

Flygtningenævnets baggrundsmateriale

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Afghanistan

NOT FREE

6
/100

<u>Political Rights</u>	1 /40
<u>Civil Liberties</u>	5 /60

LAST YEAR'S SCORE & STATUS

8 /100 Not Free

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Afghanistan is controlled by an armed Islamist movement, the Taliban, which has operated the Afghan state as an emirate since overthrowing an elected republican administration in August 2021. In the Islamic Emirate of Afghanistan (IEA), the Taliban leader exercises unlimited political authority and rules by decree in the absence of a constitution. The Taliban's administration is not internationally recognized. Some laws inherited from the republican period are applied, selectively. The Taliban have suspended all political and civic rights and have demonstrated their intolerance for political opposition. Women and religious and ethnic minority groups have faced the most severe curbs on freedoms, while journalists are restricted by harsh edicts and the threat of violence. Meanwhile, the population is facing economic and humanitarian crises.

Key Developments in 2023

- The Taliban completed two years in power, governing through supreme leader Haibatollah Akhundzada in Kandahar and an interim council of ministers in Kabul that he appointed. The country lacked a constitution at year's end. A new Chinese ambassador presented credentials in September, but no country has extended the Taliban full diplomatic recognition.
- Ongoing acute human rights concerns included intensified restrictions on media and freedom of expression; arbitrary detentions and summary executions of former security personnel, suspected critics, and those viewed as supporters of the armed resistance; arbitrary seizures of property; and extreme ethnic imbalances in positions of power.
- In April, the Taliban extended their ban on women working in international nongovernmental organizations (NGOs) to the United Nations, resulting in most Afghan women employed by the UN having to stay away from work. The Taliban continued to implement bans on women's employment, girls' secondary and tertiary education, and women travelling without a male escort.
- Political violence continued, but at a lower rate than in previous years. According to the South Asia Terrorism Portal (SATP), 500 were killed in 268 incidents in 2023, compared to 1,653 dead in 416 incidents in 2022.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0 / 4

The Taliban overthrew an elected government in 2021. In September 2021, the Taliban declared the formation of the Islamic Emirate of Afghanistan (IEA) and installed an unelected cabinet. Mohammad Hasan Akhund, the head of the movement's Rehbari Shura (Leadership Council), was named prime minister and remained in that post at the end of 2023. Haibatullah Akhundzada, the Taliban's head, or amir, was installed in Kandahar and treated by the Taliban as de facto head of state. Akhundzada exercises unchecked powers to rule by decree, and makes all appointments to state bodies.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0 / 4

No legislative assembly or representative body operates in the IEA. Akhundzada's decrees and orders from ministers have taken the place of legislation and regulation.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

0 / 4

Electoral commissions were abolished in late 2021. There is no provision for elections in the IEA.

The Taliban operate without a constitution, despite claims from their spokesman that one was being prepared. They have largely retained the structure of the state laid out in the 1964 constitution, but without the elected bodies it provided for.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

0 / 4

Afghanistan is an effective one-party state under the Taliban. Political parties have no legal protection. However, some parties informally operate in Afghanistan; their leaders operate in exile abroad.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0 / 4

The government of the IEA is exclusively composed of Taliban members. No other party has a share in or can compete for power. The Taliban tolerate no opposition.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

0 / 4

Citizens cannot exercise any meaningful political choice under the Taliban. Policymaking, resource allocation, and the selection of officials all take place opaquely within the structures of the IEA. Some Taliban officials in provincial administrations are reportedly open to consultation and lobbying by male community representatives and elders.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

0 / 4

No group in Afghanistan enjoys political rights or electoral opportunities. Some groups are particularly marginalized and excluded from the limited public debate that does occur.

Under the Taliban, women are excluded from any position of official authority and are additionally impacted by restrictions on their movement.

Most Taliban members belong to the Pashtun ethnic group, which is believed to represent 42 percent of the Afghan population. Members of that group hold all top positions in powerful ministries. Some non-Pashtun members of the Taliban hold less powerful posts.

