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ecoi.net featured topic on Afghanistan: Overview of recent developments

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Overview of recent developments in Afghanistan

1. Afghanistan following the Taliban's return to power

For detailed background information and information on developments in 2021, please refer to [chapter 2](#) of this document.

"At the beginning of their third year in power, the de facto authorities further consolidated their administration in political, security and economic areas and managed internal disagreements over key governance issues and community grievances. While ignoring calls for greater inclusivity, they increased outreach efforts towards the population, including by the Taliban leader, Haibatullah Akhundzada. Women's rights remained curtailed in all spheres of public life, with no change in the de facto authorities' policies on female education and employment, which included the continued severe restrictions imposed on Afghan female personnel working for the United Nations. UNAMA continued to receive credible allegations of human rights abuses and violations, which it continued to verify, report and engage on with the de facto authorities. Security incidents linked to the armed opposition and attacks by Islamic State in Iraq and the Levant-Khorasan (ISIL-K) continued. The country continued to face unprecedented levels of humanitarian need with over two thirds of its population requiring assistance amid significant shortfalls of funding, exacerbated by recent large-scale earthquakes in the western region, the large-scale forced return of undocumented Afghans from Pakistan and an uncertain economic outlook, characterized by the significant risk of a downturn." ([UNGA & UNSC, 1 December 2023, pp. 1-2](#))

"With the end of major hostilities in Afghanistan after 20 years and the consolidation of control by the de facto authorities in August 2021, conflict is no longer the primary driver of displacement. [...] The de facto authorities are reported to have committed serious human rights violations in Afghanistan, including extrajudicial killings, arbitrary arrest and detention, torture and other forms of ill-treatment. Restrictions on the rights of Afghans to freedom of opinion, freedom of speech, and freedom of assembly were imposed and there is growing curtailment by the de facto authorities of the human rights of Afghan women and girls. In addition, the Afghan people are confronted with drastic rises in poverty, hunger and malnutrition, a near collapse of the national public health system as well as climate and natural disasters." ([UNHCR, 6 December 2023, p. 2](#))

It has become increasingly clear that the Amir, Hibatullah Akhundzada, and the most conservative elements of the Taliban have the upper hand in deciding the trajectory of the new state. [...] Despite any internal discontent there are currently no indications that rifts within the

movement present any existential threat to its cohesion. Furthermore, there is nothing to suggest a forthcoming shift in the strict and extremely conservative policies towards a more moderate direction. [...]

The Amir has a clear intention to centralise power and to increase conformity and compliance with central policies. [...] Although the Taliban have been able to achieve a degree of control not seen before in recent years, there are still local variations and different local practises.” ([Migrationsverket, 6 July 2023, p. 5](#))

“In 2023, 28.3 million people – two thirds of Afghanistan’s population – are in need of urgent humanitarian assistance, and despite the dire situation, the Humanitarian Response Plan for 2023 had received only 9 per cent of the total required funding as of 2 June 2023.” ([HRC, 11 September 2023, pp. 3-4](#))

“Afghanistan continued to face unprecedented levels of humanitarian need, with over two thirds of the population requiring assistance in 2023. The situation was compounded by a deteriorating protection environment and three 6.3 magnitude earthquakes in Herat Province in October, directly affecting more than 150,000 people across multiple districts.” ([UNGA & UNSC, 1 December 2023, pp. 10-11](#))

“Afghanistan started 2023 facing less armed violence than it has in many years, but nevertheless in a state of crisis. Two thirds of Afghans need humanitarian aid, and with the stricken economy incapable of supporting the majority of the population, threats of famine and civil disorder remain on the horizon.” ([International Crisis Group, 31 January 2023](#))

“No country has yet recognized the Taliban as the legitimate government of Afghanistan since the group seized power in August 2021. However, some countries, including China, have kept their embassies open in Afghanistan and have accredited Taliban diplomats.” ([VOA, 10 December 2023](#))

“Two years after the Taliban seized back power, no state has recognized the regime despite its best efforts. The Taliban’s leadership has sent representatives to numerous Afghan foreign missions, including those in China, Pakistan, Qatar, and Russia, but this diplomatic push has yet to yield results as Afghanistan remains isolated and under international sanctions. At least three reasons explain why their push for recognition has failed thus far. [...] First is the Taliban’s suppression of women. The Taliban’s dissolving of women’s rights to education, employment, and agency makes their goal of recognition increasingly distant. [...] A second reason is the Taliban’s attempt to form an exclusionary government that intentionally discriminates against Afghanistan’s non-Pashtun ethno-linguistic groups. [...] The third point impeding international recognition is the Taliban’s decision to grant sanctuary to a motley of terrorist groups.

[...] An additional point worth noting is how the Taliban regard international recognition. Their leadership considers diplomatic recognition as a nice-to-have but not a must-have, and acknowledging this distinction is essential for understanding their motives for international outreach.” (MEI, 14 August 2023)

“[On 7 September 2021, the Taleban] announced their new interim administration. It is all-male, almost all-Pashtun, almost all clerical and all-Taleban. Set alongside their sustained military campaign in the Panjshir, the only province that held out against the Taleban takeover, and their violent response to protests across the country, it seems the movement’s priorities have coalesced – internal cohesion, monopolisation of power, silencing of open dissent and dividing the ‘spoils of war’, in terms of government posts, between themselves.” (AAN, 15 September 2021)

„What do the new appointments signify?

On 22 September, the Taliban published several new appointments, including at ministerial levels. The announcement came a day after the Chinese, Russian and Pakistani envoys met with the head of the Taliban government, Mullah Hassan Akhund, calling for more inclusive governance. The list of new appointees very slightly broadens the new government’s makeup, as the interim administration is no longer composed entirely of Taliban stalwarts. Most of the new appointees either have no prior affiliation with the group or are not prominent members of it. Key appointees such as the ministers for trade and public health, and their deputies, do not appear to have past affiliations with the Taliban. Others with no formal connection with the movement include Nazar Mohammad Mutmaeen, head of the National Olympic Committee, and Najeebullah, head of atomic energy. Still, many of these outsiders are considered sympathetic to the Taliban.

Has the interim government now become inclusive?

Yes, slightly. With these additions, the new government now counts four Tajiks, two Uzbeks, one Turkmen, one Hazara, one Nuristani (an ethnic group native to Nuristan province) and one Khwaja (claiming Arabic lineage, Khwajas generally speak Dari as their native tongue). With a total of 53 members, this expanded cabinet is a small gesture toward including ethnic minorities, though it is still dominated by Pashtuns. Several of the new names appear to have been selected, in part, because of their ethnic backgrounds or professional experience. Noorudin Azizi, the new trade minister, is from Panjshir province, where the Taliban have been fighting the remnants of the Northern Resistance Front (NRF). [...]

Do the appointments include women or former establishment figures?

Despite continued international pressure, the Taliban have so far failed to appoint any women in their cabinet. [...] Similarly, the Taliban have

resisted calls from regional and Western governments to include figures from the previous Western-backed political establishment. Taliban interlocutors claim to Crisis Group that despite an internal push by some members to include figures associated with the former system in the new government, most of the top Taliban leadership has so far opposed such a move due to the perception that former politicians were corrupt and discredited. Perhaps more importantly, there were also concerns among the Taliban that if they moved to bring in either women or former politicians, they could risk backlash from the rank and file, who might view the leadership as betraying their ideals.” ([International Crisis Group, 28 September 2021](#))

“In May [2023], the Taliban announced Maulvi Abdul Kabir had replaced Akhund as the acting prime minister. [...] The Taliban political office told the press that Akhund’s replacement was due to his poor health, but analysis by the USIP points out that Akhundzada is willing to suppress any indicators of internal disobedience or challenges to organizational cohesion. The Taliban deny an internal rift precipitated Kabir’s appointment. Although the Taliban call for unity and cohesion, internal disagreements are becoming increasingly more public.” ([SIGAR, 30 July 2023, p. 92](#))

“The Taliban leader, Haibatullah Akhundzada, continued to increase his influence on governance decisions at national and subnational levels. He decreed new appointments and reshuffles of senior de facto officials. All appointees were male and predominantly Taliban affiliates. [...] On 16 May, the Taliban leader appointed the de facto Deputy Prime Minister Abdul Kabir Mohammed Jan as acting de facto Prime Minister, owing reportedly to the illness of the incumbent, Mohammad Hassan Akhund.” ([UNGA/UNSC, 20 June 2023, pp. 2-3](#))

“The Taliban continue to face increasing challenges to their authority from the Islamic State-Khorasan (IS-K) and anti-Taliban resistance groups, though experts maintain that no group poses an existential threat to Taliban rule.” ([SIGAR, 30 July 2023, p. 112](#))

“The Taliban and non-state armed groups continued to unlawfully recruit or use children in combat and support roles. Recruitment of child soldiers has continued to drastically increase since the Taliban takeover on August 15, 2021. The Taliban recruit – at times through coercion, fraud, and false promises – and use children in combat roles. Groups such as ISIS-K used children in direct hostilities, to plant and detonate improvised explosive devices, to carry weapons, to spy, and to guard bases. The Taliban and groups such as ISIS-K forcibly used child soldiers and imprisoned children associated with other armed groups without regard to their age.” ([USDOS, 15 June 2023](#))

"Another matter of concern was the de facto authorities' definition of a "child", in accordance with a March 2022 decree by the Taliban leader, which is not based on age but on physical signs of puberty, rather than defining a child as every human being below the age of 18 years. The definition has resulted in the detention of children in prisons, in addition to the recruitment and use of children" ([UN Security Council, 21 November 2023, p. 3](#))

"The number of recruitment and use of children [in the period from 1 January 2021 to 31 December 2022] also remained high (257), similar to the previous period (260), although the numbers decreased in 2022 (54) compared with 2021 (203)." ([UN Security Council, 21 November 2023, p. 5](#))

"A series of clashes between local villagers and incoming Pashtun groups in the northern province of Takhar brought the issue of conflict over land back into the spotlight. This is an age-long problem, but the collapse of the Republic shifted local power balances and brought different communities onto the winning side. As a result, many old land claims, conflicts, debts and legal accusations have been revived. The recurring conflict between nomadic Pashtun Kuchis trying to gain access to the summer pastures of Hazarajat and local residents has also resurfaced. This year, however, for the first time since 2001, it is the Taleban who have to manage the myriad competing claims with their potential for conflict. At the same time, they are seen by a number of communities across Afghanistan as supporting the Kuchis and thus a party to the conflict and not impartial mediators." ([AAN, 11 January 2023](#))

"When the Islamic Emirate of Afghanistan (IEA) retook power, it started reclaiming state land that had been seized during previous administrations. In October 2022, the IEA established the Land-Grabbing Prevention and Restitution Commission, within the Ministry of Justice, whose purpose is to investigate land-grabbing under the Islamic Republic, restore any state land and prevent it happening in the future. The IEA has also established a special court to which any party with an objection to a decision by the commission can appeal." ([AAN, 15 December 2023](#))

Repatriation from Pakistan

"On 3 October, Pakistan's Interior Ministry announced that all migrants living without legal status in Pakistan had 28 days to leave the country voluntarily, or face deportation. While not explicitly mentioned in this announcement, it primarily impacts Afghans. Between 15 September and 31 December, 490,891 Afghans arrived from Pakistan. The numbers of Afghans crossing into Afghanistan significantly decreased by the end of the year. [...] The de facto authorities have repeatedly called on Pakistani authorities not to forcibly deport or ill-treat Afghan migrants. On 25 November, Taliban spokesperson, Zabihullah Mujahid, announced the establishment of a committee at the national level to facilitate the transfer

of property of Afghan refugees being deported by Pakistan, which is replicated at the Provincial level. A consortium of humanitarian actors and the de facto authorities are cooperating effectively to provide assistance.” (UNAMA, January 2024, p. 4)

“Nearly a million Afghans, many born and brought up in Pakistan, have ‘returned’ to their country since the start of Pakistan’s latest deportation campaign.” (AAN, 7 January 2024)

“Some Afghans forced to return may be at risk of persecution, arbitrary arrest and detention and/or torture or ill-treatment, in particular media workers, civil society activists, women human rights defenders and former government officials and ANDSF members. On 10 December, in Takhar province, a former NDS officer and his wife were shot and killed in their house, reportedly by relatives of an individual who was killed by the former NDS officer prior to the Taliban takeover of the country. The victim had fled to Pakistan following the takeover but had been forced to return to Afghanistan following Pakistan’s announcement regarding the expulsion of undocumented Afghans. He was killed two days after returning to his village in Takhar.” (UNAMA, January 2024, p. 5)

“UNHCR is concerned that those forced to return, including many of those who left after August 2021, may face serious protection risks. In addition to women and girls, UNHCR considers people at particularly high risk on return to their country of origin that are associated with the former government or with the international community in Afghanistan; with the Afghan national security forces and Afghans associated with the former international military forces in Afghanistan; journalists and other media professionals; human rights defenders and activists, as well as defence lawyers supporting them; members of minority religious groups and members of minority ethnic groups, including the Hazaras; and Afghans of diverse sexual orientations, gender identities and/or gender expression (Guidance Note on the International Protection Needs of People Fleeing Afghanistan (Update I)).” (UNHCR, 6 December 2023, p. 7)

2. Security Situation

For Information on the security situation and security related developments in 2022, please refer to the featured topic [Overview of recent developments and key players in Afghanistan](#) published by ACCORD in September 2023 on [ecoi.net](#).

