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Race and Religion

Shia Muslims, including Hazaras

The majority of Shia Muslims in Afghanistan are from the Hazara ethnic group. The Hazara are an ethnic group of distinctive East Asian appearance, native to the Hazarajat region of Afghanistan. Their language, Hazaragi, is a variety of Persian that is mutually intelligible with Dari. Hazaras comprise around an estimated 10-20 per cent of Afghanistan's population; the majority of Hazaras are Shia Muslims.¹ Furthermore, the overwhelming majority of Shia Muslims are Hazaras. There are also some Shia Muslims from other ethnic groups, including some Pashtun, Tajiks and Turkic peoples. The Taliban, ISKP, Al-Qa'ida and most other terrorist/insurgent forces in Afghanistan are Sunni. While Sunni and Shia Muslims have lived side-by-side for much of Afghanistan's history, religious hardliners such as the Taliban typically do not consider Shia Muslims to be true Muslims.² As a result, many Taliban members regard Hazaras in Afghanistan as inferior.³ Hazaras live predominantly in the central and western provinces as well as in Kabul.⁴

Hazaras were subject to significant mistreatment during the last period of Taliban rule. The previous period of rule by the predominantly Sunni and Pashtun Taliban between 1996 and 2001 was one of considerable repression and hardship for Hazaras throughout Afghanistan, resulting in many fleeing the country during this period to escape Taliban oppression. The worst single recorded massacre in the country's recent history took place in Mazar-e-Sharif in August 1998, when the Taliban massacred at least 2,000 Hazaras.⁵ Their return to power in 2021 was met with great fear by the Hazara community, which regards the Taliban's promises of amnesty and inclusivity with scepticism.⁶ Only one Hazara, a deputy health minister, has been included in the interim Taliban government ministry.⁷

Hazaras have been subject to mistreatment from the Taliban since their return to power in August 2021. While DFAT has stated that the level of mistreatment of Hazaras by the Taliban has been less widespread than was predicted by some sources upon the fall of Kabul, members of the Hazara community have been subject to Taliban violence.⁸ For example, Amnesty International reported that Taliban fighters had killed 13 Shia Hazaras in Daykundi Province on 30 August 2021; the Taliban denied the allegations.⁹ Eleven of the victims had been members of the former government's security forces.¹⁰ Since its takeover in August 2021, the Taliban has summarily executed Hazaras who were former

¹ 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Section I, 20220603101158; 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.2, p.12, 20220114090718

² 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.8, p.13, 20220114090718

³ 'Afghanistan: Recent events', Danish Immigration Service, 13 December 2021, p.28, 20211214082224

⁴ 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Section I, 20220603101158

⁵ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.2, p.12, 20220114090718

⁶ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.3, p.12, 20220114090718

⁷ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.3, p.12, 20220114090718; 'The Taliban is trying to win over Afghanistan's Shiites with a 33-year-old Hazara emissary. But many question the group's sincerity', Raghavan, S, Washington Post, 1 November 2021, 20211104114024

⁸ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.5, p.13, 20220114090718

⁹ 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Executive Summary, 20220603101158; 'Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province – new investigation', Amnesty International, 5 October 2021, 20211006095247

¹⁰ 'Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province – new investigation', Amnesty International, 5 October 2021, 20211006095247

members of the security forces.¹¹ Taliban officials have also forcibly evicted hundreds of Shia Hazara families from their homes and farms in Balkh, Daykundi, Helmand, Kandahar and Uruzgan provinces. While the Taliban has claimed that these evictions were the result of 'property disputes', it has been reported that they were undertaken in order to reward supporters of the Taliban or as a form of ethnic cleansing.¹² Sources consulted for a December 2021 Danish Immigration Service report stated that while the Taliban have not been targeting the Hazara population systematically, these evictions showed that the Taliban are not willing to protect them. Hazaras have also faced discrimination regarding access to the legal system as well as resources since the Taliban takeover.¹³ DFAT has assessed that Hazaras in Afghanistan face a high risk of harassment and violence from the Taliban on the basis of their ethnicity and sectarian affiliation.¹⁴

Islamic State Khorasan Province (ISKP) has targeted Shias, including Hazaras, in a series of attacks since the Taliban took control of Afghanistan. Islamic State in Khorasan Province (ISKP) is the Afghanistan offshoot of Daesh (also known as Islamic State or IS). It is strongly opposed to Shia Muslims and the West.¹⁵ They have also derided the Taliban as 'apostates' and mocked its members as puppets of the Americans.¹⁶ ISKP has claimed responsibility for the bombings of Shia mosques in Kunduz on 8 October 2021,¹⁷ in Kandahar on 15 October 2021,¹⁸ in Nangarhar on 12 November 2021¹⁹ and in Mazar-e-Sharif on 21 April 2022.²⁰ In addition, ISKP claimed responsibility for the bombing of a Shia mosque in Peshawar, Pakistan on 4 March 2022.²¹ ISKP also either claimed responsibility, or had responsibility attributed to them, for bombing attacks on the Dasht-e Barchi area of western Kabul,

¹¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.4, p.13, 20220114090718

¹² 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Executive Summary and Section II, 20220603101158; 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.4, p.13, 20220114090718; 'Afghanistan: Taliban Forcibly Evict Minority Shia', Human Rights Watch, 22 October 2021, 20211027110822

¹³ 'Afghanistan: Recent events', Danish Immigration Service, 13 December 2021, p.28, 20211214082224

¹⁴ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.5, p.13, 20220114090718

¹⁵ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.24, p.11, 20220114090718

¹⁶ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.25, p.11, 20220114090718

¹⁷ 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Executive Summary, 20220603101158; 'IS bomber kills 46 inside Afghan mosque, challenges Taliban', Kullab, S and Akhgar, T, Associated Press, 9 October 2021, 20211011084803; 'Afghanistan: Dozens killed in suicide bombing at Kunduz mosque', Aljazeera, 9 October 2021, 20211011064859; 'ISIS Bomber Kills Dozens at Shiite Mosque in Northern Afghanistan', Gibbons-Neff, T and Arian, W, The New York Times, 8 October 2021, 20211011083045; 'Suicide attack on Shia mosque in Afghanistan's Kunduz underscores Islamic State's intent to discredit Taliban rule through targeted sectarian violence', Theodosiou, A, Jane's Terrorism & Insurgency Monitor, 13 October 2021, p.1, 20211020122010; 'Afghanistan: Surge in Islamic State Attacks on Shia', Human Rights Watch (HRW), 25 October 2021, 20211027110241