LGBT+ people are excluded from political participation; the Taliban support the former republic's criminalization of same-sex relations and reject LGBT+ rights.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0 / 4

Decision-making within the IEA is highly opaque. Its leader was proclaimed, not elected. There is no national legislature to check the leadership. A council of ministers, appointed by the amir, functions in Kabul and supervises the national administration. But, Akhundzada and his advisers are based in Kandahar, and exercise ultimate policymaking and appointment authority.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

1 / 4

The Taliban claim to have achieved progress in checking widespread corruption present under the republic, particularly in customs and tax collection. Institutionalized safeguards have been bifurcated between the amir's office in Kandahar, which receives and investigates complaints, and the administration in Kabul, which includes an auditor general, an office to monitor implementation of decrees, and an anticorruption department. Government contracts, notably mineral concessions, are systematically used to reward senior Taliban. Widespread reports of bribery, corruption in the awarding of contracts, and emirate officials spending beyond their legitimate means indicate that anticorruption safeguards are ineffective.

C3 0-4 pts

Does the government operate with openness and transparency?

0 / 4

There is no transparency in Taliban governance and decision-making. Transparency around the public contracting process has been ended. The Taliban have severely restricted the volume of public finance information that they publish.

However, in a strictly limited process of information disclosure, in the summer of 2023, individual ministries held what they described as public accountability sessions, in which ministers listed their achievements at press conferences and took selected questions.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?

0 / 4

Media freedom is severely restricted under the Taliban. Media outlets are subject to intrusive monitoring and guidance by multiple Taliban organs, which are reinforced through threats and violence. The Afghan media sector has also suffered from the loss of state patronage, donor funding, and private-sector revenue. Many Afghan journalists have fled for other countries in the region and have sought asylum in European countries and the United States since the republic's fall.

In addition to national-level restrictions, during 2023 the Taliban launched sporadic operations against media in the provinces. For example, in August, they raided and sealed the premises of Hamisha Bahar radio and television station in Nangarhar Province, blocking local groups' use of its radio transmitter.

According to an August 2023 report released by Reporters Without Borders (RSF), since August 2021, two-thirds of Afghanistan's 12,000 journalists have been forced out of their profession, including 80 percent of its women journalists. More than half of the 547 media outlets that were registered before the Taliban's takeover have now closed. By April 2023, women journalists had ceased working in 19 of the 34 provinces.

The IEA has introduced at least three sets of guidelines for the media, though the guidelines were not publicly shared. Among other things, these guidelines instruct outlets and journalists to show respect for Islam, desist from reporting news items considered false, refrain from publishing information the regime has not confirmed, and operate within cultural norms. Entertainment programming that is believed to violate social and cultural norms is banned. At least three Taliban organs have actively enforced these restrictions: the Ministry of Information and Culture, the Ministry of Vice and Virtue (MVV), and the General Directorate of Intelligence (GDI). In practice, authorities have exercised arbitrary control over the media, including through prepublication censorship.

One journalist was killed in 2023 in Afghanistan, according to the Committee to Protect Journalists (CPJ). Dozens experienced arbitrary arrest, and 108 incidents of violence against journalists were recorded by Nai, an Afghan media watchdog group. Many other media workers were subject to threats and harassment, primarily from the GDI. Pressure has mainly been directed towards ensuring

favorable coverage of the regime, stifling criticism, and reducing coverage of opponents and critics. Self-censorship is pervasive as a result.

Established outlets now operate from abroad, and new outlets focused on Afghanistan have been formed outside the country since the IEA was established. All rely on social media to share their output. The Taliban have increased their own social-media activity and have warned people against accessing critical posts. Nevertheless, social media remains uncensored and accessible to Afghans.