2024

As of 1st January 2024, over 3.25 million persons were internally displaced in Afghanistan (UNHCR, 22 January 2024, p. 1). According to UNHCR, 899,096 persons were internally displaced in 2021 and 2022 (UNHCR, 6 December 2023, p. 3).

"The early days under the ruling of the de facto authorities may have initially led to a decrease in security incidents and attacks, which has enabled the UN to reach areas inaccessible to them in the previous years; however the various reports by the UN Special Rapporteur on Afghanistan and the Country Guidance on Afghanistan by the European Union Agency for Asylum (EUAA) from January 2023 indicate that the situation remains unstable with a number of security incidents recorded, including attacks perpetrated by the Taliban, ISIS and other armed groups, targeting civilians." ([CoE-PACE, 25 September 2023, p. 8](#))

During the reporting period [March 2022 to August 2023], UNAMA recorded at least 2,618 civilian casualties (719 killed, 1899 wounded), among them 196 women (76 killed, 120 wounded) and 701 children (183 boys and 53 girls killed, 391 boys, 70 girls and four children of unknown gender wounded). The leading causes of civilian harm were of improvised explosive devices (IEDs) and explosive remnants of war. [...] The first six months of 2023 did, however, reflect a 53 per cent reduction in civilian casualties compared with the same period of 2022, largely due to a reduction in IED attacks." ([HRC, 11 September 2023, p. 10](#))

"Action on Armed Violence (AOAV), a London-based charity monitoring the causes and consequences of explosive violence globally, released their analysis of IED incidents in the first half of 2023. [...] Afghanistan saw 22 incidents leading to 206 civilian casualties, with 63 killed and 143 injured." ([AOAV, 14 July 2023, p. 1](#))

"Despite a significant overall reduction in civilian casualties in Afghanistan since 15 August 2021, there has not been a corresponding decrease in civilian harm caused by suicide attacks. UNAMA's figures highlight not only the ongoing civilian harm resulting from such attacks, but an increase in the lethality of suicide attacks since 15 August 2021, with a smaller number of attacks causing a greater number of civilian casualties." ([UNAMA, June 2023, pp. 6-7](#))

"IED attacks on places of worship caused 1,218 civilian casualties (368 killed, 850 wounded) between 15 August 2021 and 15 February 2023. [...] IED attacks on places of worship accounted for more than one third of all civilian casualties recorded during this period, with UNAMA's figures indicating a significant increase in civilian harm resulting from IED attacks on places of worship compared with prior to the Taliban takeover [...]"

ISIL-KP was responsible for the majority of IED attacks on places of worship carried out between 15 August 2021 and 30 May 2023. [...]"

Attacks on Shi'a places of worship accounted for over half of civilian casualties resulting from attacks on all places of worship during this

period. Sufi, Sunni and Sikh places of worship and religious gatherings were also affected.” (UNAMA, [June 2023, pp. 8-9](#))

“Schools, places of worships and other civilian locations have continued to come under attack, causing severe harm to civilians, including children. The Taliban’s response to armed resistance by the National Resistance Front in Panjshir Province and other provinces continues to adversely impact civilians in breach of international human rights and humanitarian laws. While both parties have committed violations, civilians have been most affected by the Taliban response.” (HRC, [9 February 2023, p. 3](#))

“Between 1 August and 22 October, the number of conflict-related security incidents was consistent with the same period in 2022. The United Nations recorded 1,414 security-related incidents, a 2 per cent increase from the 1,384 incidents recorded during the same period in 2022. Available data indicate that armed clashes decreased by 41 per cent, from 104 to 61 incidents; detonations from improvised explosive devices by 72 per cent, from 65 to 18; and assassinations by 50 per cent, from 74 to 37. The north-eastern, western and eastern regions accounted for 49 per cent of recorded incidents, with Herat, Kabul, Kunduz and Nangarhar the most affected provinces. Arrests by the de facto authorities increased by 25 per cent compared with the same period in 2022.

[...] The armed opposition posed no challenge to the Taliban for territorial control during the reporting period. Compared with the same period in 2022, actual attacks on the de facto authorities were fewer in number, despite an increase in the number of claimed attacks by groups on social media. The Afghanistan Freedom Front was the most active group during the reporting period, although its attacks remained small in scale, while the National Resistance Front was much less active than in 2022, carrying out no attacks in its traditional stronghold of Panjshir. Four additional armed political opposition groups announced their existence during the reporting period – the Afghanistan National Guard Front, the National Mobilization Front, the National Battle Front and the Afghanistan United Front – with no attacks claimed by the latter two groups.” (UNGA/UNSC, [1 December 2023, p. 4](#))

“The Special Rapporteur remains concerned about the ongoing clashes between de facto security forces and armed opposition groups in Panjshir and other provinces. These clashes continue to result in violations of international humanitarian and human rights law. He has received credible reports and documents regarding extrajudicial executions of captured fighters, torture, arbitrary arrest and disappearance of individuals perceived to be affiliated with the National Resistance Front, the heavy suppression of communities and an information blackout. Civilians considered by the Taliban to be associated with the National Resistance Front continue to be routinely subjected to house-to-house

searches, arbitrary arrest and detention, extrajudicial killings, torture and displacement.” (HRC, 9 February 2023, p. 14)

“Since the Taliban seized control of Afghanistan in August 2021, they have directed collective punishment upon the residents of Panjshir province, particularly in communities where the Taliban have established and deployed their forces. In an effort to combat the National Resistance Front, an armed group that formed initially in Panjshir to oppose the Taliban, they have retaliated against captured fighters, and targeted the civilian population to force submission and compliance. [...] Over the last 18 months, the Taliban have organized village-wide arbitrary arrests of adult men and older boys, detained them without charge, and subjected many of those so detained to beatings and other abuse. The Taliban have also burned homes, imposed the only curfew in all of Afghanistan, seized civilian homes, used schools for interrogations, and denied shepherds access to their traditional grazing lands.” (AI, June 2023, p. 5)

„Meldungen vom 12.07.23 zufolge wurden in der nördlichen Provinz Panjshir dutzende Familien aufgrund des verschärften Konflikts zwischen den Taliban und der Nationalen Widerstandsfront (NRF) gewaltsam aus vier Dörfern im Bezirk Shotul der Provinz vertrieben.“ (BAMF, 17 July 2023, p. 1)

“During the reporting period, attacks claimed by or attributed to ISIL-K decreased, though there has been an uptick since the second half of October. Between 1 August and 7 November, the United Nations recorded 8 ISIL-K attacks in three provinces, compared with 27 attacks in six provinces during the same period in 2022. The group continued to target the Taliban and civilians, particularly the Shia community.” (UNGA & UNSC, 1 December 2023, pp. 4-5)

“Throughout the reporting period, the Taliban fought against the Islamic State’s Khorasan Province (ISIS-K), which they viewed as their primary threat.” (USDOS, 30 November 2023)

“Die Hiobsbotschaften aus Afghanistan reißen nicht ab. Gestern (13.10.2023) hat ein Selbstmordattentäter in einer schiitischen Moschee in Pul-e Chumri zahlreiche Menschen ermordet. Er hatte sich während des Freitagsgebets in der Imam-Zaman-Takiachana im Schiitenviertel Tschaharbagh der Hauptstadt der Provinz Baghlan in die Luft gesprengt. Inzwischen übernahm der Islamische Staat (Daesch) über seinen Medienarm Amaq die Verantwortung für den Anschlag.” (Ruttig, 14 October 2023)

“According to the Global Terrorism Index (GTI) published on 14.03.23, Afghanistan remains the country most impacted by terrorism for the fourth consecutive year.” (BAMF, 20 March 2023, p. 1)

"Member States reported that Afghanistan remained a place of global significance for terrorism, with approximately 20 terrorist groups operating in the country." ([UNSC, 25 July 2023, p. 15](#))

"The Taliban government is delegitimizing Taliban participation in attacks beyond Afghanistan, possibly in response to recent diplomatic engagement with the United States and pressure from Pakistan." ([ISW/CTP, 9 August 2023](#))

"According to media reports, a suicide bombing took place at the entrance to the military area of Kabul airport on 01.01.23, in which, according to the Taliban, 10 civilians were killed and eight were wounded. According to eyewitness reports, several Taliban insurgents were also killed. No one has claimed responsibility for the attack." ([BAMF, 2 January 2023, p. 1](#))

„Islamic State said Monday its Afghanistan-based affiliate was behind Sunday's suicide bomb attack outside the military airport in the country's capital, Kabul. [...] The morning blast at the airport's entrance left several people dead and wounded, a Taliban-led Interior Ministry spokesperson said shortly after the attack. He shared no further details while Taliban forces prevented filming and photography at the crime scene. [...] The militant group posted on Telegram that Sunday's attack killed 20 people and wounded 30 others." ([VOA, 2 January 2023](#))

"A suicide bomb attack outside the Afghan foreign ministry in Kabul has caused heavy casualties. Police said at least five civilians had been killed but another Taliban official put the toll as high as 20. The local offshoot of the Islamic State group, known as Isis-K, claimed it carried out the attack. It comes after recent blasts targeting foreign interests. Several countries, including Turkey and China, have embassies in the area." ([BBC News, 11 January 2023](#))

"Border incidents decreased. A total of 14 incidents occurred in the area between Afghanistan and Pakistan [...]. Six incidents occurred along the border with the Islamic Republic of Iran [...]. At least four incidents were reported along the Tajik border [...]." ([UNGA/UNSC, 20 June 2023, p. 5](#))

3. Taliban Regulations and Policies

For detailed information on Taliban regulations and policies regarding women and girls, see [section 4](#) of this document.

"During the reporting period [March 2022-August 2023], the de facto authorities introduced a number of changes impacting the administration of justice and rule of law. These changes have generated ambiguity in relation to the domestic legal framework, as well as inconsistent practices

within the justice system, and have curtailed the role of lawyers and the participation of women lawyers and judges in the legal system. [...]

