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Human rights situation in Afghanistan:

MAY - JUNE 2023 UPDATE



United Nations
Assistance Mission in Afghanistan

Rights of women and girls

The *de facto* authorities continue to restrict the rights of women and girls. On 3 May 2023, the *de facto* Ministry of Public Health announced that only male medical students would be permitted to take the “Exit Supplementary Exam” in order to pursue further specialised medical studies. This is in addition to the earlier bans preventing women from participating in medical school exit examinations (12 February 2023) and from attending university (20 December 2022).

The United Nations Assistance Mission in Afghanistan (UNAMA) recorded instances where the *de facto* authorities took steps to enforce previously announced limitations on women’s freedom of movement and participation in employment. For example:

- On 1 May, at an airport, two Afghan female staff of an INGO were arrested by *de facto* police because they were travelling without a mahram.^[1]
- On 3 June, *de facto* General Directorate of Intelligence officials stopped a midwife on her way to work and detained her for five hours, questioning her about her work with an INGO. They reportedly threatened her with death if she continued her work. She resigned two days later.^[2]

- On 19 June, *de facto* Department for the Propagation of Virtue and Prevention officials beat a woman with a stick and ordered her to leave a public park.^[3]

In May and June, UNAMA recorded instances when the *de facto* authorities interfered in NGOs led by women, or employing them. One NGO had its assets seized by officials from the *de facto* Department for the Propagation of Virtue and Prevention of Vice because it was led by women. Two other NGOs had their licenses suspended by the *de facto* Department of Economy because of the presence of female employees in their offices. Matiullah Wesa, head of NGO PenPath, a civil society organization campaigning for the reopening of girls’ schools, continues to be detained on unknown charges by the *de facto* General Directorate of Intelligence in Kabul (arrested 27 March 2023).

Severe restrictions on Afghan women working with the United Nations

The severe restrictions on Afghan women working with the United Nations continue to impact the work of the organization. With limited exceptions, since 5 April 2023 all Afghan UNAMA staff – women and men – continue to work from home to prevent a discriminatory approach in the workplace.

[1] Location withheld for protection reasons.

[2] Location withheld for protection reasons.

[3] Location withheld for protection reasons.

Protection of civilians

On 27 May 2023, UNAMA released a report on the Impact of improvised explosive devices on civilians in Afghanistan (15 August 2021 – 30 May 2023). Despite a significant reduction in civilian casualties recorded as a result of armed conflict in Afghanistan since the Taliban takeover of the country on 15 August 2021, UNAMA continues to document significant levels of civilian harm resulting from deliberate attacks employing improvised explosive devices (IEDs). Key findings from the report include:

- Between 15 August 2021 and 30 May 2023, UNAMA recorded a total of 3,774 civilian casualties (1,095 killed, 2,679 wounded). Three quarters of these civilian casualties (2,814 civilian casualties: 701 killed, 2,113 wounded) were caused by indiscriminate IED attacks in populated areas, including places of worship, schools and markets. The majority of civilian casualties (1,701) as a result of IEDs were due to such attacks carried out by the self-identified Islamic State in Iraq and the Levant – Khorasan Province (ISIL-KP).
- UNAMA documented an increase in civilian harm resulting from attacks on places of worship after the Taliban takeover, causing 1,218 civilian casualties (368 killed, 850 wounded) between 15 August 2021 and 30 May 2023.
- Suicide attacks remain a significant concern in Afghanistan even after the Taliban takeover and appear to have

increased in lethality, with fewer incidents resulting in higher numbers of civilian casualties.

- Ongoing civilian harm as a result of IED attacks is occurring in the context of a nationwide financial and economic crisis. Victims struggle to access essential medical, financial and psychosocial support after an attack.
- The *de facto* authorities of Afghanistan have a responsibility to respect and ensure the rights of all individuals in Afghanistan to go about their daily lives in safety and without fear of attack. Investigations into past incidents and protection measures to prevent their recurrence are of critical importance.

During the period covered by this update, at least 15 people were killed and 49 wounded as a result of IED attacks, the vast majority of them civilians. The majority of these casualties occurred in two attacks in Faizabad city, Badakhshan province, both claimed by IS-KP:

- On 6 June, a vehicle borne IED explosion targeting the acting *de facto* Provincial Governor of Badakhshan, Mawlawi Nisar Ahmad Ahmadi, killed both the acting *de facto* Provincial Governor and his driver, wounding 13 others.
- On 8 June, a suicide IED attack during the funeral ceremony of the killed acting *de facto* Provincial Governor killed 13 people and wounded 36 others.

UNAMA also documented 45 civilian casualties (19 killed, 26 wounded) attributed to explosive remnants of war during the period.

The vast majority of victims were children (16 killed, 23 wounded), who often pick up unexploded ordnance (UXO) to sell for scrap metal.

- On 8 May in Kandahar city, two boys and one girl – all siblings – were killed by an unexploded ordnance (UXO). They had picked up the UXO when searching an abandoned house for scrap metal to sell.
- On 11 May in Kunduz city, five children were wounded by an UXO they had brought to a scrap metal shop in Imam Sahib district to sell.