Score Change: The score decreased from 1 to 0 due to the mass exodus of journalists since the imposition of Taliban rule, and harsh new restrictions on those who remain.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

0 / 4

Religious freedom, which was already hampered by violence and discrimination under the republic, has been heavily curtailed by the Taliban, who vigorously assert their interpretation of the Hanafi school of Sunni Islam.

During 2023, the MVV deployed teams in all provinces to enforce its moral code, although in practice enforcement efforts were ad hoc and varied significantly from province to province. Elements of the moral code included male attendance at congregational prayers, closure of businesses at prayer time, holding Koranic recitation instead of music and dance at weddings, refraining from listening to music, approved beard and hair styles for men, and dress codes for both men and women. Non-Muslim minorities reported that they were warned to comply with MVV codes for Muslim dress.

Government organs, particularly the GDI, have systematically persecuted religious minorities. Adherents of Salafism have been especially targeted, with members facing arbitrary detention, forced disappearance, torture, and summary execution by the Taliban, who as a pretext often accuse them of supporting the ISKP. Many of their religious institutions have been sealed and their imams have been instructed to conform with Hanafi doctrine. Christians, who are few in number, also face arrest and violence.

The regime claims not to persecute members of the Hazara community, most of whom identify as Shiite. However, the emirate authorities imposed multiple restrictions on the 2023 commemoration of the month of mourning, Muharram. Mourners were told to avoid public displays of religious symbols and rituals, and mourning ceremonies were only to be held in select places of worship designated by the Taliban. Shias widely defied these restrictions, resulting in clashes with the authorities.

ISKP has continued its campaign of violence against the Hazara community. Mass casualty attacks against Hazaras included improvised explosive devices (IEDs) at a Shia mosque in Pol-e-Khomri in October 2023, at a west Kabul sports club the same month, and a commuter bus in west Kabul in November.

Score Change: The score declined from 1 to 0 due to the Taliban regime's intensifying efforts to enforce conformity to its interpretation of Sunni Islam.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

0 / 4

The regime continued efforts to transform Afghanistan's educational system and claimed that it was purging the population of the legacy of Western cultural influence from the republic era. The ministries of education, higher education, and vice and virtue undertook ideologically driven review of curriculum, purged teaching staff by administering religious knowledge tests, compelled teaching staff attendance at ideological orientation classes, and banned certain books and other materials. The amir announced an initiative to establish centrally funded "jihadi madrassas" in all administrative divisions of the country for religious instruction and propagation of the values of jihad. The Ministry of Education has created 100,000 new teaching posts to facilitate the recruitment of clerics as religious instructors.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

0 / 4

Afghans cannot freely engage in private discussion without risking offline and online surveillance. Criticism of the IEA or its moral code is grounds for arrest, as are sympathetic statements towards the National Resistance Front (NRF), an armed group that has resisted Taliban rule in the north. The GDI has worked to expand its network of agents, who are paid to inform on their neighbors' activities. Taliban routinely search mobile phones for social media comments criticizing the regime.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	1/4
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The Taliban use force to suppress demonstrations and media coverage of them. However, the authorities reportedly orchestrate rallies to showcase views they promote, such as demands for the lifting of sanctions.

Afghan women continued to stage sporadic protests during 2023, and to risk severe mistreatment for doing so. Some 95 such protests were noted between March and June, United Nations researchers reported in September. Most protests have focused on Taliban moves to suppress women's rights.

Taliban have detained protesters, and some have been subject to torture. Demonstrators have responded by holding many of their protests in private spaces and broadcasting them online.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?	1/4
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NGOs are required to be registered with the Ministry of Economy, comply with its reporting guidelines, and observe emirate rules. The emirate has relied on a

restrictive interpretation of previous NGO registration rules to prevent the operations of NGOs deemed critical or undesirable. NGOs are also subject to surveillance by the GDI, which has periodically accused groups of espionage. Human rights activists have been arrested, tortured, and killed since the Taliban returned to power, and many involved in human rights work have fled. By 2023, civil society activity had mostly been reduced to the delivery of humanitarian assistance, and even these groups face pressure from the Taliban to prioritize their members and supporters when distributing aid.