Since February 2022, the de facto Supreme Court has allowed de facto police to refer criminal cases directly to de facto courts for investigation, bypassing prosecutors. This was followed in August 2022 by an announcement by the former de facto Attorney-General of the suspension of the role of prosecutors and the handover of pending investigations to de facto judges. In March 2023, a decree was issued establishing the de facto High Directorate of Supervision and Prosecution of Decrees and Edicts which formally terminated the role and functions of the de facto Attorney-General's Office." (HRC, 11 September 2023, pp. 4-5)

"The Taliban have not adopted a formal constitution, nor is there 'any real form of written legal code.'" (SIGAR, 30 July 2023, pp. 82-83)

"Following their takeover of Afghanistan, the de facto authorities suspended the Constitution, and initiated a review of laws passed under the Islamic Republic of Afghanistan in November 2021 to assess their compliance with Sharia and Afghan traditions. The Spokesperson of the de facto authorities stated in October 2022 and April 2023 that a commission tasked with the development of a new Constitution had been appointed. As of August 2023, no information on the work of the commission or the outcomes of the review of laws adopted by the Islamic Republic of Afghanistan has been shared. In parallel, the de facto authorities have stated on numerous occasions that Sharia is the applicable legal framework in Afghanistan." (HRC, 11 September 2023, p. 4)

"After taking control of the country, the Taliban suspended the 2004 constitution. No other legal framework has replaced it and there is still a legal vacuum. The amount of written regulations has increased since the takeover, but the Taliban's justice system is still in the making. Institutional structures, as well as the implementation of rules, varies across the country. Many rules are vaguely formulated and open to interpretation. Some policies have only been communicated verbally and it is generally difficult to get a clear overview of existing rules. [...]

However, it was only after the Amir called for the full implementation of Sharia in November 2022 that the use of corporal punishment significantly increased around the country. [...]

In addition to corporal punishments within the Taliban's formal justice system, such punishments have also been handed down and imposed by non-judicial entities such as governors. Furthermore, actors of the de facto government have also carried out corporal punishments arbitrarily on an ad hoc basis. The situation is characterised by arbitrariness and a lack of rule of law." (Migrationsverket, 6 July 2023, pp. 5-6)

"[A]t present the country does not have in place a clear and cohesive legal framework, judicial system, or enforcement mechanisms. According to the Taliban, laws enacted under the pre-August 2021 government remain in effect unless the laws violate sharia." ([USDOS, 15 May 2023](#))

"The Taliban takeover in August 2021 led to the dismantling of the nascent human rights regime in the country and the reinstatement of the 1964 Constitution, resulting in the recrudescence of Sharia Law, which accords no protection to many minority groups. Since then, the Taliban has reduced the judiciary to field courts and has replaced the Ministry of Women Affairs with the Ministry of Vice and Virtue. The Human Rights Commission has been dissolved and most human rights defenders and other civil society members have fled the country. Those that remain live under extreme scrutiny of the Taliban. There has been a complete abrogation of all accountability mechanisms for ensuring the protection of human rights. All of Afghanistan's minorities have faced oppression, with extrajudicial killings, forced evictions and displacement, 'redress' of past incidents committed against the Pashtuns, and a complete fettering of women and LGBTIQ+ rights." ([The South Asia Collective, February 2023, p. xi](#))

"The Taliban appear to have shut down the women's affairs ministry and replaced it with a department that once enforced strict religious doctrines. On Friday, the sign at the ministry was removed, and a sign for the ministry of virtue and vice put in its place." ([BBC, 17 September 2021](#))

"The Ministry of Vice and Virtue was included in the interim government that the Taliban announced on September 7, with a cleric appointed minister. It took over the building of the Ministry of Women's Affairs, which was eliminated. During previous Taliban rule, from 1996 to 2001, the Vice and Virtue Ministry became a notorious symbol of abuse, particularly against women and girls." ([HRW, 29 October 2021](#))

"As when they were first in power, in 1996-2001, 'promoting virtue and preventing vice' has emerged as a top priority for the new Taleban administration. In their view, it is one of the requirements of an Islamic system of government. The Taleban re-established the Ministry of Dawat wa Ershad Amr bil-Maruf wa Nahi al-Munkar or Invitation and Guidance on Promoting Virtue and Preventing Vice – often referred to by the shorthand 'Vice and Virtue' or 'Amr bil-Maruf' – when they announced the first appointments to their post-takeover cabinet on 12 September. In the same announcement, they abolished the Ministry of Women's Affairs. Its building was turned over to Vice and Virtue (see here). The move raised questions as to whether, despite the many changes in Afghan society since the 1990s, the Taleban intended to return to the unforgiving social policies of their first period in government when they banned women from leaving the house without a close male relative and without wearing a burqa, outlawed activities such as playing music and watching TV and

imposed harsh punishments for those violating their code, including public beatings.” ([AAN, 21 June 2022](#))

“A similar entity was active during the period of Taliban rule from 1996 to 2001. The current mandate of the de facto MPVPV and of its Departments at local level seems to include a mix of policy setting, advice, monitoring, complaints management, and enforcement authority on a range of issues connected with the de facto authorities’ interpretation of what is needed to ensure the propagation of virtue and prevention of vice. While the interpretation of such broad mandate at local level may vary greatly from province to province, over the past 10 months, UNAMA has noted increasing activity by this entity in instructing on prohibitions [...], obligations [...], and ‘advice’ on a seemingly open-ended set of other issues.[...] Many of the instructions issued by the de facto MPVPV involve curtailment of fundamental human rights such as freedom of movement, freedom of expression and right to privacy. In addition the uncertain legal nature of such instructions, which are often simply announced by a spokesperson in a media interview or via Twitter, leave the system open for interpretation and abuse.” ([UNAMA, July 2022, pp. 22-23](#))

“Reporters Without Borders (RSF) is very disturbed by the ‘11 journalism rules’ that the Taliban announced at a meeting with the media on 19 September. The rules that Afghan journalists will now have to implement are vaguely worded, dangerous and liable to be used to persecute them. [...] The first three rules, which forbid journalists to broadcast or publish stories that are ‘contrary to Islam,’ ‘insult national figures’ or violate ‘privacy,’ are loosely based on Afghanistan’s existing national media law, which also incorporated a requirement to comply with international norms, including article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The absence of this requirement in the new rules opens the door to censorship and repression, because there is no indication as to who determines, or on what basis it is determined, that a comment or a report is contrary to Islam or disrespectful to a national figure.” ([RSF, 22 September 2021](#))

“The latest set of Taliban guidelines, which have been issued to Afghan television channels, features eight new rules. They include the banning of films considered against the principles of Sharia - or Islamic - law and Afghan values, while footage of men exposing intimate parts of the body is prohibited. Comedy and entertainment shows that insult religion or may be considered offensive to Afghans are also forbidden. The Taliban have insisted that foreign films promoting foreign cultural values should not be broadcast.” ([BBC, 21 November 2021](#))

“New guidelines from the Vice and Virtue Ministry dictate the dress of female journalists on television and prohibit soap operas and entertainment programs featuring female actors.” ([HRW, 22 November 2021](#))

"Bilal Karimi, deputy spokesman for Afghanistan's Taliban-run government, said the country's Independent Election Commission and Electoral Complaint Commission have been dissolved. He called them 'unnecessary institutes for the current situation in Afghanistan.' [...] Both elections commissions were mandated to administer and supervise all types of elections in the country, including presidential, parliamentary and provincial council elections. Karimi said the Taliban also dissolved the Ministry for Peace and the Ministry of Parliamentary Affairs. He said they were unnecessary ministries in the government's current structure." ([AP, 26 December 2021](#))

"The latest directive, issued by the Taliban's Ministry of Promotion of Virtue and Prevention of Vice, [...] also bans the playing of music in vehicles." ([BBC, 27 December 2021](#))

"Afghanistan's Justice Ministry reiterated Monday [3 January 2022] that the country's independent lawyers will need to re-certify under a new qualification process set by the Ministry, signaling the intent of the Taliban authorities to plough ahead with plans to strip the country's legal profession of its independence.

According to the statement, the country's lawyers will be authorized to continue practicing with their previous licenses until the new certification process has been finalized.

This was the latest step in a series of efforts by the new regime to crack down on the activities of the Afghanistan Independent Bar Association (AIBA), an organization established in 2008 to oversee the licensing of new lawyers, and to champion the rule of law and social justice.

On November 14, the Taliban Cabinet decreed that the Ministry of Justice (MOJ) would gain jurisdiction over AIBA affairs. On November 23, the AIBA offices in Kabul were taken over by armed Taliban who threatened the staff and lawyers who were present with violence before ordering them to leave and installing a new president with questionable professional qualifications. 'The person appointed as the new AIBA head is said to be part of the Ministry of Justice but has no relevant experience,' according to a Kabul-based JURIST correspondent. These armed forces had apparently interpreted the Cabinet decree to indicate that the MOJ should have sole authority over licensing, as well as control of the AIBA's extensive member database and bank account." ([Jurist, 3 January 2022](#))

"The Ministry of Justice seized authority from the Afghanistan Independent Bar Association to issue licences to lawyers and appointed a caretaker for the Association on 24 November. The Ministry relayed to UNAMA that lawyers licensed by the Ministry would work independently and unimpeded and that women lawyers would be allowed to work in line with the necessary requirements." ([UNGA, 28 January 2022, p. 8](#))

"The role of lawyers in the criminal justice process continues to be contentious. After the de facto Ministry of Justice seized authority from the Afghanistan Independent Bar Association to issue licences to lawyers in November 2021, it initiated a process that has to date only permitted the relicensing of male lawyers. As of 4 July 2023, 1,479 male defense lawyers had been re-licensed. Lawyers are almost uniformly denied access to detainees in the custody of de facto police or General Directorate of Intelligence, and de facto judges in courts reportedly persist in rejecting the role of lawyers in proceedings, often abusing, threatening and sidelining them." ([HRC, 11 September 2023, p. 6](#))

"In late February 2022, the de facto ministry of interior reportedly issued a directive instructing de facto security personnel to refrain from firing at civilians at checkpoints. The directive reportedly also instructs de facto security forces to refrain from harassing, insulting, and beating suspects and states that de facto security forces have no right to conduct a house search without a court order or under the pretext of monitoring an accused person's residence. Further, it reportedly instructs the de facto security forces to perform their duties in the presence of lawyers and in broad daylight." ([HRC, 4 March 2022, p. 7](#))

"According to reports of 15.05.22, the Taliban in Panjshir province are identifying and arresting former soldiers using biometric devices. In Ghazni province, male employees in the public administration are denied access to their office unless they wear a beard and turban. In Herat province, gender segregation has reportedly been officially introduced in parks and restaurants." ([BAMF, 16 May 2022, p. 1](#))

"On 16.05.22, the Taliban by decree dissolved as "unnecessary" five important institutions of the former republic, among them the Afghan independent human rights commission, the secretariats of both the lower and upper houses of parliament, the national security council, the high council for national reconciliation and the independent commission for monitoring the implementation of the constitution." ([BAMF, 23 May 2022, p. 1](#))

"The abolition of the Afghan Independent Human Rights Commission (AIHRC) during the expert's mission is a major setback for the country. Abolishing AIHRC appears to have left victims of human rights violations and abuses with few avenues for recourse." ([OHCHR, 26 May 2022, p. 4](#))

"According to one Member State, in order to confront the threat from ISIL-K, the Taliban have created three battalions of special forces. These so-called "red units" are the Badri 313 Battalion [...] the Fateh Force, [...] and the Umari Force [...]. To bolster expertise, the Taliban have attempted to recruit former Afghan National Army personnel and senior security authorities from the previous Government. A separate recruitment

campaign has focused on former Afghan National Army pilots.” ([UNSC, 26 May 2022, p. 11](#))

“The findings of the 29th report of the Analytical Support and Sanctions Monitoring Team pursuant to resolutions 1526 (2004) and 2253 (2015) concerning Islamic State in Iraq and the Levant (ISIL) (Da’esh), Al-Qaida and the Taliban and associated individuals and entities indicated that ‘there are no recent signs that the Taliban has taken steps to limit the activities of foreign terrorist fighters in the country. On the contrary, terrorist groups enjoy greater freedom there than at any time in recent history’ (S/2022/83, para. 57). The de facto authorities rejected the report’s findings. [16.]” ([UNSC, 15 June 2022, p. 4](#))

“Let me be clear: what we are witnessing today in Afghanistan is the institutionalised, systematic oppression of women. Limiting women’s freedom of movement negatively impacts almost all aspects of their lives, including the ability of women and their children to access and to participate in health services, livelihood and humanitarian aid. Afghan women are rapidly facing the worst-case scenario many feared. While Afghanistan has ratified a number of international treaties including the Convention on Elimination of All Forms of Discrimination Against Women, the de facto authorities remain far from complying with those international obligations, in both policy and practice, to respect and protect the rights of women and girls.” ([OHCHR, 15 July 2022](#))

“However, the group never committed to respecting international human rights standards, as outlined in the United Nation’s Universal Declaration of Human Rights. Instead, they insisted that women’s rights would be observed within the framework of their interpretation of Islam. Over the past 10 months, successive Taliban decrees have indicated that this interpretation entails excluding women from public life in Afghanistan, as in their 1996–2001 rule.” ([SIGAR, 30 July 2022, p. 5](#))

“UNAMA’s monitoring over the past 10 months has revealed specific concerns with regards to human rights violations carried out by de facto General Directorate of Intelligence (GDI, also called Istikhbarat) officials in a number of provinces. [...] Arrests and detentions by de facto GDI often appear to be arbitrary. In reports received by UNAMA, individuals were not informed of the specific charges against them, family members were often unaware of their whereabouts or denied visitation. In some instances, detentions were based on an individual’s role as a media worker or civil society activist. The individuals interviewed had not been granted access to defense lawyers and the only mention of access to a physician was in cases where people were brought to see a doctor after having been tortured or ill-treated by the de facto GDI officials.