¹⁸ 'International Religious Freedom Report for 2021 - Afghanistan', US Department of State, 2 June 2022, Executive Summary, 20220603101158; 'Deadly explosion hits Shia mosque in Afghanistan's Kandahar', Aljazeera, 15 October 2021, 20211019064807; 'Blast at Shi'ite mosque in Afghan city of Kandahar kills dozens', Peshimam, G N, Reuters, 15 October 2021, 20211019070947; 'Blast at Afghan Mosque Kills Dozens as Shiites Are Targeted Again', Shah, T and Gibbons-Neff, T, The New York Times, 15 October 2021, 20211019075640; 'Suicide bomber kills dozens in Shia mosque in Afghanistan, the second such attack in a week', Griffith, E, Action on Armed Violence, 15 October 2021, 20211020150455; 'Afghanistan: Surge in Islamic State Attacks on Shia', Human Rights Watch (HRW), 25 October 2021, 20211027110241

¹⁹ 'Afghanistan: Mosque in Nangarhar province hit by blast', Aljazeera, 12 November 2021, 20211115091859; 'Two Explosions Hit Kabul: Casualties Reported', Gandhara, 17 November 2021, 20211118092103

²⁰ 'Blasts across Afghanistan kill at least 10, injure dozens', Associated Press, 22 April 2022, 20220427084412; 'Deadly blasts claimed by Islamic State hit northern Afghan cities', Reuters, 22 April 2022, 20220427105611; 'Regional Overview: South Asia and Afghanistan 16-22 April 2022', Karacalti, A and Sharma, I, Armed Conflict Location and Event Data Project (ACLED), 28 April 2022, 20220502125610

²¹ 'ISIS Claims Bombing of Pakistani Mosque, Killing Dozens', Khan, I and Masood, S, The New York Times, 4 March 2022, 20220307101817

which is heavily populated by Shia Hazaras, on 13 November 2021,²² 17 November 2021,²³ 10 December 2021,²⁴ 19 April 2022²⁵ and 21 April 2022.²⁶ Shia Hazaras travelling in two minibuses were also the target of a bomb attack in Mazar-e-Sharif on 28 April 2022 for which ISKP subsequently claimed responsibility.²⁷ Two passenger vehicles were also subject to explosive blasts in Mazar-e-Sharif's 10th district, a Shia Hazara neighbourhood, on 25 May 2022;²⁸ ISKP also claimed responsibility for this attack.²⁹ DFAT has assessed that Shia Muslims face a high risk of targeting by ISKP and other militant groups in Afghanistan on the basis of their religious affiliation when assembling in large and identifiable groups, such as during demonstrations or attending mosques during major religious festivals. This risk increases for those living in Shia majority or ethnic Hazara neighbourhoods in major cities such as Kabul and Herat.³⁰

Particular Social Group

Afghans with links to the former government or international community, including security forces

The Taliban has targeted Afghans with links to the former government and its security forces, as well as to international security forces and the international community. The Taliban has targeted Afghans of all ethnicities working for, supporting, or associated with the former government

²² 'Afghanistan: Deadly explosion hits mainly Shia suburb of Kabul', Aljazeera, 13 November 2021, 20211115092115; 'Blast hits Shi'ite area of Afghan capital Kabul', Reuters, 14 November 2021, 20211115120400; 'Blast on bus in Afghan capital kills 1 person, wounds 5', Associated Press, 14 November 2021, 20211115124035; 'Kabul Bomb Blast Wounds Two As Islamic State Claims Responsibility For Earlier Explosion', Gandhara, 14 November 2021, 20211116101502

²³ 'Two Explosions Hit Kabul; Casualties Reported', Gandhara, 17 November 2021, 20211118092103; 'Islamic State Claims Responsibility For Pair Of Deadly Explosions In Kabul', Gandhara, 18 November 2021, 20211119101645

²⁴ 'Deadly blasts hit Afghan capital Kabul', Aljazeera, 10 December 2021, 20211213113202; 'Two Killed, Four Wounded After Blasts Hit Kabul Shi'ite Neighborhood', Gandhara, 10 December 2021, 20211213114724; 'Regional Overview: South Asia and Afghanistan 4-10 December 2021', Karacalti, A and Bozhinova, K, Armed Conflict Location and Event Data Project (ACLED), 16 December 2021, 20220307155738

²⁵ 'Afghanistan: School bombings a 'reprehensible attack' on religious and ethnic minorities', Amnesty International, 19 April 2022, 20220420084838; 'At least six killed in blasts at Kabul high school', Reuters, 19 April 2022, 20220420085313; 'Six killed in blasts at Shiite school in Afghan capital', Wali, Q and Safi, A, Agence France-Presse (AFP), 19 April 2022, 20220420090434; 'Many students killed and wounded in explosions outside a boys' school in Kabul', Griffith, E, Action on Armed Violence (AOAV), 19 April 2022, 20220420102522; 'Prominent Afghan high school targeted by deadly bombings', Constable, P, The Washington Post, 19 April 2022, 20220420092900; 'A Bleak Future with Education Under Attack in Afghanistan', Barr, H, Human Rights Watch (HRW), 20 April 2022, 20220421085917; 'Regional Overview: South Asia and Afghanistan 16-22 April 2022', Karacalti, A and Sharma, I, Armed Conflict Location and Event Data Project (ACLED), 28 April 2022, 20220502125610

²⁶ 'Blasts across Afghanistan kill at least 10, injure dozens', Associated Press, 22 April 2022, 20220427084412; 'Regional Overview: South Asia and Afghanistan 16-22 April 2022', Karacalti, A and Sharma, I, Armed Conflict Location and Event Data Project (ACLED), 28 April 2022, 20220502125610

²⁷ 'Twin Blasts in Northern Afghanistan Kill 9', Gul, A, Voice of America (VOA), 28 April 2022, 20220429115240; 'Twin blasts kill at least 9 in northern Afghanistan', Aljazeera, 28 April 2022, 20220429113546; 'At Least Nine Killed In Two Explosions In Afghanistan's North', Gandhara, 28 April 2022, 20220429115802; 'Islamic State claims deadly bomb blasts on minibuses in Afghan city', Wali, Q, Agence France-Presse (AFP), 29 April 2022, 20220429115454; 'Explosions in northern Afghanistan kill at least 9, wound 13', Associated Press, 29 April 2022, 20220502104852; 'IS claims bombing targeting Shiites in north Afghanistan', Associated Press, 29 April 2022, 20220502105017

