

Flygtningenævnets baggrundsmateriale

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Freedom in the World 2022 - Afghanistan

NOT FREE

10

/ 100

[Political Rights](#) 1 / 40

[Civil Liberties](#) 9 / 60

LAST YEAR'S SCORE & STATUS

27 / 100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Afghanistan's elected government, which had been undermined by an insurgency waged by the Taliban as well as violence, corruption, and flawed electoral processes, nevertheless offered a wide range of individual rights before its collapse in 2021. Since overthrowing the elected government, the Taliban have closed the country's political space; opposition to its rule is not tolerated, while women and minority groups have seen their rights curtailed by the new regime.

Key Developments in 2021

- In April, US president Joe Biden announced that US military personnel would be withdrawn from Afghanistan by September 11. In July, President Biden accelerated the withdrawal, with the US military presence in Afghanistan ending in August.
- In August, the Islamic Republic of Afghanistan's elected government was deposed by the Taliban, which led a renewed offensive against it beginning in May. Provincial capitals fell in August and Kabul was overrun on August 15, the same day President Ashraf Ghani fled the country. The Taliban named a cabinet in September, with members coming from its upper echelons.
- Afghans sought to flee their homes and the country in large numbers as the civil conflict concluded. Several countries managed an airlift to allow their citizens and Afghans to depart, with over 122,000 people being evacuated by the United States between late July and the end of August. Some 700,000 people were newly displaced within Afghanistan by year's end.
- After deposing the elected government, the Taliban restricted personal and political freedoms. In September, it reconstituted a Ministry of Vice and Virtue (MVV), which had enforced their interpretation of Sharia (Islamic law) under their previous regime. The new regime has also violently suppressed demonstrations, restricted private discussion perceived as critical of its rule, limited educational opportunities for female students, and targeted supporters of the former government.
- The Islamic State Khorasan Province (IS-K) militant group engaged in violent attacks throughout the year. The IS-K claimed responsibility for an August bombing near Kabul Airport that killed over 170 civilians and 13 US military personnel. IS-K activity continued after the Taliban took power; over 135 people were killed in two mosque attacks in October, while at least 19 were killed when the IS-K attacked a military hospital in Kabul in November.

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 the elected government in August 2021, after launching a renewed offensive in May. In September, 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. Haibatullah Akhundzada, the movement's leader, was named the IEA's supreme leader.

Prior to the Taliban takeover, the president was directly elected for up to two five-year terms and could appoint ministers with parliamentary approval. The last republican president, Ashraf Ghani, was declared by the Independent Election Commission (IEC) to have won reelection in September 2019 presidential contest with 50.6 percent of the vote.

Score Change: The score declined from 1 to 0 because the elected president was deposed by the Taliban, who appointed an unelected prime minister.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 0 / 4

While Afghans were previously represented by a parliament, no popularly elected body functions under Taliban rule.

Under the 2004 constitution, the National Assembly consisted of the directly elected lower house, the 249-seat Wolesi Jirga (House of the People), and the 102-seat Meshrano Jirga (House of Elders), the upper house. Two-thirds of upper-house members were elected by provincial councils, while the president appointed the remaining third. Ten Wolesi Jirga seats were reserved for the nomadic Kuchi, including at least 3 women, and 65 of the chamber's general seats were reserved for women.

The parliament that was effectively dissolved in 2021 was elected in 2018. Half of all registered voters participated, though the elections were affected by fears of violence, technical issues, and long lines at polling stations.

Score Change: The score declined from 1 to 0 because the elected legislature ceased functioning after the Taliban deposed the country's elected government.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Under the republic, elections were administered by the IEC and disputes adjudicated by the Electoral Complaints Commission, though candidates questioned their independence and competence. Elections were also affected by fraud. While the Taliban did not immediately rule elections out, it abolished both electoral bodies in December 2021.