The cases documented to date indicate a range of forms of torture and ill-treatment by de facto GDI against detainees. Kicking, punching and

slapping, beating with cables and pipes, and the use of mobile electric shock devices appear to be the most common methods.” ([UNAMA, July 2022, pp. 18-19](#))

“UN experts are deeply aggrieved about a public execution and that flogging has resumed in Afghanistan and call on the de facto authorities to halt immediately all forms of torturous, cruel and degrading forms of punishments. They said in a statement issued today:

‘Since 18 November 2022, the de facto authorities have reportedly carried out floggings of over 100 individuals, both women and men, in several provinces including Takhar, Logar, Laghman, Parwan and Kabul. [...] The flogging has been carried out in stadiums in the presence of officials and members of the public. On 7 December 2022, the Taliban publicly executed a man in Farah city, Farah province, in what appears to be the first public execution since seizing power in August 2021.’” ([OHCHR, 16 December 2022](#))

“On 28.12.22, a woman and five men were publicly flogged for allegedly engaging in extramarital affairs in the Qarghayi district of eastern Afghanistan's Laghman province, according to a report issued by journalists of Hashte Subh, an Afghan newspaper who are living in exile. On 31.12.22, according to Hasht-e Subh, four men and one woman were lashed in Paktia province following a court order convicting them of having sex before marriage and of stealing. On 27.02.22, four men and two women facing similar charges were also flogged in Laghman province. On 26.12.22, ten men were flogged in Herat province for allegedly drinking alcohol, selling or consuming drugs, and for harassing women. As the Taliban's prospects of gaining international recognition fade, they have increasingly reverted to the repressive policies implemented during their first term (1996-2001) (cf. BN of 19.12.22).” ([BAMF, 2 January 2023, p. 1](#))

“Nine convicted prisoners were publicly lashed on January 17 in Afghanistan's southern province of Kandahar for alleged homosexuality and theft. [...] Despite international condemnation, the Taliban has resumed the flogging and the public execution of criminals following a decree by the hard-liners' supreme leader.” ([RFE/RL, 17 January 2023](#))

“The de facto authorities continue to implement corporal punishment in public places, usually announcing the punishments, and the crimes for which they were implemented, on social media. Despite this, spectators are generally prohibited from recording or photographing punishments. For example, on 10 November, in Nimroz province, Zaranj city, 25 men were publicly flogged at the Central Sports Stadium. They had been convicted of various crimes by the de facto City Court, including robbery and adultery, and were each lashed between one and 50 times. Around a dozen male spectators were detected recording and/or photographing the punishment. They were also flogged.” ([UNAMA, January 2024, p. 7](#))

“Since their takeover of Afghanistan on 15 August 2021, the Taliban de facto authorities have implemented corporal punishment and the death penalty. In a media interview on 23 September 2021, then Acting Director of the de facto Office of Prison Administration, Mullah Nooruddin Turabi, told Associated Press that ‘cutting off of hands is very necessary for security’ as it has a deterrent effect, but that Cabinet was still assessing whether punishments would be conducted in public. The first instance of corporal punishment recorded by UNAMA following the takeover occurred on 20 October 2021, in Kapisa province, Nijrab district. A woman and man convicted of zina by the de facto District Court were publicly lashed 100 times each by members of the de facto District Court in the presence of religious scholars and members of the local de facto authorities.

Since this first instance in October 2021, the de facto authorities have continued to implement corporal punishment – both following judicial decisions and on an ad hoc basis. The implementation of judicial corporal punishment increased significantly following a 13 November 2022 tweet by the spokesperson for the de facto authorities, Zabihullah Mujahid, which stated that the Taliban Supreme Leader had met with judges and emphasized their obligations to apply Hudūd and Qisās punishments for offences when Sharia conditions for the implementation of such punishments are met.”(UNAMA, May 2023, p. 5)

“UNAMA has documented numerous instances of corporal punishment imposed for zina/adultery/‘running away’ and homosexuality. Women who are publicly punished for zina and other moral crimes may be at increased risk of violence from their families and communities after the punishment, due to extreme levels of stigma towards women accused of extramarital relationships, deemed illegal by the de facto authorities. The prosecution of women for zina is inconsistent with Afghanistan’s international human rights obligations as it discriminates against women particularly and is a serious violation of their rights to freedom of movement, privacy, and equality before the law.” (UNAMA, May 2023, p. 19)

„Die Einschränkungen der Frauenrechte, der Medienfreiheit und des Rechts auf freie Meinungsäußerung nahmen 2022 exponentiell zu. Institutionen, die sich für Menschenrechte einsetzten, wurden massiv behindert oder ganz geschlossen. Friedlich Protestierende wurden willkürlich festgenommen, gefoltert und Opfer des Verschwindenlassens. Die Taliban verbreiteten ein Klima der Angst, indem sie vermeintliche Gegner*innen außergerichtlich hinrichteten, willkürlich festnahmen, folterten und rechtswidrig inhaftierten, ohne dafür zur Rechenschaft gezogen zu werden.” (AI, 28 March 2023)

“3. The Taliban de facto authorities continued to tighten control over the population through the adoption of additional restrictive measures.”

(UNGA, 27 February 2023, p. 1)

"7. Since the presentation of the initial report of the Special Rapporteur, the human rights crisis in Afghanistan has worsened. The systematic violation of the human rights of women and girls has deepened even further, and fundamental freedoms, including the rights of peaceful assembly and association, expression and the rights to life and protection against ill-treatment have increasingly been flouted. The authorities have instituted hudud and qisas punishments, measures indicative of a revival of the policies of the 1990s. The Special Rapporteur is deeply concerned that, increasingly, the Taliban is ruling Afghanistan through fear and repressive policies aimed at suppressing communities, and women in particular. Inclusiveness is negligible; there is very little tolerance for difference, and none for dissent." (HRC, 9 February 2023, p. 2)

"11. The 2004 Constitution remains suspended, and the authorities say that they are currently drafting a new constitution based on sharia law. Both houses of parliament have been abolished, as has the Electoral Commission, the Human Rights Commission and the Ministry of Women's Affairs. The judiciary has been replaced. The media is muzzled. In sum, checks and balances on power are severely compromised." (HRC, 9 February 2023, p. 3)

"50. There are continuing serious challenges to the rule of law in Afghanistan, with the introduction of irregular procedures, lack of clear legal authorities and the nullification of past laws. The Special Rapporteur notes that the absence of any codified law is one of the most serious concerns, while the de facto authorities reiterate that they follow sharia law (Hanafi school), it is subject to a range of interpretations. [...]. At the present time, there are no standardized procedures or substantive statutes in criminal or civil matters that police, judges or lawyers can follow in Afghanistan.

51. The 2004 Constitution, which guaranteed the separation of powers, the rights of citizens, including the right of access to justice and equality before the law and the independence of the judiciary, remains suspended. Key judicial positions have been filled with religious scholars, mainly members of the Taliban linked to high-ranking officials and active during the war, rather than legal experts. They are advised by muftis (Islamic scholars qualified to issue an opinion on a point of sharia law for specific cases), who are appointed by the Chief Justice. Since September 2022, the de facto authorities have sidelined the role and functioning of prosecutors and they had previously removed most judges systematically. Often, the judge is the investigator and adjudicator, which violates compliance with fair trial standards. In practice, it appears that the muftis have become even more powerful, being involved in pretrial and trial processes, including investigations and the provision of advice on punishment, with judges mainly following their advice. Alarming, there

are reports that it is common for alleged perpetrators to be detained, sentenced and punished by the police and other security agencies all on the same day, without any semblance of due process or judicial review. There have also been allegations of bribes.” (HRC, 9 February 2023, p. 10)

“Afghanistan’s hard-line Islamist Taliban rulers have [banned all political parties](#), saying there is ‘no justification’ for them under Shari’a law.

‘Political parties are banned completely, we will not permit any political party to operate in the country,’ Abdul Hakim Sharaee, the Taliban’s de facto justice minister, said during a news conference on August 16 [...]” (RFE/RL, 17 August 2023)

4. Vulnerable Groups

Detailed Information on the situation of vulnerable groups after the Taliban takeover can be found in the report on the COI webinar with Katja Mielke and Emran Feroz (ACCORD, March 2022).

Information on the situation of returnees, who left Afghanistan either before or after the Taliban takeover in August 2022, can be found in a report on a conference held on 28 November 2022 on the human rights situation following the Taliban takeover in August 2021 by the Danish Refugee Council (DRC) (DRC, 30 December 2022).

“Regular reports by the UN Special Rapporteur on the situation of human rights in Afghanistan leave no doubt as to the extent of the human rights violations and the gravity of the humanitarian situation. As anticipated, the Taliban-led regime excludes entire sections of the population who are therefore particularly vulnerable to discrimination and targeted violence (ethnic and religious minorities especially the Hazaras, the Tajiks and Christians, and the LGBTIQ+ communities).” (CoE-PACE, 25. September 2023, p. 8)

“The Taliban have attempted to portray to the world that they will respect human rights - however the ground reality is far from this. This briefing specifically documents the repression of the rights of women and girls, the intimidation of human rights defenders, the crackdown on freedom of expression, the reprisals on former government workers as well as the challenges faced by refugees and those who wish to leave Afghanistan. These incidents form a litany of abuses that demonstrate the need for an independent monitoring mechanism in response to the human rights situation in Afghanistan.” (Al et al., September 2021)

“Under the Taliban rule, the rights to freedom of expression, liberty and assembly are increasingly being curtailed, and any form of dissent is met with enforced disappearances, arbitrary arrests and unlawful detention. Enforced disappearances of women, and arbitrary arrest of journalists

and civil society activists seem to be the latest tactics adopted by the Taliban to silence voices that speak out. The nine cases that we have documented contribute to a growing pattern of arbitrary arrests, unlawful detentions and enforced disappearances by the Taliban against those who have tried to question the Taliban by way of peaceful protests or by exercising their right to freedom of expression.” ([AI, 21 March 2022, p. 1](#))

“The Taliban control systems holding sensitive biometric data that Western donor governments left behind in Afghanistan in August 2021, putting thousands of Afghans at risk, Human Rights Watch said today. [...] The Taliban’s access to this data comes at a time when they are targeting individuals because of their past association with the former government, particularly members of the security forces, judges and prosecutors, and civil servants, including women working in these fields. The Taliban have also detained and abused people who have criticized their policies. Human Rights Watch in November documented the Taliban’s killing or enforced disappearance of 47 former members of the Afghan National Security Forces (ANSF) – military personnel, police, intelligence service members, and militia – between August 15 and October 31, with the UN reporting credible allegations of the killing of at least 130 security forces members or their relatives.

The Taliban have targeted journalists and threatened human rights activists, including women’s rights activists, women working in roles the Taliban believes are unsuitable for them, and people who are lesbian, gay, bisexual and transgender (LGBT).

