hizb-Islami or the Mujahideen factions have been known to target persons working with the media on issues such as religious freedom, or uncovering abuses by members of the clergy or religious leaders .

7. Persons perceived to have converted, or have done so, are likely to face serious problems first and foremost by the members of the communities in which they live, and also their family members. Converts would face strong pressure to reverse their decision and to repent. In case of refusal, family members would resort to threats, acts of intimidation, and in some cases physical abuse that could be life-threatening. Conversion to Christianity is seen by family members as a source of shame and embarrassment for them in the community.