Corporal punishment and the death penalty

On 8 May, UNAMA released a brief on Corporal punishment and the death penalty in Afghanistan since the Taliban takeover on 15 August 2021. Instances of judicial corporal punishment, implemented based on a court order and usually carried out in a public venue, continued in May and June. For example:

- On 21 May in Parwan province, Charikar city, the *de facto* Court of Appeal publicly lashed a woman convicted of adultery. She was lashed 39 times and the punishment was announced by the *de facto* Supreme Court on their website.
- On 24 May, in Kandahar city, Ahmad Shahi stadium, six men were publicly lashed 39 times each, having been convicted of *liwatat* (sodomy) and adultery. Around 2,000 people reportedly attended the punishment, which was

announced by the provincial *de facto* authorities a day earlier. The *de facto* authorities had issued a warning that those in attendance would not be allowed to take photos or videos and that anyone violating this instruction would face serious consequences. The *de facto* Supreme Court also issued a statement on the flogging, alleging that the convicted individuals confessed their crimes.

On 20 June, the *de facto* Supreme Court announced via Twitter the implementation of a *qisas* punishment (the death penalty) against a 35-year-old man. This constitutes the second recorded instance of the death penalty being carried out in accordance with a court decision since the Taliban takeover (the first occurred in Farah province on 7 December 2022). The individual had allegedly been convicted of killing three children and a man in two separate incidents. The sentence was reportedly confirmed by the City Court, Appeal Court and the Supreme Court, following which the Taliban Leader approved the implementation of the death penalty. The victims' family reportedly rejected an offer of financial compensation from the perpetrator in exchange for sparing his life (*diyat*). The execution was carried out in public, by a masked executioner who shot the individual.

On 21 June, the *de facto* spokesperson, Zabihullah Mujahid, gave an interview recalling prior decrees of the Taliban Leader instructing that only courts may impose punishments, including physical acts such as beatings with sticks.

Extrajudicial killings

UNAMA continues to document cases of extrajudicial killing of former government and military personnel across Afghanistan. For example, on 17 May in Takhar, a former Afghan National Army soldier was shot and killed by two men on a motorcycle – reportedly *de facto* security force members – while he was on his way home. On 24 May in Samangan, *de facto* security forces conducted a search operation at the home of a former Afghan National Defence and Security Force official, during which he was shot and killed. Arbitrary arrests and detentions of former government and military personnel – often accused of affiliation with the National Resistance Front – are also ongoing, particularly in Kabul and Panjshir provinces.

Killings of individuals accused of affiliation with ISIL-KP were also recorded in May and June in Nangarhar and Kunar provinces.

- On 1 June in Jalalabad, two dead bodies were found in an open area. The *de facto* authorities stated that they were ISIL-KP members killed in a military operation.
- On 20 June in Kunar, *de facto* GDI arrested an individual accused of ISIL-KP affiliation; his dead body was found three days later.

Freedom of the media

On 3 May, the *de facto* Departments of Information and Culture organised events to mark World Press Freedom Day in at least 11 provinces. The intent of these events, as stated by the *de facto* authorities, was to emphasise their commitment to preserving the rights of the media and access to information. Later in May, a number of *de facto* Departments of Information and

Culture took steps to establish committees aimed at monitoring activities of the media in their respective provinces. These committees are headed by the *de facto* Department of Information and Culture and include members from the *de facto* General Directorate of Intelligence and *de facto* Department for the Propagation of Virtue and Prevention of Vice. No announcement has been made explaining the exact mandate of these committees. However, UNAMA has recorded at least one instance where a committee conducted an unannounced inspection at a private radio station in May. Although the committee reportedly did not identify any concerns regarding the station's activities, the unexpected nature of the visit led journalists to believe these committees may further jeopardise media independence. Also in May, a delegation of central level *de facto* officials from the *de facto* General Directorate of Intelligence's Unit 53, which has a mandate to oversee media activities, travelled to a number of provinces in the northern and northeast regions to meet with media outlets and reiterate restrictions applicable to them.^[4]

The *de facto* authorities continue to arbitrarily arrest and detain journalists. On 8 May, in Khost city, *de facto* Department for the Propagation of Virtue and Prevention of Vice, in co-ordination with the *de facto* Department of Information and Culture, arrested four journalists and instructed them not to publish news reports against the *de facto* authorities and not to play music. They were released after three days. In addition, Mortaza Behboudi, a French-Afghan journalist arrested on 7 January, remains in the custody of the *de facto* General Directorate of Intelligence in Kabul. The charges against him are unknown.

[4] These restrictions include a prohibition on broadcasting music; segregation of male and female broadcasters; prohibition on women calling into radio programmes, except for shows concerning medical or religious issues of women, which women are allowed to phone in to ask questions; women employees must comply with the hijab policy and mahram can enter the workplace; prohibition to broadcasts programme and opinions considered contrary to national interests or to criticize the *de facto* authorities; YouTube contributors must be licensed; the term "Islamic Emirates" must be used to refer to the Taliban.