Since the Taliban takeover on August 15, many people who believe themselves to be at risk have been in hiding and moving frequently. Taliban access to these systems may make it much harder, or impossible, for these people to remain hidden. The Taliban have also taken steps to block people from fleeing the country.

The Taliban have previously used biometric data to target people. In 2016 and 2017, journalists reported that Taliban fighters were using biometric scanners to identify and summarily execute bus passengers whom they determined were security force members, all the Afghans interviewed mentioned those incidents.” ([HRW, 30 March 2022](#))

“The current climate in Afghanistan is marked by fear and worry over safety, particularly for those with specific profiles at risk. [...] The level of fear for safety is evidenced by findings from UNHCR, which received 11,281 queries through its communication channels (phones and email) from January to March 2022 from Afghans, the majority expressing safety/security concerns. The trend continued to show a high number of queries from former government officials, social activists, and journalists requesting support for evacuation due to alleged threats and fear due to their profiles, in addition to queries from individuals who have fled to

neighboring countries who fear deportation back to Afghanistan.” (GPC, 14 August 2022, pp. 3-4)

„The Special Rapporteur is seriously concerned about the situation of minorities since August 2021. Their places of worships, educational and medical centres have been systematically attacked, and their members have been arbitrary arrested, tortured, summarily executed, evicted, marginalised and in some cases forced to flee the country.” (HRC, 6 September 2022, p. 10)

“Journalists of the Afghan Hasht-e Subh newspaper living in exile report that they have gained knowledge of a list containing the names of 11,000 individuals whom the Taliban have banned from leaving the country. They are reportedly individuals who are members of the National Resistance Front (NRF), former national security employees, members of the Islamic State of Khorasan Province (ISKP), judges, security guards and a number of political, cultural and social figures who are considered to be opponents of the Taliban.” (BAMF, 2 January 2023, p. 1)

a. Women and Girls

“While the backlash against women’s and girls’ rights has unfolded in different countries and regions in recent years, nowhere else in the world has there been an attack as widespread, systematic and all-encompassing on the rights of women and girls as in Afghanistan. [...] The pattern of large-scale systematic violations of women’s and girls’ fundamental rights in Afghanistan, abetted by the Taliban’s discriminatory and misogynistic policies and harsh enforcement methods, constitutes gender persecution and an institutionalized framework of gender apartheid.” (HRC, 20 June 2023, pp. 17-18)

“‘[T]he worst country in the world to be a woman or a girl,’ is how the United Nations (UN) Special Rapporteur on the situation of human rights in Afghanistan recently described Afghanistan. After seizing power, the Taliban banned women from political participation and from most jobs, excluded most girls from education past grade six, and eliminated women’s right to attend higher education. They all but eliminated gender-based violence services and legal protections, and imposed mahrams, or male guardians on girls and women leaving their homes. The Taliban has also outlawed protests by women and their supporters who oppose the new restrictions.” (City University of New York/MADRE, March 2023, p. 2)

“The discriminatory denial of women and girls’ fundamental human rights may amount to gender persecution, a crime against humanity. The violations of the rights of women and girls, in their totality, are increasing their risk of exposure to violence and abuse and have serious physical and mental health implications.” (HRC, 9 February 2023, p. 3)

“What’s new? The Taliban have ordered the most sweeping rollbacks of women’s rights since retaking power in 2021, part of a series of escalating moves to enforce the group’s heterodox conservatism. Girls and women are losing access to education, employment and public spaces as well as other basic freedoms.

Why did it happen? The Taliban leader, Hibatullah Akhundzada, appears to insist upon these measures out of personal conviction and to assert his authority over the movement and the country.” ([International Crisis Group, 23 February 2023](#))

“42. Women’s and girls’ enjoyment of their basic rights and freedoms continued to deteriorate. [...]

43. Incidents of violence against women and girls continued to be reported, ranging from murder and honour killings to forced marriages and beatings resulting in injuries or disabilities and suicides. Reports continued to suggest that local de facto authorities used a combination of formal and informal justice mechanisms to address civil and criminal matters, including reported cases of violence against women and girls, but the mechanisms were not available equally throughout the country and did not specifically address concerns over women’s access to justice, especially given the absence of female justice professionals.” ([UNGA, 27 February 2023, pp. 8-9](#))

“Actions by Taliban authorities through 2023 suggest the crackdown is deepening, including their refusal to allow 63 women to travel to the United Arab Emirates to accept scholarships, their closure of all beauty salons, which cost women 60,000 jobs, and their ban on women visiting the Band-e-Amir national park.” ([HRW, 11 January 2024](#))

The de facto authorities continue to enforce and promulgate restrictions on women’s rights to work, education and freedom of movement. In particular, the de facto Ministry for the Propagation of Virtue and the Prevention of Vice, and its respective departments at provincial level, take on this enforcement role with regards to hijab, mahram and other requirements imposed on women by visiting public places, offices and educational institutes, as well as establishing checkpoints, and monitoring compliance.” ([UNAMA, January 2024, p. 1](#))

The de facto Department for the Propagation of Virtue and Prevention of Vice continues visiting health facilities in the province for compliance. On 22 October, in Nangarhar province, the de facto Department for the Propagation of Virtue and Prevention of Vice banned approximately 400 women from working in a pine nut processing plant while men were allowed to continue to work. No reasons for the ban were provided. Similarly, on 22 November, in Balkh province, a de facto authorities run power plant dismissed 200 women allegedly due to financial reasons, yet no male employees faced the same action. In early December, de facto

Department for the Propagation of Virtue and Prevention of Vice officials advised an unmarried female staff at a healthcare facility to get married or risk losing her job stating that it was inappropriate for an unmarried woman to work. The enforcement activities of the de facto Ministry for the Propagation of Virtue and Prevention of Vice often involve arbitrary arrests and detention. On 27 November, de facto Department for the Propagation of Virtue and Prevention of Vice officials arrested two women for purchasing contraceptives. The women were released after their families signed a guarantee that they would not repeat the act in future. The intersection of different decrees has the effect of limiting the rights of women and girls, sometimes without an express ban having been imposed. For example, there is no general ban on women's work, however, as evidenced by the above examples, the mahram requirement has the effect of limiting women's right to work if they do not have a male relative who can accompany them. ([UNAMA, January 2024, p. 3](#))

"In addition to the restrictions imposed by the policies themselves, their implementation has involved further violations of human rights. Instances of women being harassed or beaten at checkpoints for failures to observe Islamic hijab, as interpreted by the de facto authorities, or ordered to return home from the market because they were shopping without a mahram are frequently documented." ([HRC, 11 September 2023, p. 8](#))

"The bans on women working for international and national NGOs and the United Nations have adversely affected the ability of Afghan women to participate in the humanitarian response, jeopardizing the ability of humanitarian assistance to effectively reach women and girls. While humanitarian actors have strived to continue their work and negotiate exemptions and local authorizations, the overall environment remains extremely challenging" ([HRC, 11 September 2023, p. 4](#))

"52. Access by women to the courts continues to be severely restricted. Women generally need to be accompanied by a man, and testimony by a woman may not be allowed or may be given less weight than that by a man. Female judges and those belonging to religious minority groups, mainly Shia Muslims, have been removed. Male defence lawyers have gradually resumed their functions, with oversight from the de facto Ministry of Justice. [...]

53. The de facto authorities have dissolved the specialized courts for women and have removed all women judges, which has adversely affected women's access to justice. Very few women defence lawyers are still working in the court system. Women's lack of access to legal advice, combined with a general lack of awareness of how to defend their rights, continues to undermine accountability for violence, including domestic violence." ([HRC, 9 February 2023, p. 10](#))

“Während die aktuelle Gesetzeslage nur einzelne Bereiche abdeckt und viel Interpretationsspielraum lässt, zeichnet sich eine Steigerung von Gewalt gegen Frauen bei gleichzeitiger Verschlechterung der Schutzsituation ab. Außerdem sind Frauen und Mädchen größtenteils aus dem Bildungssystem und vom Arbeitsmarkt ausgeschlossen und ihr Zugang zu Gesundheitsversorgung und humanitärer Hilfe ist stark eingeschränkt. Auf Proteste gegen diese Politik reagierten die Taliban teilweise mit Gewalt und Verhaftungen.” ([BAMF, February 2023](#))

“Since taking power, the Taliban have imposed a long and growing list of rules and policies that comprehensively prevent women and girls from exercising their fundamental rights, including to expression, movement, work, and education affecting virtually all their rights, including to life, livelihood, shelter, health care, food, and water.” ([HRW, 12 January 2023](#))

“A rapid and steep deterioration in women’s and girls’ rights has left millions of Afghan women and girls deprived of access to justice, education, employment, and healthcare. [...] The Taliban is well aware the world is watching. As a result, the group has made numerous public statements to express their commitment to the respect of women’s and girls’ rights. [...] However, women’s active participation and contribution to Afghan society is far from reality. Severe restrictions imposed by the Taliban’s on women’s rights to freedom of movement, education, health, and work are in stark contrast to the group’s statements and have had a negative impact on large segments of Afghan’s society.” ([FIDH, 23 November 2021](#))

“Taliban leaders in Afghanistan are institutionalizing large scale and systematic gender-based discrimination and violence against women and girls, a group of UN human rights experts* said today. The experts reiterated their alarm expressed since August 2021 at a series of restrictive measures that have been introduced since the Taliban’s takeover of Afghanistan, particularly those concerning women and girls. [...] The experts also noted the increased risk of exploitation of women and girls including of trafficking for the purposes of child and forced marriage as well as sexual exploitation and forced labor.

These exclusionary and discriminatory policies are being enforced through a wave of measures such as barring women from returning to their jobs, requiring a male relative to accompany them in public spaces, prohibiting women from using public transport on their own, as well as imposing a strict dress code on women and girls. [...]

Of particular and grave concern is the continued denial of the fundamental right of women and girls to secondary and tertiary education [...]

While these measures have affected women and girls of all spheres of life, the experts highlighted their particular concerns for women human rights defenders, women civil society activists and leaders, women judges and prosecutors, women in the security forces, women that were former government employees, and women journalists, all of whom have been considerably exposed to harassment, threats of violence and sometimes violence, and for whom civic space had been severely eroded.” ([OHCHR, 17 January 2022](#))

“Since 15 August 2021, women have been excluded from political life, as well as the workforce more broadly. They are absent from the all-male de facto administration and occupy a limited number of civil service positions. On 18 September 2021, the de facto authorities disbanded the Ministry of Women’s Affairs (MoWA), which was established in 2001 to lead government efforts to promote gender equality. The premises of the ministry were taken over by the de facto ministry of propagation of virtue and prevention of vice. [...] The de facto authorities have repeatedly asserted commitments to uphold women’s rights within the framework of Islamic shari’a law [...] The de facto authorities have imposed restrictions limiting women’s freedom of movement. [...] On 27 February 2022, de facto spokesperson Zabiullah Mujahid told a press conference that [...] women would not be able to fly abroad unless accompanied by a mahram [...].

38. Limitations on freedom of movement negatively impact other aspects of women’s lives, such as access to health services and employment. In some provinces, women have reportedly been prevented from accessing medical care because they were not accompanied by a marham. Women-headed households are also assessed as being at increased risk of poverty due to restrictions imposed on their freedom of movement and ability to work.