In December 2022, the Ministry of Economy, with which NGOs must register, told groups not to allow female employees to report for work and threatened to revoke registration for noncompliance. Several aid groups, including the Norwegian Refugee Council and Save the Children, suspended their operations as a result. In April 2023, the Taliban extended their ban on women working in international NGOs to the United Nations, resulting in most Afghan women employed by the UN having to stay away from work. GDI agents arrested the staff of an International Assistance Mission (IAM) project in September 2023, accusing them of proselytizing.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

1 / 4

Under the 2004 constitution, Afghan workers had broad constitutional protections. However, labor rights were poorly defined, and no effective enforcement or dispute-resolution mechanisms existed. Unions were largely absent from the large informal and agricultural sectors. The Taliban have neither codified labor rights nor specifically targeted labor organizations.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

0 / 4

The amir has appointed pro-Taliban religious scholars as judges, within an administrative structure, under a chief justice, retained from the republic. He has abolished the function of the public prosecutor and passed the prosecutors' investigatory powers to the judiciary. Judges are thus political appointees, exercising a high degree of discretion, but serving at the pleasure of the amir.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

0 / 4

The Taliban do not recognize internationally accepted norms on due process. Their judges are supposed to operate under Hanafi jurisprudence instead of a clear code of procedure. Judges rely on confessions and uncorroborated witness testimony. Defendants often lack access to defense counsel and widespread bribery within the judiciary has been reported.

The amir has publicly called for the judiciary to apply *qisas* (retribution in kind) and *haddood* (crimes against God) punishments based on his reading of Sharia, as part of a campaign to purge society.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

0 / 4

The Taliban have claimed restoration of security as one of their main achievements. All major indicators of levels of violence have reduced relative to the period prior to August 2021, when the Taliban were waging an insurgency. The South Asia Terrorism Portal (SATP) noted 500 terrorism-related deaths in 2023, a significant reduction from the Taliban's first year in power (1,653), and a different order of magnitude to the fatality levels during the insurgency (8,469 in 2021).

Despite the marked reduction in terrorist violence and casualties, the Afghan population faces multiple threats of illegal physical force and the effects of war and insurgency.

Through multiple counterterrorism operations, the Taliban succeeded in reducing the capabilities of ISKP, which had constituted the main terrorist threat to the emirate in 2022. ISKP violence has continued, but at a diminished level. It claimed responsibility for high-profile attacks on Taliban leaders, including the killings in suicide attacks of the governor of Balkh Province, the deputy governor of Badakhshan, and the former police chief of Baghlan. Although overall casualties from their suicide campaign fell relative to 2022, ISKP conducted further attacks on civilians of the Hazara community in Kabul and Mazar-e-Sharif in Baghlan.

Nationalist resistance forces waging an armed campaign against the emirate changed tactics in 2023. Instead of trying to hold territory, they shifted to hit-and-run attacks with IEDs and small arms on Taliban security posts and vehicles. In addition to the NRF, led by Ahmad Massoud, several other resistance groupings announced that they were fighting against the Taliban and started to claim responsibility for attacks. However, the volume of attacks was not sufficient to alter the national trend towards diminished violence.

In addition to political violence, significant levels of violent crime, including kidnappings and armed robberies, were reported from many parts of the country. Perpetrators enjoyed impunity and were widely assumed to be Taliban or their supporters.

UXO (unexploded ordnance), left over from the insurgency and previous phases of conflict, continued to be a source of casualties.

Afghanistan also continued to play host to Islamist militant groups, among them, the Pakistani Taliban (TTP), which used their presence along the Afghanistan-Pakistan border to stage attacks into Pakistan.

While the regime claimed it was observing an amnesty announced in 2021, the GDI continued a selective purge of former members of the republic's security forces, who were targeted by night raids on their houses, arbitrary arrests, and summary execution. Particularly vulnerable were former personnel in areas where resistance groups were believed to be active, those who had commanded Afghan Local Police (ALP), and personnel who were deported back to the country after fleeing to Iran.