²⁸ 'Blast tears through Kabul mosque, killing at least five', Reuters, 27 May 2022, 20220527125826; 'Blast in Kabul mosque, IS bombs in north Afghanistan kill 14', Faiez, R, Associated Press, 26 May 2022, 20220527101013; 'Series of Explosions Kill at least 9 and Wound Many in Mazar-E-Sharif', Eqbal, S, Khaama Press, 26 May 2022, 20220527135442

²⁹ 'ISIL Claims Responsibility for the Series of Explosions in Mazar-e-Sharif', Eqbal, S, Khaama Press, 26 May 2022, 20220527135706

³⁰ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.9, p.13, 20220114090718

and/or the international community. This includes, but is not limited to, former government employees, judges and prosecutors, judicial workers, police, Afghan and international security force personnel, and interpreters. Such people were subject to intimidation, threats, abduction and targeted killings in a wave of violence that followed the signing of the Doha Agreement between the United States and the Taliban in February 2020.³¹ Following its takeover in August 2021, the Taliban declared an amnesty for all those who had worked for the deposed government or fought against the group.³² DFAT reported that, as of late 2021, observers had suggested that the Taliban was unevenly respecting the amnesty, with some subsequent violence being the result of local vendettas.³³ Despite the declaration of amnesty, there have been signs since August 2021 that some Taliban forces are actively targeting members of the former government's security forces, particularly those adjudged to be impossible to recruit to the Taliban's cause. In particular, these include former Special Forces soldiers and members of the National Directorate of Security (NDS), along with those who specifically aided foreign forces.³⁴ Former Afghan interpreters and other locally engaged personnel who assisted US or other allied forces have also reportedly been subject to Taliban violence.³⁵

The Taliban is now in control of biometric data collected by Western donor governments prior to August 2021 that they may use to track down and target perceived opponents. Sources report that the Taliban is now in control of systems holding sensitive biometric data that Western donor governments left behind in Afghanistan in August 2021. These digital identity and payroll systems contain Afghans' personal and biometric data, including iris scans, fingerprints, facial images, photographs, occupation, home addresses, and the names of relatives. It has been suggested that this data could be used by the Taliban to track down and target perceived opponents, including former members of the previous regime's security forces.³⁶ DFAT stated in January 2022 that it was unable to verify that this was occurring, although it did also note that lower and mid-level ordinary officials within the Afghan government had been ordered back to work in order to help run the country.³⁷ Human Rights Watch reported in March 2022, however, that their research indicated that the Taliban might have used the biometric data now in their control in some cases to target perceived opponents.³⁸

DFAT has assessed that employees of the former government or its security forces are at various levels of risk of mistreatment depending on their profile. DFAT has assessed that there is a high risk that former Afghan security forces, especially Special Forces and National Directorate of Security (NDS) personnel, may be subject to violence from the Taliban. DFAT has also assessed that other former government employees who were openly critical of the Taliban or harmful to Taliban interests (such as judges or police responsible for imprisoning Taliban soldiers) are also at moderate to high risk of unwanted attention, harassment and violence. Due to the Taliban's desire to restart Afghan

³¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.25, p.17, 20220114090718

³² 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.26, p.17, 20220114090718; 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

³³ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.26, p.17, 20220114090718

³⁴ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.27, p.17, 20220114090718

³⁵ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.28, p.17, 20220114090718

³⁶ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.29, p.17, 20220114090718; 'New Evidence that Biometric Data Systems Imperil Afghans', Human Rights Watch (HRW), 30 March 2022, 20220331103036

³⁷ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.29, p.17, 20220114090718

³⁸ 'New Evidence that Biometric Data Systems Imperil Afghans', Human Rights Watch (HRW), 30 March 2022, 20220331103036

governance and curry favour with the international community, however, DFAT assessed that ordinary and/or technical government officials were at low risk of adverse Taliban attention.³⁹

Women

Women and girls were significantly disadvantaged during the last period of Taliban rule and their situation in Afghanistan improved markedly in the two decades following their removal from power. During their previous period of rule in Afghanistan in the late 1990s, the Taliban imposed their interpretation of Sharia law upon the country, which had a particularly negative impact on women. Women and girls were largely barred from public life without the accompaniment of a male relative, and were excluded from schools and universities entirely. After their removal from power in 2001, the position of women improved markedly, as they made significant progress in education, employment and political representation during the period of governance by the Islamic Republic of Afghanistan (2001-2021). In 2003, less than 10 per cent of girls were enrolled in primary schools, but by 2017 that number had grown to 33 per cent, while female enrolment in second education grew from 6 per cent in 2003 to 39 per cent in 2017. Female life expectancy also grew from 56 years in 2001 to 66 in 2017, and their mortality during childbirth declined by two thirds. Furthermore, 21 per cent of Afghan civil servants and 27 per cent of Afghan members of parliament were women. It was urban rather than rural women in Afghanistan, however, who chiefly accrued these benefits.⁴⁰

The Taliban are in the process of returning women to the position they were in during the previous period of their rule, and restrictions on women's access to education and employment have been implemented. Although the Taliban promised that equal rights would be extended to women following their takeover of Afghanistan in August 2021,⁴¹ they have instead explicitly sought to control women's freedoms.⁴² Many sources consider the Taliban to be in the process of returning women to the position they were in during the previous period of Taliban rule between 1996 and 2001.⁴³ Upon seizing power in August 2021, the Taliban banned girls from attending most secondary schools. They were, however, allowed to continue attending primary schools, and partially permitted to continue attending higher education institutions. Despite previously pledging they would reopen at the start of the new school year, on 23 March 2022 the Taliban ordered girls' secondary schools to remain closed.⁴⁴ Girls remain barred from secondary education.⁴⁵ In September 2021, the Taliban imposed gender segregation at private universities and colleges and ordered female students to be taught only by female teachers or elderly men of 'good character', if no women were available. Women have been able to continue attending universities either in separate rooms or with a partition in the classroom.⁴⁶ On 24 August 2021, Taliban spokesperson Zabihullah Mujahid told reporters that women should refrain from attending work until 'proper systems' were put in place. A few days later, another Taliban spokesperson tweeted that women working in the health sector were to report for duty.⁴⁷ Women continue to be able