39. The change in effective authority has also had adverse impacts on access to justice, protection and support for women experiencing gender-based violence. The closure of various service providers working on gender-based violence, such as women’s shelters, has left a huge institutional gap to assist and protect women and girls at risk.” ([HRC, 4 March 2022, pp. 8-9](#))

“Since August 2021, the Taliban have carried out a full-on assault on the rights of women and girls, including their rights to freedom of movement, expression, work, and education. Peaceful protests by brave Afghan women demanding their rights have been violently repressed in some cases. Many reports have emerged of Taliban’s threats, intimidation, restrictions, arrests, forced confessions, abductions, and enforced disappearances targeting women.” ([FIDH, 1 July 2022](#))

"Soon after they took control of the country's government, the Taliban said they were committed to upholding the rights of women and girls. Yet they have violated women's and girls' rights to education, work and free movement; demolished the system of protection and support for women and girls fleeing domestic violence; arbitrarily detained women and girls for infractions of the Taliban's discriminatory rules; and contributed to a surge in the rates of child, early and forced marriage in Afghanistan. Women who peacefully protested against these restrictions and policies have been harassed, threatened, arrested, forcibly disappeared, detained and tortured." ([AI, July 2022, p. 4](#))

"The Taliban have systematically closed down shelters for women and girls fleeing domestic violence. Women's sports have been banned." ([IPS, 29 October 2021](#))

"Während die aktuelle Gesetzeslage nur einzelne Bereiche abdeckt und viel Interpretationsspielraum lässt, zeichnet sich eine Steigerung von Gewalt gegen Frauen bei gleichzeitiger Verschlechterung der Schutzsituation ab." ([BAMF, 7 February 2022](#))

"The Taliban has issued a decree barring forced marriage in Afghanistan, saying women should not be considered 'property' and must consent to marriage, but questions remain about whether the group [...] would extend women's rights around work and education. The decree was announced on Friday by the reclusive Taliban chief, Hibatullah Akhunzada [...] 'Both (women and men) should be equal,' said the decree, adding that 'no one can force women to marry by coercion or pressure'. The decree did not mention a minimum age for marriage, which previously was set at 16 years old.

The group also said a widow will now be allowed to re-marry 17 weeks after her husband's death, choosing her new husband freely. [...] Longstanding tribal traditions have held it customary for a widow to marry one of her husband's brothers or relatives in the event of his death. The Taliban leadership says it has ordered Afghan courts to treat women fairly, especially widows seeking inheritance as next of kin. The group [...] also said it had asked government ministers to spread awareness about women's rights across the population." ([Al Jazeera, 3 December 2021](#))

"On 3 December, the Taliban leader issued a decree on the rights of women, which included upholding their right to consent to marriage and instructing the de facto Supreme Court to adjudicate cases involving women. While welcomed by some, the decree was criticized for failing to address the full spectrum of women's rights, including granting women the right to work and girls the right to education beyond grade six, or 11 to 12 years of age." ([UNGA, 28 January 2022, p. 2](#))

"On 07.05.22, the Taliban passed their most restrictive decree since coming to power. All women in the country are now obliged to wear a full-body covering (burqa). If a woman is found in public without a burqa, her male guard is to be held accountable. Women who do not follow this dress code at work will be dismissed. A new department has reportedly been set up in the ministry of virtue to monitor the decree. According to reports of 02.05.22, the Taliban have also stopped issuing car driving licences to women." ([BAMF, 9 May 2022, p. 1](#))

"[O]n 19.05.22, the Taliban's virtue ministry issued a binding order that all female TV presenters must cover their faces and thus wear a full-body veil (burqa) in their programmes. The same applies to female employees of the United Nations Assistance Mission in Afghanistan (UNAMA)." ([BAMF, 23 May 2022, p. 1](#))

„The de facto authorities assert that women’s rights are protected under Sharia, however, measures taken thus far generates concern about what this means in practice for women and girls. The suspension of the 2004 Constitution and review of all laws throws women’s legal status into question. The dissolution of specialized courts for women and the de facto authorities’ unwillingness to let female judges serve is adversely affecting women’s access to justice. [...] The Special Rapporteur is deeply concerned about numerous evolving rules that are impacting on women and girls’ rights. Examples include the suspension of girls’ secondary education, mandatory hijab wearing, stipulating women stay home unless necessary, a ban on certain travel without a close male family member (a mahram), revoking female lawyers’ licences and demanding that women not wear coloured attire. Of particular concern is the decree that male family members are punishable for women’s conduct, effectively erasing women’s agency and prompting increased domestic abuse [...] With the exception of one decree issued on 28 December 2021 (forbidding forced marriage, declaring widows have inheritance rights and the right to a dowry in a new marriage, and asserting the de facto courts will consider applications involving women), these directives violate the rights of women and girls." ([HRC, 6 September 2022, p. 4](#))

„Die Taleban setzten ihre repressiven Maßnahmen gegen Frauen und Frauenrechte fort. Eine neue Anordnung, dass Frauen ohne männliche Begleitung (mahram) nicht mehr öffentliche Gebäude betreten dürfn [sic], scheint landesweit umgesetzt zu werden. Andere Maßnahmen und Übergriffe scheinen lokaler Natur zu sein." ([Ruttig, 15 September 2022](#))

"The latest directive, issued by the Taliban's Ministry of Promotion of Virtue and Prevention of Vice, said women travelling for more than 45 miles (72km) should be accompanied by a close male family member.

The document calls on vehicle owners to refuse rides to women not wearing Islamic head or face coverings, although it does not say which

type of covering to use. Most Afghan women already wear headscarves.” (BBC, 27 December 2022)

“The late-night reversal of a decision by Taliban authorities in Afghanistan to allow girls from grades 7 to 12 to return to school has been met with distress from within the country and internationally – and fear that it could herald further restrictions. A Taliban spokesperson from the Ministry of Education on March 23 made the announcement reversing an earlier decision that all students would be expected to return to school, including girls.” (IPS, 28 March 2022)

“What's more, in a number of provinces local Taliban officials had already begun allowing girls' secondary schools to re-open last year, despite the lack of a central official policy. Privately, Taliban figures admit the issue of female education is a controversial one amongst their most hardline elements. The chaotic nature of this policy reversal, suggests the groups' central leadership decided at the last minute to overrule their own Ministry of Education, nervous about alienating their most ultra-conservative members.” (BBC, 23 March 2022)

“All girls' schools were expected to open at the beginning of 1401 solar year [mid-March 2022], but the Afghan caretaker government delayed the schools' opening until further notice. The Ministry of Education says it has worked on a plan to reopen the schools after approval from the leadership of the government.” (Pajhwok, 8 May 2022)

„Girls' secondary schools are closed in 24 of 34 provinces, forcing about 850,000 girls from school.“ (HRC, 6 September 2022, p. 4)

“Die Taleban teilten per [Brief](#) ihres Bildungsministers Al-Hadsch Maulawi Habibullah Agha vom 8. Januar d.J. offiziell mit, dass staatliche Mädchenschulen bis einschließlich Klasse 6 und private Lernzentren für denselben Altersbereich weiterarbeiten sollen, ebenso alle Koranschulen (Madrassas) für Mädchen ohne Altersbeschränkung. Nicht nur das: In dem Brief, den das in Kabul tätige Nachrichtenportal Tolonews noch am gleichen Tag veröffentlichte, fordert der Minister sogar die Behörden in Provinzen, wo solche Einrichtungen geschlossen wurden, auf, sie wieder zu öffnen.

In einem gesonderten Absatz wird mitgeteilt, dass auch von Nichtregierungsorganisationen geführte Mädchenschulen bis Klasse sechs weiterarbeiten und Lehrerinnen dort tätig sein dürfen, so lange sie das Verschleierungsgebot (Hidschab) beachten und eine Genehmigung des Ministeriums besitzen.

Allerdings wird in dem Brief noch einmal darauf hingewiesen, dass Mädchenschulen ab Klasse 6 „bis auf weiteres“ nicht zugelassen sind.” (Ruttig, 12 January 2023)

"Since the Taliban takeover in mid-2022, women have been prevented from participating in sports, while secondary schools for girls have been shuttered nationwide." ([AI, 12 January 2023](#))

„The Taliban have banned women from universities in Afghanistan, sparking international condemnation and despair among young people in the country. The higher education minister announced the regression on Tuesday, saying it would take immediate effect. The ban further restricts women's education - girls have already been excluded from secondary schools since the Taliban returned last year." ([BBC, 21 December 2022](#))

"On 22 January, the United Nations Assistance Mission in Afghanistan (UNAMA) called on the Taliban to provide information on the whereabouts and protect rights of two women rights activists, Tamana Zaryab Paryani and Parawana Ibrahimkhel, who disappeared on 19 January from Kabul [...]. The Taliban have denied any involvement in their disappearance. Paryani was among about 25 women who took part in an antiTaliban protest on 16 January against the compulsory Islamic headscarf for women. Similar raids were reported across homes of female protesters in Kabul. Other reports claim that the Taliban's religious police have threatened to shoot women NGO workers in a north-western province of Afghanistan if they do not wear the allcovering burqa, two staff members told AFP." ([UNHCR, 23 January 2022, p. 2](#))

"There are still about 230 Afghan female judges stranded in Afghanistan, all of them now in hiding. [...] "According to reports, women who have a public profile routinely face threats, detentions, abductions and little protection in place. Women associated with the previous administration are among those who have been allegedly hunted down by the Taliban. Among those are Banu Negar, a former female police officer who was killed in Ghor Province in early September 2021, and Alia Azizi, the head of Herat Women's Prison, who remains missing since 2 October 2021 after responding to a request by the Taliban to report for work." ([AI, 1 April 2022](#))

"Women continued to hold protests across the country last week, condemning the attack that reportedly killed dozens of Hazara girl students in Kabul city [the week prior](#). Taliban forces beat and arrested demonstrators in Herat, Bamyan, Kabul, Kapisa, and Balkh provinces. The Taliban also reportedly blocked some women students from joining the demonstrations by locking some in their university dorms in Balkh [...]. They also reportedly prevented students at the university in Herat from joining the protests ([Twitter @RukhshanaMedia, 3 October 2022](#))."(ACLED, [13 October 2022](#))

"Sixteen months since its takeover of Afghanistan, the Emirate has imposed sweeping new restrictions on women's lives, kicking female students out of universities and education centres, and banning women

from working for Non-Governmental Organisations (NGOs). The bans have come on top of the continuing closure of girls' high schools, the banning of female civil servants from offices, curbs on women's independent travel and what they can wear, and denying them access to parks, gyms and public bath houses." (AAN, 28 December 2022)

"The announcement by the Taliban on 20.12.22 that women would no longer be allowed to attend universities until further notice was followed by an order issued on 24.12.22 that women would no longer be allowed to work for non-governmental organisations, justifying the move by claiming that some women working for NGOs were not observing the Islamic dress code. This prompted several NGOs to suspend their work. The United Nations has announced that it intends to continue implementing humanitarian aid missions despite the restrictions." (BAMF, 2 January 2023, p. 1)

"Orzala Ashraf Nemat, an Afghan researcher, says the Taliban's ban on women working for NGOs will have a 'very grave impact' on Afghans.

She says many malnutrition and food security programs are implemented by women. That is because only they can access and distribute aid to other women and children, the most deprived segments of society.

According to a UN [survey](#), of the 151 local and international NGOs operating in Afghanistan only 15 percent said they can be fully operational without female staff. Many have urged the Taliban to overturn its ban. [...]

On January 5, tribal leaders in the southeastern province of Khost [called](#) on the Taliban to reverse its decision. The Taliban's health minister has already exempted female health-care staff from the ban." (RFE/RL, 7 January 2023)

"Three months after the Islamic Emirate ordered NGOs to stop employing Afghan women until further notice, it has extended the ban, to cover women working for the United Nations." (AAN, April 2023, p. 3)

"On July 5, 2023, the Taliban spokesperson for the ministry of virtue and prevention of vice confirmed the validity of an oral edict from Akhundzada that women's beauty salons are required to close within a month." (SIGAR, 30 July 2023, p. 96)

„Am 24.08.23 haben die Taliban ca. 100 Frauen, die ein Stipendium zum Studieren in Dubai erhalten hatten und in einem gecharterten Flugzeug dorthin reisen wollten, die Ausreise verboten. Teilweise hatten die Frauen die von den Taliban vorgeschriebene männliche Begleitung. Am 26.08.23 erklärte der von den Taliban ernannte Tugendminister Mohammad Khaled Hanafi, dass es Frauen verboten sei, die als Urlaubsort sehr

beliebte Seenkette Band-e Amir in der Provinz Bamyān zu besuchen.“ (BAMF, 28. August 2023, p. 2)

b. Members of the former government and national security forces

For detailed information on the situation of members of the former government and national security forces between 15 August 2021 and December 2021, please refer to [chapter 2.1 Developments in 2021](#) of ACCORD's featured topic on [Overview of recent developments and key players in Afghanistan](#) published in September 2023 on [ecoi.net](#).