In late September 2021, the Taliban announced that they would enforce parts of the 1964 constitution that did not contradict their interpretation of Sharia, rejecting the 2004 constitution used by the republic.

Score Change: The score declined from 1 to 0 because the unelected Taliban have not committed to holding new elections since taking power.

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

Political parties do not compete for power under Taliban rule. Parties that were active effectively ceased operations after the elected government fell.

Political parties represented a wide range of traditional, Islamist, and liberal views before the republic's collapse. However, they did not consolidate mass support; major parties were defined by relations to prominent figures or factions.

Score Change: The score declined from 2 to 0 because political parties have effectively ceased electoral activities after the elected government was deposed.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Those who oppose the Taliban do not have the opportunity to gain power peacefully. No opposition or nonaligned individuals were included in the cabinet announced in September 2021.

In principle, the opposition had the potential to gain power during the republic's rule, though the aftermath of the 2019 presidential election left their practical ability to do so under question. The 2014 swearing-in of Ashraf Ghani as president represented the republic's only peaceful transfer of executive power.

Score Change: The score declined from 2 to 0 because political opposition is not tolerated under the Taliban.

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

Some Taliban officials, including at the local and provincial levels, are reportedly open to lobbying and some level of consultation. Afghans who are not Taliban members can sometimes informally petition Taliban using kinship or tribal links. However, no formal method of political participation exists. Political decision-making is opaquely made by Taliban officials.

Under the republic, Afghans' individual political choices were undermined by the Taliban, who sought to undermine elections and intimidate citizens as they waged their insurgency. Individual choices were also influenced by military commanders, who had emerged as local power brokers, as well as civil administrators and moneyed elites.

Score Change: The score declined from 1 to 0 because individuals who are not Taliban members have no opportunity to engage in meaningful political participation.

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

Women are unable to seek political rights or electoral opportunities under the Taliban. The Taliban included no women in its cabinet in September 2021.

Most Taliban members are ethnic Pashtuns, who are believed to represent 42 percent of the Afghan population. However, members of other ethnic groups also support it. Ethnic Pashtuns dominated the government announced in September 2021, though a deputy prime minister, Abdul Salam Hanafi, is an ethnic Uzbek. Some Taliban members who are not part of the Pashtun ethnic group reportedly hold civil and military posts.

LGBT+ interests are not considered by the Taliban, who declared they would not respect LGBT+ rights in an October 2021 statement.

The republican constitution recognized multiple ethnic and linguistic minorities and provided more guarantees of equal status to minorities than historically available in Afghanistan. Women and traditionally marginalized Shiite Muslims, including most ethnic Hazaras, enjoyed increased levels of political representation and participation. Presidential tickets had included vice-presidential candidates from minority ethnic groups to broaden their appeal. Through this tradition of coalition building, Tajiks, Hazaras, and Uzbeks all had a stake in electoral contests.

Score Change: The score declined from 2 to 0 because political rights for women, ethnic minority groups, and LGBT+ people have been largely suspended under the Taliban.

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

The Taliban appointed an unelected government in September 2021. The elected executive and legislative branches of the republic ceased functioning after its August collapse.

The republic's president was charged with setting government policy, assisted by a cabinet and subject to parliamentary oversight. However, the republic's ability to govern was affected by its economic and military reliance on the United States and its allies. During US-Taliban talks, US-led diplomats applied intense pressure on the Ghani administration to accept their favored negotiated compromise. The elected government had no role in those negotiations, which concluded in 2020 with a US commitment to withdraw troops from Afghanistan, despite the agreement's implications for its future.

Score Change: The score declined from 1 to 0 because the country's elected national representatives were deposed by the unelected Taliban.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Corruption was endemic under the republic, despite the 2016 creation of the Anti-Corruption Justice Centre. Law enforcement agencies and the judiciary were compromised by graft and political pressure.