³⁹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.30, pp.17-18, 20220114090718

⁴⁰ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.12, p.14, 20220114090718

⁴¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.14, p.15, 20220114090718

⁴² 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

⁴³ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.15, p.15, 20220114090718

⁴⁴ 'Quarterly Report to the United States Congress - April 30, 2022', Special Inspector General for Afghanistan Reconstruction, 30 April 2022, p.119, 20220505093421

⁴⁵ 'Families in Afghan City Dine Together After Ban Lifted, Restaurant Owners Say', Agence France-Presse (AFP), 14 May 2022, 20220516102308; 'Taliban Court Sentences Afghan Journalist to Prison', Gul, A, Voice of America (VOA), 12 May 2022, 20220513114533

⁴⁶ 'Quarterly Report to the United States Congress - April 30, 2022', Special Inspector General for Afghanistan Reconstruction, 30 April 2022, p.120, 20220505093421

⁴⁷ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.15, p.15, 20220114090718

to work in the healthcare sector.⁴⁸ They have, however, been dismissed from all jobs in the public sector, with the exception of some in the healthcare and education sectors.⁴⁹ The Taliban has banned women from most forms of employment, and those employed in public sector jobs are subject to gender segregation.⁵⁰

The Taliban have also introduced restrictions on women's dress and their freedom of movement. In November 2021, the Taliban's Ministry for the Propagation of Virtue and the Prevention of Vice issued guidelines requiring female supporters to wear hijab and calling on television stations to stop broadcasting soap operas featuring women. In December, the same ministry stated that women should not travel for more than 72 kilometres without being accompanied by a male family member and that vehicle owners should refuse to carry women not wearing headscarves. The United Nations reported that unaccompanied women were being denied access to taxis and other public transport in Kabul as a result.⁵¹ This restriction was subsequently expanded to include travel abroad, and women have also faced problems accessing healthcare without a male guardian (*mahram*).⁵² On 7 May 2022, the Ministry for the Propagation of Virtue and the Prevention of Vice announced that a decree ordering that all women were required to cover their faces and only show their eyes, with it being recommended that they wear the burqa to cover themselves from head to toe. The Ministry also announced that women who appeared in public in violation of the new guidelines on dress would first be issued warnings, and that those continuing to disregard the decree would have their homes identified and their male relatives summoned for punishment that could include a reprimand, imprisonment or dismissal from government employment.⁵³ In addition, the Ministry stated that female government employees would be dismissed from their jobs if they did not comply with the decree.⁵⁴ The decree also suggested that women should not leave their homes at all if possible.⁵⁵ The Taliban subsequently announced on 19 May 2022 that all female television presenters were required to covers their faces when appearing on programs.⁵⁶

⁴⁸ 'The Taliban know they need us': the Afghan hospitals run by women', Gliniski, S, The Guardian, 9 May 2022, 20220510084808

⁴⁹ 'There is a window of opportunity to negotiate for the rights of Afghan women, but it is rapidly closing.', Ahmadi, S, Amnesty International, 1 April 2022, 20220404093020; 'Taliban Deny Afghan Girls Education, Block Women From Working Abroad', Dawi, A, Voice of America (VOA), 29 March 2022, 20220330120401

⁵⁰ 'Taliban Resurrects Gender Segregation In Public Offices, Transport In Afghanistan', Gandhara, 16 March 2022, 20220317103716; 'Afghan Women Watching the Walls Close In', Barr, H, Human Rights Watch (HRW), 2 March 2022, 20220304081746; 'Taliban free detained UNHCR staff, 2 foreign journalists', Gannon, K, Associated Press, 12 February 2022, 20220214111353

⁵¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.16, p.15, 20220114090718

⁵² 'Shrinking public space for Afghan women as Taliban expands curbs', Ahad, Z and Kumar, R, Aljazeera, 6 April 2022, 20220408084032; 'Taliban Deny Afghan Girls Education, Block Women From Working Abroad', Dawi, A, Voice of America (VOA), 29 March 2022, 20220330120401

⁵³ 'Afghanistan's Taliban order women to cover up head to toe', Gannon, K, Associated Press, 8 May 2022, 20220511094033; 'Taliban orders Afghan women to cover their faces in public', Aljazeera, 7 May 2022, 20220509103115; 'Taliban Order Afghan Women to Wear All-Covering Burqa in Public', Gul, A, Voice of America (VOA), 7 May 2022, 20220509110137; 'Taliban Impose Head-to-Toe Coverings for Women', Zucchini, D and Padshah, S, The New York Times, 7 May 2022, 20220509104829; 'Afghanistan's Taliban Orders Women To Wear Burqa Coverings In Public', Gandhara, 7 May 2022, 20220509105325; 'Taliban orders head-to-toe coverings for Afghan women in public', George, S, The Washington Post, 7 May 2022, 20220509105635

⁵⁴ 'Taliban Order Afghan Women to Wear All-Covering Burqa in Public', Gul, A, Voice of America (VOA), 7 May 2022, 20220509110137; 'Taliban Impose Head-to-Toe Coverings for Women', Zucchini, D and Padshah, S, The New York Times, 7 May 2022, 20220509104829; 'Afghan women deplore Taliban's new order to cover faces in public', Kumar, R and Noori, H, Aljazeera, 8 May 2022, 20220509103637; 'Afghan women defiant but feel 'imprisoned' by order to cover faces', Hasrat, A, Agence France-Presse (AFP), 8 May 2022, 20220509090417

⁵⁵ 'Taliban order all Afghan women to cover their faces in public', Graham-Harrison, E, The Guardian, 8 May 2022, 20220509090856; 'Taliban divisions deepen as Afghan women defy veil edict', Gannon, K, Associated Press, 9 May 2022, 20220512093224; 'Afghanistan's Taliban order women to cover up head to toe', Gannon, K, Associated Press, 8 May 2022, 20220511094033