“UNAMA Human Rights continues to record extrajudicial killings, arbitrary arrests and detentions, and torture and ill-treatment of former government officials and ANDSF members. These incidents are occurring despite the general amnesty announced by the de facto authorities at the time of their takeover of Afghanistan. [...]

The de facto authorities continue to reiterate their commitment to the amnesty. On 31 December, the de facto Ministry of Defence held a press conference in which they stated the “full commitment” of the de facto security and defense forces to the Taliban leader’s General Amnesty Decree. They stated: “In the last 12 months, we have not had any incidents of violation of the amnesty. What is propagated in this regard, is not true. This is only to create mistrust in our society and mislead the youth. These cases are mostly investigated [and] as the result of personal enmity and the cases are under investigation in the courts.” (UNAMA, January 2024, p. 5)

“Between April 1 and June 8, 2023, members of the Taliban reportedly attacked or disappeared at least 32 former ANDSF or government officials, according to ACLED. The amnesty’s enforcement varied and went unheeded by some among the group’s rank and file, with lower-level Taliban members reportedly responsible for the reprisal attacks. State informed SIGAR that there is little evidence that Taliban senior leaders directed such reprisals, though given their frequency, the senior leaders may be turning a blind eye to the practice. Former ANDSF members and officials reported living in constant fear that Taliban members will detain, torture, or kill them. Some remain in hiding and many fled the country.” (SIGAR, 30 July 2023, p. 115)

“Laut Berichten von Hasht-e Subh vom 09.08.23 wurden seit der Machtübernahme der Taliban im August 2021 mindestens 30 Staatsanwältinnen und Staatsanwälte von den Taliban oder ehemaligen verurteilten Straftätern ermordet und elf weitere verletzt.“ (BAMF, 14 August 2023, p. 2)

“Following their takeover of Afghanistan on 15 August 2021, the de facto authorities announced what they termed a “general amnesty” for former

officials of the government of the Islamic Republic of Afghanistan and former members of the Afghan National Defense and Security Forces (ANDSF). In the almost two years since, senior de facto officials have repeatedly, publicly, expressed their commitment to the general amnesty, calling for it to be upheld and for breaches to be investigated and for those found responsible to be punished. During this period, the United Nations Assistance Mission in Afghanistan (UNAMA) has recorded credible reports of hundreds of human rights violations – including extrajudicial killings, arbitrary arrests and detentions and torture and ill-treatment – carried out by the de facto authorities against former government officials and ANDSF members. There is limited information regarding efforts by the de facto authorities to conduct investigations and hold perpetrators of these human rights violations to account.” (UNAMA, August 2023, p. 1)

“UNAMA has documented at least 218 extrajudicial killings of former government officials and ANDSF members since the Taliban takeover of Afghanistan. [...] The majority of violations took place in the four months following the Taliban takeover of Afghanistan (15 August 2021 – 31 December 2021), with UNAMA recording almost half of all extrajudicial killings of former government officials and ANDSF members during this period. Despite this, human rights violations have continued beyond this initial period, with 70 extrajudicial killings recorded between 1 January and 31 December 2022.” (UNAMA, August 2023, p. 6)

“On 13.03.23 and 14.03.23, three former soldiers were arrested by the Taliban in Baghlan and Khost provinces. A video that has been widely circulated on social media claims to show the Taliban suffocating a former soldier by putting a plastic bag over his head and face.” (BAMF, 20 March 2023, p. 1)

c. Shiite minority and Hazara

For information on the situation of the Shiite minority and Hazara between 15 August 2021 and December 2021, please refer to [chapter 2.1 Developments in 2021](#). Further information on marginalised groups including the Hazara can be found in a report on a conference held on 28 November 2022 on the human rights situation following the Taliban takeover in August 2021 by the Danish Refugee Council (DRC) ([DRC, 30 December 2022](#)).

“While no Hazara Shi’a were initially included in Taliban governing structures, the Taliban have now appointed three Hazara Shi’a representatives as deputy ministers, but none to a cabinet-level posting. In addition to calls for meaningful political representation, Hazara Shi’a leaders continue to seek from senior Taliban leadership legal protections for their rights and their land and property, and more decisive action by Taliban authorities to protect their mosques, educational centers, and neighborhoods from persistent attacks by extremist groups such as Islamic State-Khorasan (IS-K). State told SIGAR that they are not aware of

any new measures or significant actions taken by the Taliban to protect religious minority groups this quarter.” (SIGAR, 30 July 2023, p. 98)

“So far, the Taleban’s public messaging towards Shias and Hazaras has largely been conciliatory, as they sought to establish control, but has not been backed by positive action.” (AAN, February 2023, p. 2)

„Hazaras, who are overwhelmingly Shia, are historically one of the most severely persecuted groups in Afghanistan. [...] In addition, an increase in inflammatory speech is being reported, both online and in some mosques during Friday prayers, including calling for Hazaras to be killed.” (HRC, 6 September 2022, p. 10)

“According to the London-based journalist and the Afghan professor of law, however, Hazaras in Afghanistan are regarded as inferior by many Taliban members as they are Shia Muslims [source: an Afghan professor of Law; a London-based journalist]. In this relation, two sources consulted for this report stated that Hazaras in Afghanistan have faced discrimination regarding access to the legal system as well as resources, since the Taliban takeover [source: a London-based journalist; an expert in Afghan security policy]”. (DIS, December 2021, p. 28)

“The Hazara-Shia community in west Kabul city, particularly its sprawling neighbourhood Dasht-e Barchi, has been the target of some of the city’s deadliest attacks, especially since 2016. The community has particularly been hit hard in west Kabul, but Hazaras and Shias have also been persistently targeted elsewhere in Afghanistan. [...] After the Taleban first took over in August 2021, the neighbourhood experienced a short-lived respite from attacks but has since become the scene of a new cycle of assassinations and bombings, leaving its ethnic Hazara and Shia Muslim residents particularly vulnerable to an unrelenting campaign of targeted killings.” (AAN, 17 January 2022)

“In addition to attacks on Shi’a places of worship, a number of IED attacks targeting the – predominantly Shi’a Muslim – Hazara community in schools, educational facilities, crowded streets and on public transportation occurred between 15 August 2021 and 30 May 2023. [...] While the majority of attacks against the Hazara community were claimed by ISIL-KP, a number of significant incidents [...] remain unclaimed.” (UNAMA, June 2023, p. 10)

“Taliban tries to assure that they have done this [offered protection to vulnerable communities]. In several media they have condemned attacks and stated their responsibility to protect the Shias. But in reality; where the Hazaras live there is not much security, no protection.” (DRC, 30 December 2022, p. 31)

“However, mass murder is not limited to ISKP. Also, Taliban have committed mass murders against the Hazara community. Just three days

ago in Daikundi, Taliban killed nine members of a Hazara family, including three children and a woman. According to Taliban they had joined the National Resistance Front, an armed group fighting against Taliban in Panjshir. This is a huge accusation for a small family far from Panjshir, in Daikundi, to be joining the National Resistance Front. But even if it was true, the massacre of an entire family including women and children is a violation of all human right standards. And it is not the only case. The same pattern was imposed on another Hazara family in Ghur province in June this year. A family of six or more members. Six were killed in their houses in cold blood. The same accusations were made against this family. [...] In April this year there was also an incident of five Hazara coal miners, who were all killed on their way home. Taliban rejected their involvement, and the incident was probably not organizational, but according to witnesses it was local Taliban members performing the killings. All these incidents were intentional. While the last incident did not seem organizational the other three incidents were confirmed by Taliban, and they appeared to be in line with the organizational policy and thus systematic in nature. I believe this could reach the level of crimes against humanity.” (DRC, 30 December 2022, p. 33)

“In addition, in October, November and December, a series of targeted killings of Shi’a clerics were carried out in Jibriel area of Herat city. On 22 October, one Shi’a cleric was shot and killed; on 23 November, two Shi’a clerics were shot and killed; and on 1 December, six people were killed (including two Shi’a clerics) and two wounded when unknown armed individuals opened fire on a rickshaw in which the clerics were travelling. There has been no claim of responsibility for any of these incidents and the perpetrators remain unknown.” (UNAMA, January 2024, p. 4)

d. Other religious minorities

“Members of ethnic and religious minority groups, such as Hazara Shiites, Ahmadi Muslims, Sikhs, Hindus, Baha’is, and Christians, are increasingly vulnerable to exploitation due to the threats and other dangers they face from the Taliban and non-state actors, such as ISIS-K.” (USDOS, 15 June 2023)

“Members of minority religious groups said fear of persecution and societal discrimination had prompted members of religious minorities to refrain from publicly expressing their faith. Christians, Ahmadis, Baha’is, Hindus, and Sikhs said they all had further withdrawn from participation in public activities, with most in hiding or opting to leave the country. [...] Because religious and ethnic identities are closely linked, it was difficult to categorize many instances of discrimination or unequal treatment as solely based on religious identity.” (USDOS, 15 May 2023)

“Despite some progress over the last two decades, minorities in Afghanistan have never enjoyed full protection of their human rights, and this is the case with religious minorities in particular. Discriminatory

provisions in the legal framework and inadequate recognition of group rights have led to the further marginalization of religious minorities, particularly impacting their right to participate in public and political affairs.” (HRC, [9 February 2023](#), pp. 6-7)

“In November and December, Taliban intelligence personnel detained 28 Ahmadiyya Muslims, including minors. According to reports from international Ahmadiyya Muslim organizations, Taliban intelligence personnel physically abused the detainees and coerced some into “confessing” membership in ISIS-K. As of year’s end, the Taliban had released 10 of the Ahmadis while 18 remained in detention. Some of the released minors reported that their release was conditioned upon “repenting” their Ahmadi beliefs and attending a Taliban-led madrassah every day.” (USDOS, [2 June 2022](#))

“In 2021, religious freedom conditions in Afghanistan worsened as the Taliban took control of the country on August 15. Despite initial statements from the Taliban that they had reformed some elements of their ideology, Afghans who do not adhere to the Taliban’s harsh and strict interpretation of Sunni Islam and adherents of other faiths or beliefs are at risk of grave danger. Reports indicate that the Taliban continue to persecute religious minorities and punish residents in areas under their control in accordance with their extreme interpretation of Islamic law. USCIRF has received credible reports that religious minorities, including nonbelievers and Muslims with differing beliefs from the Taliban, were harassed and their houses of worship desecrated. By year’s end, the one known Jew and most Hindus and Sikhs had fled the country. Christian converts, Baha’is, and Ahmadiyya Muslims practiced their faith in hiding due to fear of reprisal and threats from the Taliban and separately from the Islamic State-Khorasan Province (ISIS-K).” (USCIRF, [April 2022](#), p. 1)

“A researcher on Afghanistan stated that the Ahl-e Hadith community has existed in Afghanistan for a long time, preceding the rise of Salafism during the Mujahedeen’s war against the Soviet Union in the 1980’s. Although Salafism is a newer school of thought, both interviewed sources assessed that in Afghanistan today Salafism has become synonymous with Ahl-e Hadith. [...]

The provinces with the highest prevalence of Salafi communities in Afghanistan are Kunar, Nuristan, Nangahar and Laghman. Salafi communities can also be found in other provinces, such as Badakhshan and Kunduz.” (DIS, [October 2023](#), p. 4)

“The Salafis in Afghanistan do not differentiate between Salafi communities in general and Ahl-e Hadith. Similarly, the general public in the country does not differentiate between Salafi trends within these groups, perceiving them all as Salafis.

The Taliban are internally diverse and have different views regarding the Salafis. Moreover, there are differences in how local Taliban authorities treat Ahl-e Hadith members. [...]

According to the Salafi community, they experience discrimination and complete exclusion from the state apparatus and government positions. [...]

A researcher on Afghanistan opined that members of Ahl-e Hadith are universally met with suspicion due to the overlap between the Ahl-e Hadith community and Salafism, and because of the insurgency and terrorism campaigns conducted by the ISKP. However, the source has not seen any documented incidents of the Taleban killing Ahl-e Hadith members based on their faith." (DIS, [October 2023](#), pp. 6-7)

e. Journalists and media workers

For information on the situation of journalists and media workers between 15 August 2021 and December 2021, please refer to [chapter 2.1 Developments in 2021](#).