In November 2021, the Taliban created a commission under the Defense Ministry responsible for removing members “of bad character.” In late December, a Taliban spokesman reported that the commission had removed nearly 1,900 Taliban supporters over their conduct, including provincial officials.

C3 0-4 pts

Does the government operate with openness and transparency? 0 / 4

The Taliban are not transparent in their decision-making. Official spokesmen selectively release information about government proceedings. The Taliban have initially retained the procurement structure established in 2014 but have not indicated what transparency standards they intend to apply.

Score Change: The score declined from 1 to 0 because the Taliban do not offer transparency in their decision-making processes.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 1 / 4

While Afghanistan had a vibrant media sector during the republic, media freedoms are severely restricted under the Taliban.

Journalists were subjected to violence while the republic was in power in 2021. In March, three Enikass Radio and TV employees were killed by unidentified gunmen. In June, Ariana News anchor Mina Khairi died in a car bomb explosion along with her mother and two other passengers in Kabul. The Taliban have also used force against journalists since taking control of Afghanistan, with journalists being detained and attacked by Taliban for covering demonstrations. The Taliban detained at least 32 journalists since deposing the elected government.

The Taliban instituted restrictions on artistic and media activity since taking power. In October 2021, the MVV reportedly banned live music in some public places. In November, it banned broadcasts of programs featuring female actors, while ordering female news presenters to wear “Islamic hijab,” a term they did not specifically define. The MVV also imposed other guidelines, including a ban on broadcasts showing images of the prophet Muhammad.

The media sector has severely contracted since the collapse of the republic. In late December 2021, Reporters Without Borders (RSF) and the Afghan Independent Journalists Association reported that 231 media outlets closed since the Taliban took power, while 84 percent of female journalists have lost their jobs. Nearly all independent outlets operating outside Kabul have shuttered. Tolo News, an independent outlet, has continued to function and employs female presenters, however.

Score Change: The score declined from 2 to 1 because journalists face reporting restrictions, harassment, and physical violence under the Taliban, and media outlets have closed since the group assumed power.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public 1 / 4 and private? 4

Religious freedom, which was hampered by violence and discrimination under the republic, has been heavily curtailed by the Taliban. In September 2021, the Taliban reconstituted the MVV, which had previously been used to enforce their interpretation of Sharia. The current ministry is reportedly less strict in its enforcement than under the regime that was deposed in 2001, however.

Members of religious minority groups have faced restrictions and violence from the Taliban and armed groups. Salafists have accused the Taliban of closing houses of worship and detaining and killing members. Afghan Christians sought to leave the country after the Taliban’s takeover, with Taliban reportedly killing Afghans believed to adhere to Christianity.

Hazaras, most of whom practice Shia Islam, have been targeted by the IS-K. The IS-K claimed responsibility for attacking a mosque in Kunduz in October 2021, killing at least 72 people. It also assumed responsibility for an attack on a Kandahar mosque that month, killing at least 63 people.

Hazaras have also been targeted by the Taliban; in late August, Taliban fighters reportedly killed 13 Hazaras, many of them former government soldiers, in Daykundi Province. In September, reports surfaced of Taliban forcibly evicting Hazara families from their homes.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Education in Afghanistan was disrupted by the republic's collapse. Public universities remained shuttered at year's end, while some university faculty and students fled the country. Some private universities reopened in mid-September 2021.

The Taliban have focused on segregating the Afghan educational system since taking power. In September 2021, for example, the regime announced the reopening of primary and secondary schools for male students, but not for female students. Girls have been able to attend schools operated by a nongovernmental organization (NGO).

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Afghans cannot freely engage in private discussion without risking offline and online surveillance. Criticism of the new regime or its moral code are grounds for arrest, as are sympathetic statements towards the National Resistance Front (NRF), an armed group that has resisted Taliban rule in the Panjshir Valley. The Taliban also rely on individuals to inform them of neighbors' activities. Taliban search mobile phones for social media comments criticizing the regime.