⁵⁶ 'Taliban Reportedly Issues Order Requiring Female TV Presenters To Cover Faces', Gandhara, 19 May 2022, 20220520115800; 'Taliban say female Afghan TV presenters must cover faces on air', Aljazeera, 19 May 2022, 20220520120829; 'Taliban Order Afghan Female TV Presenters to Cover Faces', Gul, A, Voice of America (VOA), 19 May 2022, 20220520115602

Violence against women is a widespread problem in Afghanistan that has been exacerbated by the Taliban's return to power. Violence against women, particularly domestic violence, is widespread in Afghanistan but chronically underreported due to cultural normalisation and the view that domestic violence is a 'family matter'.⁵⁷ Women fear the consequences of reporting incidents of gender-based violence, particularly after the Taliban takeover. Beatings, harassment, forced prostitution, deprivation of alimony, and forced and early marriages are the main manifestations of violence against women in Afghanistan.⁵⁸ So-called 'honour killings' also occur frequently in Afghanistan, particularly in rural areas, where judicial authorities have often condoned them.⁵⁹ It was reported in May 2022 that the number of 'honour killings' had climbed since the Taliban takeover.⁶⁰ The former government confirmed a law to eliminate violence against women in 2018 but its implementation by the justice sector had remained elusive by the time of the Taliban takeover in August 2021, demonstrating the cultural resistance in Afghanistan to women's rights.⁶¹ The Taliban ended the limited formal protections against domestic violence offered by the previous regime. They also closed shelters for survivors of gender-based violence, with some residents reportedly transferred to prisons.⁶² Individuals convicted of gender-based violence were among those released by the Taliban during their takeover.⁶³ The ending of institutional and legal support for women by the Taliban has reportedly escalated the risk of violence for women in Afghanistan.⁶⁴ It has also been reported that the Taliban's restrictions on women's dress and freedom of movement have contributed to women being subject to increased domestic abuse.⁶⁵

DFAT has assessed that women in Afghanistan are at high risk of multiple forms of adverse treatment. DFAT has assessed that women in Afghanistan, regardless of ethnicity or socio-economic status, face a high risk of official discrimination and a high risk of societal discrimination. They have also assessed that Afghan women face a high risk of gender-based violence, including sexual assault and domestic violence, while Afghan girls face a high risk of being forced into early or involuntary marriage. In addition, DFAT has assessed that women face a high risk of harassment and violence from the Taliban if they depart from traditional female roles. DFAT has also assessed that the situation of women in Afghanistan with regard to access to employment, education or healthcare services is precarious and may be altered or withdrawn by the Taliban with little warning or reasoning given.⁶⁶

LGBTI

Lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals are highly stigmatised in Afghanistan and are subject to various form of societal mistreatment as a result. There is no legal protection available for LGBTI individuals in Afghanistan.⁶⁷ Even prior to the Taliban taking full control

⁵⁷ 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 6, 20220413104428; 'Amnesty International Report 2021/22: The State of the World's Human Rights', Amnesty International, 29 March 2022, p.66, 20220330091551; 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.13, p.14, 20220114090718

⁵⁸ 'Amnesty International Report 2021/22: The State of the World's Human Rights', Amnesty International, 29 March 2022, p.66, 20220330091551

⁵⁹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.13, p.14, 20220114090718

⁶⁰ 'A Man in Samangan Province Stabs His Wife to Death', Eqbal, S, Khaama Press, 21 May 2022, 20220523111131

⁶¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.13, p.14, 20220114090718

⁶² 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443; 'Human Rights Watch World Report 2022', Human Rights Watch (HRW), 13 January 2022, p.22, 20220114100636

⁶³ 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

⁶⁴ 'Amnesty International Report 2021/22: The State of the World's Human Rights', Amnesty International, 29 March 2022, p.66, 20220330091551

⁶⁵ 'Taliban's Burqa Decree Exposes Afghan Women To Increasing Domestic Abuse', Siddique, A, Gandhara, 26 May 2022, 20220527130615

⁶⁶ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.19, pp.15-16, 20220114090718

⁶⁷ 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

of the country in August 2021, it was reportedly 'too dangerous' for LGBTI individuals to live openly in Afghanistan.⁶⁸ These persons were subject to various forms of societal mistreatment on account of their sexual orientation or gender identity, including sexual violence, child and forced marriage, physical violence from their families and others, expulsion from schools, blackmail and being outed. As a result, many LGBTI individuals were forced to conceal key aspects of their identity from society and from family, friends, and colleagues.⁶⁹ Strict social and cultural taboos severely constrain an individual's freedom to identify publicly as LGBTI in Afghanistan. Same-sex orientation and unconventional gender identities are linked in the public imagination with prostitution and paedophilia, due in part to the longstanding cultural tradition of *bacha bazi*.⁷⁰ DFAT has assessed that LGBTI individuals in Afghanistan face a high risk of societal discrimination and violence.⁷¹

The Taliban has subjected LGBTI individuals to various forms of mistreatment. The situation for LGBTI individuals in Afghanistan dramatically worsened following the Taliban takeover of the country in August 2021.⁷² LGBTI individuals in Afghanistan have reported being attacked, sexually assaulted, or directly threatened by members of the Taliban because of their sexual orientation or gender identity. Others have reported abuse from family members, neighbours, and romantic partners who had become supporters of the Taliban or believed they had to take action against LGBTI people close to them to ensure their own safety.⁷³ There have also been reports of the killing of LGBTI individuals by the Taliban, although these have not been 'independently verified'.⁷⁴ Although DFAT reported in January 2022 that the Taliban had not indicated how it would enforce its strict laws against Afghanistan's largely hidden LGBTI community,⁷⁵ reports indicate that LGBTI individuals in Afghanistan will be subject to adverse treatment because of the enforcement of these laws. In a July 2021 interview, for example, a Taliban judge advocated for the execution of men who engage in same-sex activity.⁷⁶ In October 2021, a Taliban spokesperson stated in relation to LGBTI rights that this was 'against our Sharia law'.⁷⁷ In addition, a manual issued by the Taliban's Ministry of Vice and Virtue in 2020, revised in February 2021 and reportedly in use following the August 2021 takeover, states that religious leaders shall prohibit same-sex relations and that "strong allegations" of homosexuality shall be referred to the ministry's district manager for adjudication and punishment.⁷⁸ DFAT has assessed that LGBTI individuals in Afghanistan

⁶⁸ 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.55, 20220110085950

⁶⁹ "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, pp.2-3, 20220127105458