"Taliban arbitrary arrests of media workers increased in 2023." (HRW, [11 January 2024](#))

"The de facto authorities continued to target media workers and civil society members who expressed dissent with relevant policies." (UNGA, [27 February 2023](#), p. 9)

"Taliban authorities should immediately and unconditionally release journalists Faisal Modaris, Idris Rahimi, and Milad Azizi, and cease detaining members of the press for their work, the Committee to Protect Journalists said today.

On January 6, armed Taliban authorities detained the three journalists, all of whom work at the Kabul Lovers YouTube-based broadcaster, along with Azizi's brother Rashid Azizi, while they were at a restaurant in the Shari Naw area of Kabul's District Four, according to three people with knowledge of the situation who spoke to CPJ on the condition of anonymity, citing fear of retaliation by the Taliban, as well as posts on Twitter by local journalists and activists." (CPJ, [11 January 2022](#))

"Taliban authorities have carried out far-reaching censorship and violence against Afghan media in district and provincial centers, drastically limiting critical reporting in Afghanistan, Human Rights Watch said today. The situation facing journalists outside Kabul appears much worse than inside the capital, particularly for women. Journalists in the provinces have described Taliban members threatening, detaining, and beating them and their colleagues who were trying to report the news. Many journalists have felt compelled to self-censor and report only Taliban statements and

official events. Women journalists have faced the most intense repression. [...] [J]ournalists throughout Afghanistan have said that the Taliban severely restrict their work in violation of the Afghan media law and international human rights standards on freedom of expression and the media. An estimated 80 percent of women journalists across Afghanistan have lost their jobs or left the profession since the Taliban takeover in August 2021, and hundreds of media outlets have closed.” ([HRW, 7 March 2022](#))

“The Taliban’s Directorate of Intelligence engaged in a pattern of threats, intimidation, and violence against members of the media, and were responsible for targeted killings of journalists. Authorities also banned outlets in Afghanistan from broadcasting international news programs, including Voice of America and the BBC, in Dari, Pashto, and Uzbek languages. Journalists covering women’s rights protests faced particular abuse. The Taliban also shut down websites of two media outlets. [...]

The Taliban have used various measures to silence media in Afghanistan, ranging from establishing restrictive guidelines to sending intelligence officials to meet with media staff and forcing media workers to confess to crimes.” ([HRW, 12 January 2023](#))

“Nine journalists have been arbitrarily arrested by Taliban security forces in the past ten days in Afghanistan in a crackdown without precedent this year. [...] They were arrested in raids in five of Afghanistan’s provinces without any reason being given and all but one are still being held. Where they are held is not known.” ([RSF, 15 August 2023](#))

f. LGBTIQ individuals

“Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) people have no legal protections and face heightened danger. The Taliban’s stated policy is to flog, stone or otherwise kill people deemed ‘homosexual’.” ([City University of New York/MADRE, March 2023, p. 2](#))

“LGBTIQ individuals punished for the offence of homosexuality are also likely to be at higher risk of harm if their punishment is known to their families and communities. All human beings, irrespective of their sexual orientation, are entitled to enjoy the protection of international human rights law.” ([UNAMA, May 2023, p. 19](#))

“‘This is a really scary time to be in Afghanistan,’ Executive Director Kimahli Powell of Rainbow Railroad, the only international LGBT+ organisation on the ground in Afghanistan, told FRANCE 24 in a telephone interview.

‘We have received reports of names of suspected LGBTQI people circulating,’ he said. In some cases, landing on one of these ad hoc lists could even prove fatal. ‘We now know for sure the Taliban has ‘kill lists’ circulating, identifying LGBTQI+ persons.’

According to Powell, the Taliban most likely profited from the power vacuum that took place in the days and weeks leading up to the US withdrawal deadline to draw up these 'kill lists' by paying close attention to the names of people that foreign rights groups were trying to evacuate. [...] Powell also said the Taliban seem to have complemented these lists through active persecution, by means of 'entrapment' and data leaks.

'[Some] individuals who have reached out to us have told us about how they've received a mystery email from someone claiming to be connected with Rainbow Railroad asking for their information and passport. That's how we know the information has been leaked.'" ([France 24, 2 November 2021](#))

"Lesbian, gay, bisexual and transgender (LGBT) Afghans and people who do not conform to rigid gender norms in Afghanistan have faced an increasingly desperate situation and grave threats to their safety and lives under the Taliban, Human Rights Watch and OutRight Action International said in a report released today.

The 43-page report [...] is based on 60 interviews with LGBT Afghans. Many reported that Taliban members attacked or threatened them because of their sexual orientation or gender identity. Others reported abuse from family members, neighbors, and romantic partners who now support the Taliban or believed they had to act against LGBT people close to them to ensure their own safety. Some fled their homes from attacks by Taliban members or supporters pursuing them. Others watched lives they had carefully built over the years disappear overnight and found themselves at risk of being targeted at any time because of their sexual orientation or gender identity. [...]

Afghanistan was a dangerous place for LGBT people well before the Taliban retook full control of the country on August 15, 2021. In 2018, the government of then-President Ashraf Ghani passed a law that explicitly criminalized same-sex sexual relations, and the previous penal code included vague language widely interpreted as making same-sex relations a criminal offense. LGBT people interviewed had experienced many abuses because of their sexual orientation or gender identity prior to the Taliban's return to power [...] However, when the Taliban [...] regained control of the country, the situation dramatically worsened. The Taliban reaffirmed the previous government's criminalization of same-sex relations, and some of its leaders vowed to take a hard line against the rights of LGBT people." ([HRW, 26 January 2022](#))

"The journalist [Lynne O'Donnell, an Australian writer who presently writes a column for Foreign Policy magazine] said that the [Talban] disapproved of her reporting on LGBTQ persons and asserted that there were 'no gays' in the country." ([KP, 21 July 2022](#))

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6. Brief Source Descriptions

The Afghanistan Analysts Network (AAN) is an independent non-profit policy research organisation with its main office in Kabul.

The Afghanistan Independent Human Rights Commission (AIHRC) was a national human rights organisation in Afghanistan, dedicated to promoting, protecting and monitoring human rights and the investigation of human rights abuses.

Al Jazeera is a Qatar-based TV news network.

Amnesty International (AI) is an international non-governmental human rights organisation. It based on London (UK).

The Armed Conflict Location & Event Data Project (ACLED) collects, analyses and maps information on crisis and conflict in Africa, South & Southeast Asia and the Middle East and provides datasets on conflict-related incidents.

Action on Armed Violence (AOAV) is a London-based non-governmental organisation that collects, investigates and disseminates information on incidents of armed violence against civilians worldwide.

Associated Press News (AP) is a New York based news agency.

The Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) is the German authority responsible for conducting asylum procedures and protecting refugees. Furthermore, BAMF coordinates the promotion of integration and carries out research in the area of migration.

The British Broadcasting Corporation (BBC) is a British public service broadcaster headquartered in London.

The Council of Europe's Parliamentary Assembly (CoE-PACE) is an interparliamentary body consisting of 318 deputies from the parliaments of its 47 member states dealing with democracy, human rights and political, economic and social issues.

Committee to Protect Journalists (CPJ) is a US-based NGO Committee to Protect Journalists.

The American Enterprise Institute's Critical Threats Project (CT) gathers security intelligence and provides intelligence analysis to continuously assess potential threats to the U.S. and its allies.

Die Zeit is a German weekly newspaper.

Department of Foreign Affairs and Trade (DFAT) is the Department of Foreign Affairs and Trade of the Australian Government.

The Danish Immigration Service (DIS) is an agency within the Danish Ministry of Immigration and Integration that deals with cases concerning foreigners' right to visit and stay in Denmark.

The Danish Refugee Council (DRC) is an international NGO focusing on displacement.

France 24 is an international news channel in the Maghreb and in the French-speaking African countries.

The International Federation for Human Rights (Fédération internationale des ligues des droits de l'Homme, FIDH) is an umbrella organisation of human rights NGOs.

Human Rights Watch (HRW) is an international non-governmental organisation, headquartered in New York City, which seeks to protect human rights worldwide.

The International Crisis Group is a Brussels-based transnational non-profit, non-governmental organization that carries out field research on violent conflict and advances policies to prevent, mitigate or resolve conflict.

The Inter Press Service – News Agency (IPS) is a global non-profit, non-governmental news agency, emphasising on issues of development, globalisation, human rights and the environment.

The U.S.-based Institute for the Study of War (ISW) is a nonpartisan military affairs research organization.

The Jamestown Foundation (JF) is a Washington, D.C.-based information platform providing media and monitoring reports aimed at informing and educating policy makers and the broader policy community about events and trends in societies that are strategically or tactically important to the United States and in which public access to such information is often restricted.

Jurist is a legal news and commentary service of a team of around 50 law student reporters, editors, commentators, designers and developers from

12 law schools in the US, the UK and India in collaboration with the University of Pittsburgh School of Law in Pittsburgh, Pennsylvania, USA.

The Khaama Press News Agency (KP) is an online Afghan news agency.

MADRE is an US-based international women's rights organization.

The Swedish Migration Agency (Migrationsverket) is a government body responsible for decision-making and the provision of services in matters relating to asylum, migration and citizenship. The Migration Agency runs Lifos, a database on country of origin information (COI).

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is a department of the Secretariat of the United Nations, mandated to promote and protect human rights and to prevent human rights violations.

Radio Free Europe/Radio Liberty (RFE/RL) is a broadcasting organisation created by the American anti-communist organisation National Committee for a Free Europe in 1949 and is funded by the U.S. Congress. It provides news to countries in Eastern Europe, Central Asia and the Middle East.

Reporters Sans Frontières (RSF) (English: Reporters Without Borders) is a Paris-based international non-governmental organization devoted to protecting freedom of expression by reporting on violations of press freedom.

The Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is a US government body that provides oversight on reconstruction efforts in Afghanistan.

South Asia Collective is a network of organizations and human rights activists concerned with the situation of minorities in the region.

The UN Assistance Mission in Afghanistan (UNAMA) is a political UN mission established on 28 March 2002 by United Nations Security Council Resolution 1401.

The UN General Assembly (UNGA) is one of the six principal organs of the United Nations and the only one in which all member nations have equal representation.

The Office of the United Nations High Commissioner for Refugees (UNHCR) is a United Nations agency with the mandate to protect and support refugees and assist in their voluntary repatriation, local integration, or resettlement to a third country.

The UN Human Rights Council (HRC), formerly known as the UN Commission on Human Rights, is an inter-governmental body within the United Nations system working to promote and protect human rights across the world.

The United Nations Security Council (UNSC), one of the six main organs of the UN, is primarily responsible for maintaining international peace and security. The UNSC regularly publishes reports about their international missions and worldwide developments concerning politics, security, human rights etc.

The US Department of State (USDOS) is the US federal executive department mainly responsible for international affairs and foreign policy issues.

The United States Commission on International Religious Freedom (USCIRF) as a bipartisan institution of the government of the United States of America monitoring the freedom of religion abroad.

Voice of America (VOA) is a US broadcast institution.

The Washington Post (WP) is a US-American daily newspaper.

This featured topic was prepared after researching solely on ecoi.net and within time constraints. It is meant to offer an overview on an issue and is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection. Chronologies are not intended to be exhaustive. Every quotation is referred to with a hyperlink to the respective document.

Associated documents

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8 February 2024 | [ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation](#) (Author)

Afghanistan

Brief compilation on recent developments in Afghanistan

[ecoi.net-Themendossier zu Afghanistan: Aktuelle Entwicklungen](#)
(Periodical Report, German)

5 September 2023 | [ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation](#) (Author)

Afghanistan

Brief compilation on recent developments and key actors in Afghanistan

[ecoi.net featured topic on Afghanistan: Overview of recent developments and key players in Afghanistan](#) (Periodical Report, English)

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