Score Change: The score declined from 2 to 1 because political discussion is more dangerous for Afghans under the Taliban.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 1 / 4

The Taliban suppress demonstrations and use violence to disperse them when they do occur. Unapproved protests are banned. Female protesters have resorted to live-streaming small-scale indoor demonstrations since the Taliban assumed power.

In a September 2021 briefing, the Office of the UN High Commissioner for Human Rights reported that the Taliban used whips, batons, and live ammunition to disperse protesters. On September 7, two protesters were killed by Taliban in Herat, while Taliban physically attacked female protesters holding an event in Kabul that same day.

Score Change: The score declined from 2 to 1 because the Taliban have violently dispersed protests since taking power.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Many NGOs suspended operations, closed offices, and sought to evacuate staff when the elected government collapsed. However, NGOs and agencies have since continued to operate in Afghanistan, especially those providing economic and humanitarian support.

While Taliban have attacked and killed NGO workers in the past, they have broadly tolerated a continued NGO presence since taking power, instructing groups to continue the established practice of registering with the Economy Ministry. However, there are no effective protections for NGO staff, who face harassment and arbitrary arrest by Taliban who typically seek to interfere in the distribution of aid.

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 were in place. Unions were largely absent from the large informal and agricultural sectors. The rise of the Taliban had no immediate effect on labor rights.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 0 / 4

The Taliban installed a judiciary in the areas they controlled during their insurgency. After deposing the elected government in August 2021, the Taliban took complete control of the country's judicial system, appointing judges to civil and military courts. Judges who served under the republic, especially female judges, are unemployed; a significant number went into hiding.

Under the republic, informal justice systems, employing variants of both customary law and Sharia, were widely used to arbitrate disputes, especially in rural areas. This remains the case, though the Taliban have sought to control some local dispute-resolution practices since taking power.

Score Change: The score declined from 1 to 0 because the Taliban have begun installing judges with no transparency over appointment or accountability.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 0 / 4

The Taliban judiciary does not recognize international due process norms. Their judges are supposed to operate under Hanafi jurisprudence. Due process in prosecutions has been further weakened by the abolition of the republic's police force and its criminal investigation organs, which have been replaced by Taliban fighters. Judges and prosecutors rely on confessions and uncorroborated witness testimony.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The Afghan population was acutely vulnerable to armed conflict and violence during 2021, before and after the Taliban takeover.

US forces and the Taliban largely refrained from direct conflict after concluding an agreement in 2020, under which the United States committed to a conditional withdrawal timetable. The Taliban continued to fight the republic's forces, however. In April 2021, US president Biden announced that US troops would be withdrawn by September 11 (in July, Biden accelerated the timetable, with the US military presence being fully removed by the end of August). The Taliban launched a renewed offensive against the government in May, engaging in fierce fighting for control of some district centers. Provincial capitals fell to the Taliban in rapid succession in August. On August 15, Taliban fighters entered Kabul and took control of the city. The UN Assistance Mission in Afghanistan (UNAMA) reported 1,659 civilian deaths and 3,524 injuries during the first half of 2021. The Afghan army's former chief of staff, meanwhile, estimated that 1,000 military personnel were killed and another 1,000 went missing in the final weeks of fighting, with 92,000 service personnel killed throughout the war.

The Taliban engaged in retaliatory violence after their campaign. Some 47 members of the deposed government's security forces were either executed or disappeared between the middle of August and the end of October 2021 according to Human Rights Watch (HRW). In December, the United Nations claimed that over 100 people had been extrajudicially killed by the Taliban for their ties to the former government.

Afghans face the death penalty under the Taliban. In September 2021, Nooruddin Turabi, a founding member, said that the Taliban would carry out executions as well as amputations.