UN monitoring indicated that 274 men, 58 women, and 2 boys, convicted of crimes such as “illicit relations” and theft, were publicly flogged between November 2022 and May 2023.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

0 / 4

The IEA operates without a unified civil or criminal code. There is no clarity on which republic-era laws still apply.

Women face profound discrimination under the Taliban. Their employment opportunities have been severely curtailed; many women have been dismissed from public-sector and media-sector jobs. Restrictions on movement also impact women’s employment prospects, with the MVV working to enforce a ban on women using public transport unaccompanied. On December 31, 2023, MVV enforcers launched a renewed campaign against women, targeting Tajik- and Hazara-populated areas of Kabul. Young women were rounded up from streets and bazaars, accused of minor violations of dress code and detained for varying periods in MVV compounds until bailed out by their parents. The regime has also restricted girls’ and women’s access to education. In March 2022, it officially closed secondary schools for girls and in December 2022 banned female students from higher education. Despite global expressions of concern, the Taliban retained their restrictions on female education through 2023. No women were allowed to take the *Kankor*, or annual university entrance examination, in 2023.

The Taliban have engaged in discrimination against members of ethnic minority groups, particularly Tajiks, Hazaras, and Uzbeks.

There is no legal protection for LGBT+ people, who face societal disapproval and discrimination from the Taliban. The United Nations notes that the authorities have reportedly detained transgender Afghans, that and gay, bisexual, and transgender men face a heightened risk of violence.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

0 / 4

The regime places significant restrictions on individual movement, especially on women. Women must be accompanied by a chaperone for long-distance domestic travel and travel abroad. This ban is enforced at airports and borders. At times, MVV enforcers prevent local movement by women without an escort.

Authorities have used checkpoints to regulate internal movement and are known to engage in intrusive searches of travelers. Taliban reportedly search for known or perceived opponents of the regime at checkpoints, checking travelers' mobile phones and social media activity. Civilians requiring a passport to travel abroad face long and unpredictable delays.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

1 / 4

The Taliban have pledged to respect existing property rights and provide enough security to allow for investment, and to restore property usurped in previous regimes to its rightful owners. However, the Taliban continued a pattern of property expropriation and extortion directed at those affiliated with the defunct republic.

Traders have complained of being driven out of business by arbitrary tax assessments. In some provinces, armed gangs have kidnapped and stolen from targets perceived as wealthy; these gangs are protected by the authorities.

The Ministry of Urban Development initiated a compliance review of all multistory buildings constructed in Kabul during the 20 years of the republic. These reviews have created uncertainty for occupiers of urban housing developments.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

0 / 4

The Taliban ended the limited formal protections from domestic violence offered by the republic. Shelters for survivors of gender-based violence were closed by the Taliban and individuals who were convicted of such violence were among those released by the Taliban during their 2021 takeover.

The MVV has restricted the social freedoms of Afghans. Women are obliged to adopt Islamic dress as defined by the regime. Men, especially civil servants, were ordered to grow full beards and avoid Westernized hairstyles or dress. Enforcement is arbitrary and inconsistent, varying over time and between provinces.

Customary practices, including child marriage, the forced marriage of young girls to older men, and of widows to their husbands' male relatives, continue to restrict women's choices regarding marriage and divorce.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1 / 4

The economic and governance crisis associated with the Taliban takeover intensified poverty and heightened Afghans' vulnerability to exploitation, while weakening safeguards. Aid agencies fear that as many as 120,000 children were bartered or sold into marriage in the first eight months of the new regime's rule. Child labor has reportedly increased as Afghan families grapple with the country's economic crisis, with more children working in the mining sector.



On Afghanistan

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Country Facts

Population

41,130,000

Global Freedom Score

6/100 **Not Free**

Other Years

2023

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