⁷⁰ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.23, p.16, 20220114090718

⁷¹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.24, p.16, 20220114090718

⁷² 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 6, 20220413104428; "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, p.2, 20220127105458

⁷³ 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 6, 20220413104428; "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, p.1, 20220127105458

⁷⁴ 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.55, 20220110085950

⁷⁵ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.23, p.16, 20220114090718

⁷⁶ 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443; "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, p.2, 20220127105458; 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.23, p.16, 20220114090718

⁷⁷ "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, p.2, 20220127105458; 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.56, 20220110085950; 'Taliban say gay rights will not be respected under Islamic law', O'Donnell, J, Reuters, 29 October 2021, 20220302110351

⁷⁸ "'Even If You Go to the Skies, We'll Find You': LGBT People in Afghanistan After the Taliban Takeover', Human Rights Watch, 26 January 2022, p.2, 20220127105458; 'Afghanistan: Taliban 'Vice' Handbook Abusive', Human Rights Watch, 29 October 2021, 2021101081913

face a high risk of official discrimination and violence, including by entrapment, arrest, harassment and mistreatment by the Taliban and other authorities.⁷⁹

Political Opinion

Opposition to the Taliban

The Taliban have responded to dissent against their rule with violence and other forms of adverse treatment. Demonstrations and other protest actions occurred on several occasions after the Taliban takeover, with participants demonstrating against Taliban rule, against the closure of banks, demanding proper rights for women, demonstrating against forced evictions, and teachers and medical personnel demanding their salaries.⁸⁰ On 8 September 2021, the Taliban issued an instruction prohibiting unauthorised assemblies without prior approval from the Justice Ministry,⁸¹ and their response to protests reportedly became increasingly violent.⁸² The rights to freedom of expression and assembly have been increasingly curtailed under Taliban rule, with the Taliban responding to dissent with harassment, enforced disappearances and arbitrary arrests and detention.⁸³ The Taliban authorities have also conducted house raids to target protestors.⁸⁴ Amnesty International reported that more than 60 people were subject to enforced disappearance or arbitrary arrest and detention at the hands of the Taliban authorities in January and February 2022 alone.⁸⁵

State Protection

Although the Taliban security forces have made efforts to combat crime in Afghanistan, criminal activity continues to occur at a significant level; members of the Taliban have perpetrated some of this. Prior the Taliban's takeover, the city of Kabul was rife with crime, with robberies and kidnapping taking place on a nearly daily basis. The Taliban quickly established security forces in Kabul following the takeover, with Taliban fighters patrolling the streets to maintain security. Some sources referred to residents that stated that the crime rates had reduced significantly in Kabul after the Taliban had taken power. However, residents of Kabul have reportedly seen an emergence of robberies conducted by persons in the name of the Taliban, and there have been reports of the Taliban arresting individuals on charges of 'misusing the name of the Islamic emirate and perpetrating crime against the people'. There have also been reported cases of extortion either directly or indirectly through Taliban fighters. Due to the humanitarian situation, there have been Taliban fighters who have also struggled with food insecurity, leading them to use 'the Taliban brand' to go into people's homes, steal vehicles and threaten

⁷⁹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.24, p.16, 20220114090718

⁸⁰ 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.34, 20220110085950

⁸¹ 'Situation of human rights in Afghanistan - Report of the United Nations High Commissioner for Human Rights', 4 March 2022, p.11, 20220310103511; 'Human Rights Watch World Report 2022', Human Rights Watch, 13 January 2022, p.23, 20220114100636; 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.34, 20220110085950

⁸² 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, pp.34-36, 20220110085950

⁸³ 'Afghanistan: Taliban must immediately stop arbitrary arrests of journalists, civil society activists, former government officials and those who dissent', Amnesty International, 21 March 2022, p.1, 20220322094243; 'Situation of human rights in Afghanistan - Report of the United Nations High Commissioner for Human Rights', 4 March 2022, p.10, 20220310103511; 'Detained Women Activists In Afghanistan Apparently Forced To Confess Before Release', Esfandiari, G, Gandhara, 24 February 2022, 20220224114615

⁸⁴ 'Situation of human rights in Afghanistan - Report of the United Nations High Commissioner for Human Rights', United Nations Human Rights Council, 4 March 2022, p.11, 20220310103511

⁸⁵ 'Afghanistan: Taliban must immediately stop arbitrary arrests of journalists, civil society activists, former government officials and those who dissent', Amnesty International, 21 March 2022, p.1, 20220322094243

people.⁸⁶ The US Department of State has reported that the Taliban's approach to law enforcement lacks procedural protections, and that many Taliban fighters have been undisciplined and frequently detained on criminal charges.⁸⁷ In September 2021, the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported that there had been an increase in criminal activities in western and southern provinces of Afghanistan, mainly in Uruzgan, Helmand and Kandahar, as well as in the northern province of Kunduz.⁸⁸ Reports from October and November 2021 also referred to a surge in criminal activity in Kabul and elsewhere in Afghanistan.⁸⁹ There have also been reports, however, that refer to Taliban security forces taking action to combat crime, such as rescuing kidnapped persons,⁹⁰ seizing and destroying drugs,⁹¹ and arresting persons for committing crimes such as murder,⁹² kidnapping,⁹³ robbery⁹⁴ and drug-related offences.⁹⁵

The Taliban have taken full control of Afghanistan's judicial system. During their insurgency, the Taliban installed a judiciary in the areas they controlled.⁹⁶ The Taliban enforced a judicial system that

⁸⁶ 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.62, 20220110085950

⁸⁷ 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 1.e, 20220413104428

⁸⁸ 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.62, 20220110085950

⁸⁹ 'Afghanistan: COI Repository (1st September 2021 - 18th May 2022)', Asylos and Clifford Chance, 19 May 2022, pp.56-58, 20220520083635

⁹⁰ For recent examples of these reports, see '13-year-old boy rescued from kidnappers in Balkh', Sirat, A S, Pajhwok Afghan News, 9 May 2022, 20220510114506; 'Taliban Rescued An Eight-Year-Old Child From Kidnappers in Paktika', Eqbal, S, Khaama Press, 7 May 2022, 20220509111842; 'Girl rescued, 5 kidnappers detained in Kabul', Hasrat, A S, Pajhwok Afghan News, 10 April 2022, 20220411102050; 'Child rescued, abductor detained in Herat', Erfanyar, A S, Pajhwok Afghan News, 20 March 2022, 20220321113538; 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.62, 20220110085950