Other armed groups were active during the year. The IS-K engaged in violent activity throughout 2021; UNAMA reported that the IS-K claimed responsibility or was believed responsible for 77 attacks in the first four months of the year. The IS-K also claimed responsibility for a bombing near Kabul Airport in August, which killed over 170 civilians and 13 US military personnel. IS-K activities continued after the elected government collapsed; in November, the IS-K attacked a military hospital in Kabul, killing at least 19 people.

In August 2021, the Taliban fought the NRF in the Panjshir Valley. The Taliban claimed victory in September, though the NRF vowed to continue its operations.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The Taliban removed previous legal and institutional guarantees of equal treatment after deposing the elected government. Women who had worked in government, education, and the media were dismissed. The MVV has restricted women's ability to travel on public transport or without a chaperone.

While the Taliban offered amnesty for those who worked for the deposed government in August 2021, former military personnel, civilian employees, and perceived supporters were subjected to harassment and discrimination. Perceived opponents were excluded from state employment and

humanitarian assistance. The Taliban have also 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. In a July 2021 interview, a Taliban judge advocated for the execution of men who engage in same-sex activity.

Score Change: The score declined from 1 to 0 because Taliban policies reject protections for ethnic and religious minority groups and women.

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 Taliban impose few direct restrictions on freedom of movement within the country. However, intrusive checkpoints, designed to ensnare suspected opponents and enforce Taliban codes, can make movement hazardous.

Freedom of movement for women is restricted, with the MVV restricting how far they can travel unaccompanied. Women who do not wear clothing that abides by the ministry's guidance can be prohibited from entering vehicles.

The civil conflict restricted movement and compelled Afghans and citizens of other countries to flee their homes or the country altogether during the year. The Office of the UN High Commissioner for Refugees reported that 700,000 people were newly displaced within Afghanistan during 2021; by the end of the year, 3.4 million were internally displaced by civic conflict. Several countries evacuated residents as the conflict between the republic and Taliban concluded. The United States alone evacuated 122,000 people between late July and the end of August, including US citizens.

Outside of the framework of the organized evacuation program, opportunities for Afghans to seek refuge abroad were curtailed in recent years, as the European Union (EU) attempted to reinforce its external border and member states increased deportations of failed asylum seekers, Iran and Pakistan compelled hundreds of thousands of refugees to return home, and the United States decreased the number of refugees permitted annually. Despite these preexisting barriers, people continued to flee the country after the elected government fell; over 300,000 people entered Iran between September and the end of November 2021 according to the Norwegian Refugee Council. Over 80,000 Afghans applied for asylum within the EU in the first 11 months of the year, many of them doing so after being evacuated from Afghanistan.

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 historically promised to respect existing property rights and provide enough security to allow for investment. However, the Taliban have forcibly expropriated weapons and armored vehicles since deposing the elected government, showing little regard for whether they were privately owned. There were also multiple reported incidents of burglaries conducted by armed men styling themselves as Taliban during 2021. In November, the Taliban announced that they would investigate property titles issued under the republic.

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 (GBV) were closed by the Taliban, with some residents reportedly being sent to prisons. Individuals who were convicted of GBV were among those released by the Taliban during their takeover.

The Taliban have explicitly sought to restrict women's freedoms, including control over appearance.

Under the republic, women's choices regarding marriage and divorce were restricted by custom and discriminatory laws, a situation which has been aggravated by the effective loss of protection mechanisms. The forced marriage of young girls to older men or widows to their husbands' male relations was a problem, and many girls were married before the legal age of 16. The courts and the detention system were used to enforce social control of women.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The economic crisis associated with the Taliban takeover has left Afghans vulnerable to dire economic circumstances and exploitation. Reports of Afghan families selling children into marriage to avoid starvation surfaced after the republic’s collapse.

Under the republic, debt bondage was a problem, as was child labor. Most human trafficking victims in Afghanistan are children trafficked internally to work in various industries, become domestic servants, settle debts, or be subjected to sexual exploitation.

ecoi.net summary:
Annual report on political
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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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