Activities of the *de facto* Ministry for the Propagation of Virtue and the Prevention of Vice

The *de facto* Ministry for the Propagation of Virtue and the Prevention of Vice continues to both enforce existing instructions and issue new directives, many of which interfere with the fundamental freedoms and daily lives of women and girls.

- On 16 May, in Kandahar, following a reported verbal directive issued by the *de facto* Department for the Propagation of Virtue and the Prevention of Vice in Kandahar banning women from visiting gravesites, cemeteries and shrines, *de facto* police prevented a group of women and girls from visiting a cemetery.
- On 18 June, in Herat, *de facto* Department for the Propagation of Virtue and the Prevention of Vice issued a 13-point decree to beauty salons in the province. Provisions reportedly include: a requirement for women to perform ablution before the application of makeup, strict observance of hijab and adherence to prayer times. The decree also forbids men from entering beauty salons and prohibits taking photos and videos.^[5]

- On 2 July, a letter signed by the *de facto* Ministry for the Propagation of Virtue and Prevention of Vice instructing all beauty salons across the country to close as of 25 July began circulating on social media. On 5 July, the *de facto* Ministry for the Propagation of Virtue and Prevention of Vice announced via Twitter that, based on a decree issued by the leadership of the *de facto* authorities, all women's beauty salons would be closed and their licences rendered invalid as of 25 July 2023. The statement said that the activities of beauty salons are against Sharia and an unnecessary expense.

UNAMA continues to record instances of *de facto* Ministry for the Propagation of Virtue and the Prevention of Vice personnel arbitrarily arresting and ill-treating individuals who they view as not following their decrees, particularly those pertaining to hijab (for women) and beard length (for men).

- On 12 May, *de facto* Department for the Propagation of Virtue and the Prevention of Vice officials arrested a barber for allegedly providing western-style haircuts and shaving and trimming men's beards. The victim was held in prison for four days.^[6]

[5] Provisions of the decrees are: (1) Hairdressers should perform prayers inside their shops during prayer times. (2) Strict observance of hijab. (3) Material that does not have the ability to absorb water and prevents the passage of water to the skin of the body is prohibited (4) Salons should not overcharge their customers. (5) As much as possible, salons should use materials that do not harm ablution. (6) Women must perform ablution before beautification. (7) Don't use makeup that breaks the ablution or does not make the prayer valid. (8) Hairdressers should perform their work according to Sharia. (9) Cameras are forbidden inside the salons (10) Photos and videos inside beauty salons are disallowed. (11) Men are forbidden to enter a beauty salon. (12) There should be a place for ablution for women in every salon and its should be in good condition. (13) Hairdressers are not allowed to go to customers' house to provide make-up service.

[6] Location withheld for protection reasons.

- On 16 May, at a checkpoint in Daikundi Province, *de facto* Department for the Propagation of Virtue and the Prevention of Vice officials and *de facto* Police reportedly beat, arrested and detained a number of men, women and girls during beard and hijab compliance checks.

In some instances, the *de facto* Ministry for the Propagation of Virtue and the Prevention of Vice has reportedly made attempts to discipline its staff to prevent the reoccurrence of such acts. For example, on 25 May, the *de facto* Ministry for the Propagation of Virtue and the Prevention of Vice announced via its Twitter account that an inspector had been dismissed from his post and referred to the court after a video emerged on social media of him slapping a bus driver.

Justice and penitentiary system

UNAMA engaged with the *de facto* Office of Prison Administration to advocate for a prompt investigation into allegations of sexual abuse in prisons in Faryab, Jawzjan and Samangan. *De facto* provincial officials, along with representatives from the *de facto* Office of Prison Administration, subsequently visited the concerned prisons to investigate and reportedly concluded that the allegations were baseless.

On 22 May, the *de facto* Ministry of Justice published in an official gazette a collection of 65 decrees, edicts and instructions of the *de facto* Taliban Leader from June 2016 to January 2023, some of which had been progressively announced by social media since August 2021.

The texts cover a range of administrative, governance and judicial matters and include 20 instructions that pre-date August 2021 when the *de facto* authorities took power.

By late June, the overall detainee population in prisons had reached approximately 15,000 persons countrywide, an increase from the average of 10,000 which the *de facto* Office of Prison Administration has aimed to maintain since mid-2022. Detainees include women and girls who have finished their sentences or previously been identified for release but lack mahrams/male guardians to whom they can be released. This poses serious challenges for the *de facto* Office of Prison Administration which lacks adequate resources to ensure compliance with the minimum standards for the treatment of prisoners, including the provision of adequate food and healthcare.

To address this, throughout June, mixed committees comprising various *de facto* departmental officials (including from *de facto* courts, the *de facto* Department for the Propagation of Virtue and Prevention of Vice and the *de facto* Office of Prison Administration), visited prisons and reviewed casefiles to assess the legality of continued detention and identify individuals for release on the occasion of Eid-ul-Adha.

On 28 June, the first day of Eid, the *de facto* Supreme Court announced the release of 2,178 prisoners from prisons across the country. The announcement also stated that a further 489 prisoners had received a reduction in their terms of imprisonment.