⁹¹ For recent examples of these reports, see 'Several kilograms of narcotics seized in Khost raids', Mangal, Y, Pajhwok Afghan News, 11 May 2022, 20220512113126; '7 held with alcohol, K tablets in Kabul raid', Hasrat, A S, Pajhwok Afghan News, 28 March 2022, 20220329100333; 'Narcotics producing factory destroyed in Helmand', Bilal, R, Pajhwok Afghan News, 16 March 2022, 20220317112050; '100kg of heroin worth Rs1b seized in Torkham', Shah, S M A, Pajhwok Afghan News, 6 January 2022, 20220110152150; '23 held on robbery, drug sale charges in Khost', Pajhwok Afghan News, 7 December 2021, 20211208100743

⁹² For recent examples of these reports, see 'Man axes brother to death in Kunduz', Kakar, E, Pajhwok Afghan News, 28 April 2022, 20220429121040; '246 crime suspects arrested in Nangarhar last month', Zarifi, Y, Pajhwok Afghan News, 10 April 2022, 20220411102421; 'Man accused of killing parents arrested', Barez, B, Pajhwok Afghan News, 23 March 2022, 20220324102758; '12 held in connection to Panjsher murder incident', Tanha, F, Pajhwok Afghan News, 13 March 2022, 20220314143320; 'Zaraji man detained for killing wife', Kakar, A Z, Pajhwok Afghan News, 20 February 2022, 20220221113520

⁹³ For recent examples of these reports, see '13-year-old boy rescued from kidnappers in Balkh', Sirat, A S, Pajhwok Afghan News, 9 May 2022, 20220510114506; 'Taliban Rescued An Eight-Year-Old Child From Kidnappers in Paktika', Eqbal, S, Khaama Press, 7 May 2022, 20220509111842; '4-member gang of kidnappers busted in Parwan', Tanha, F, Pajhwok Afghan News, 11 April 2022, 20220412130000; 'Girl rescued, 5 kidnappers detained in Kabul', Hasrat, A S, Pajhwok Afghan News, 10 April 2022, 20220411102050; '246 crime suspects arrested in Nangarhar last month', Zarifi, Y, Pajhwok Afghan News, 10 April 2022, 20220411102421; 'Child rescued, abductor detained in Herat', Erfanyar, A S, Pajhwok Afghan News, 20 March 2022, 20220321113538; 'Afghanistan: Country focus (January 2022)', European Asylum Support Office (EASO), 7 January 2022, p.62, 20220110085950

⁹⁴ For recent examples of these reports, see '246 crime suspects arrested in Nangarhar last month', Zarifi, Y, Pajhwok Afghan News, 10 April 2022, 20220411102421; '2 groups of robbers detained in Nangarhar', Zarifi, Y, Pajhwok Afghan News, 7 March 2022, 20220308110953; 'Seven high-level armed robbers arrested in eastern Afghanistan', Lalzoy, N, Khaama Press, 6 March 2022, 20220307110742; 'Women among 8 held on robbery, murder charges', Erfanyar, A S, Pajhwok Afghan News, 9 February 2022, 20220210105624; '6 suspected robbers arrested in Kabul', Erfanyar, Pajhwok Afghan News, 30 January 2022, 20220131114427

⁹⁵ For recent examples of these reports, see 'Several kilograms of narcotics seized in Khost raids', Mangal, Y, Pajhwok Afghan News, 11 May 2022, 20220512113126; '246 crime suspects arrested in Nangarhar last month', Zarifi, Y, Pajhwok Afghan News, 10 April 2022, 20220411102421; '7 held with alcohol, K tablets in Kabul raid', Hasrat, A S, Pajhwok Afghan News, 28 March 2022, 20220329100333; 'Narcotics producing factory destroyed in Helmand', Bilal, R, Pajhwok Afghan News, 16 March 2022, 20220317112050; '23 held on robbery, drug sale charges in Khost', Pajhwok Afghan News, 7 December 2021, 20211208100743

⁹⁶ 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

was devoid of due process and based on a strict interpretation of Sharia law.⁹⁷ After deposing the elected government in August 2021, the Taliban took complete control of Afghanistan's judicial system, appointing judges to civil and military courts. Judges who served under the former government, especially female judges, are unemployed, and a significant number went into hiding.⁹⁸ There have been reports of female judges and lawyers receiving death threats from convicts freed by the Taliban, leading many of these women to flee the country.⁹⁹ In October 2021, the Taliban appointed a new 'chief justice' who was quoted as stating that the Taliban would follow Afghanistan's 1964 Constitution with modifications for Islamic principles. The Taliban have not subsequently elaborated on this statement, and it remains unclear the degree to which prior elements of the legal system and Constitution remain in effect. On 22 November 2021, the Taliban issued a decree declaring that the Afghanistan Independent Bar Association would come under the control of the Ministry of Justice, and the following day more than 50 armed Taliban gunmen forcibly took over the organisation's headquarters and ordered its staff to stop their work. The Taliban's acting Justice Minister Abdul Hakim declared that only Taliban-approved lawyers could work in Islamic courts, effectively revoking the licences of approximately 2,500 lawyers.¹⁰⁰ The UNHCR reported in a February 2022 advisory that the formal justice system was not functioning, but referred to reports indicating that the Taliban intends to apply corporal punishments and the death penalty as part of the imposition of Sharia law.¹⁰¹ More recent reports do refer to courts, specifically Taliban military courts, functioning and handing out sentences such as imprisonment and other unspecified punishments,¹⁰² but Amnesty International reported in May 2022 that it 'was not able to confirm information on the judicial use of the death penalty in Afghanistan after August 2021'.¹⁰³

Complementary Protection

Security Situation

The security situation in Afghanistan has improved since the Taliban takeover in August 2021, but significant security issues remain. Following the announcement of the US-led withdrawal of foreign forces from Afghanistan, the Taliban asserted control over the entire country quickly and with relatively little opposition. According to DFAT, Afghanistan is volatile but as a whole is relatively less dangerous than before August 2021 for many Afghans due to the cessation of most armed conflict since the Taliban takeover. Nevertheless, it remains a dangerous country with ongoing threats of terrorism, kidnapping and other forms of violence.¹⁰⁴ There have been multiple mass casualty terrorist attacks since the Taliban takeover, with most claimed by ISKP. Terrorist attacks remain possible anywhere in the country, but major attacks are most likely in key cities given the increased profile ISKP gets from

⁹⁷ 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 1.e, 20220413104428

⁹⁸ 'Freedom in the World 2022 - Afghanistan', Freedom House, 24 February 2022, 20220225091443

⁹⁹ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 3.16, p.15, 20220114090718

¹⁰⁰ 'Country Reports on Human Rights Practices for 2021 - Afghanistan', US Department of State, 12 April 2022, Section 1.e, 20220413104428

¹⁰¹ 'UNHCR Guidance Note on the International Protection Needs of People Fleeing Afghanistan', United Nations High Commissioner for Refugees (UNHCR), 9 February 2022, pp.3-4, 20220210080933

¹⁰² 'Afghanistan: COI Repository (1st September 2021 - 8th June 2022)', Asylors and Clifford Chance, 9 June 2022, p.103, 20220610085911; 'Taliban Court Sentences Afghan Journalist to Prison', Gul, A, Voice of America (VOA), 12 May 2022, 20220513114533; 'Afghanistan: Afghan journalist tried by military court, sentenced to one year in prison', Reporters Without Borders, 11 May 2022, 20220512105141; 'Afghan journalist Khalid Qaderi sentenced to 1 year in prison', Committee to Protect Journalists (CPJ), 6 May 2022, 20220509092310; 'Taliban Tries Seven Kidnappers and Others in Military Court', Lalzoy, N, Khaama Press, 13 April 2022, 20220414134338

¹⁰³ 'Death sentences and executions 2021', Amnesty International, 24 May 2022, p.10 n.5, 20220525132626

¹⁰⁴ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.18, p.10, 20220114090718

such attacks.¹⁰⁵ Kabul remains insecure and has been subject to multiple attacks.¹⁰⁶ The ISKP insurgency in Afghanistan has also resulted in clashes with the Taliban, which have increased since the fall of Kabul in August 2021.¹⁰⁷ DFAT has assessed that the security situation in Afghanistan remains dangerous. The cessation of conflict between the Taliban and the former administration has made many parts of the country, especially rural areas, effectively free from armed conflict but the situation is highly volatile. The ability of the Taliban to control violent actors, particularly ISKP, is not currently clear and there is significant potential for violence across the country, especially in the eastern provinces where ISKP is strongest.¹⁰⁸

ISKP membership has grown in recent months and the group has a presence in half of Afghanistan's 34 provinces. ISKP membership rose to around 4,000 in January 2022 from 2,200 in August 2021 through the recruitment of disaffected Taliban members and fighters released from prison.¹⁰⁹ While IS activity has traditionally been concentrated in Kabul, Kunar and Nangarhar, this has expanded into other areas of the country.¹¹⁰ Jane's has recorded ISKP attacks in 17 out of Afghanistan's 34 provinces between 1 August 2021 and 25 April 2022, highlighting that the group has a presence in 50 per cent of Afghanistan's provinces. Jane's data also indicates that between 1 January and 25 April 2022 nearly all militant attacks in Afghanistan (excluding Taliban attacks and unattributed militancy) had been linked to ISKP. However, ISKP appears incapable of undertaking a successful insurgency in the short-term as it lacks territory, manpower and support in comparison to the Taliban, and due to setbacks sustained from the Taliban and previous US counter-terrorism operations. Nevertheless, the group is likely to continue to conduct ad hoc attacks on sectarian minorities and Taliban officials and forces to fuel sectarianism and political instability, and to undermine confidence in the de facto Taliban administration.¹¹¹

New anti-Taliban forces have emerged since the August 2021 takeover of Afghanistan to challenge the Taliban. These anti-Taliban groups include the National Resistance Front of Afghanistan, the Afghanistan Freedom Front, the Afghanistan Islamic National and Liberation Movement, the Freedom Corps, the Liberation Front of Afghanistan, the Soldiers of Hazaristan, the Freedom and Democracy Front and the Turkestan Freedom Tigers. There is limited information available about the size and operational capacity of such groups, and some anti-Taliban groups that have formed remain anonymous. The Afghanistan Islamic National and Liberation Movement is reportedly a Pashtun-led resistance group fighting against the Pashtun-majority Taliban, a notable development as resistance against the Taliban has been largely led by non-Pashtuns.¹¹² The most visible anti-Taliban group, however, is the National Resistance Front (NRF) led by Ahmad Massoud, the son of the late Northern Alliance commander Ahmad Shah Massoud, which was formed in the Panjshir valley and is estimated to have a few thousand fighters. The NRF has been active in Afghanistan's northern provinces, including Panjshir, Kapisa, Baghlan and Parwan, but it claims to

¹⁰⁵ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.20, p.10, 20220114090718

¹⁰⁶ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.21, p.10, 20220114090718

¹⁰⁷ 'Tracking Disorder during Taliban Rule in Afghanistan', Armed Conflict Location and Event Data Project (ACLED) and Afghan Peace Watch (APW), 14 April 2022, p.10, 20220419113116

¹⁰⁸ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.26, p.11, 20220114090718

¹⁰⁹ 'Growing militancy in northern Afghanistan indicates renewed threat from Wilayat Khorasan', Sarkar, S, Jane's Terrorism and Insurgency Monitor, 3 May 2022, 20220504091212; 'UN experts: 'Terrorist groups' enjoy freedom in Afghanistan', Lederer, E M, Associated Press, 8 February 2022, 20220210123015; 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.24, p.11, 20220114090718

¹¹⁰ 'Tracking Disorder during Taliban Rule in Afghanistan', Armed Conflict Location and Event Data Project (ACLED) and Afghan Peace Watch (APW), 14 April 2022, p.10, 20220419113116

¹¹¹ 'Growing militancy in northern Afghanistan indicates renewed threat from Wilayat Khorasan', Sarkar, S, Jane's Terrorism and Insurgency Monitor, 3 May 2022, 20220504091212

¹¹² 'Afghan 'Fighting Season' Ushers in New Anti-Taliban Groups', Farivar, M, Voice of America (VOA), 27 April 2022, 20220428092526; 'Tracking Disorder during Taliban Rule in Afghanistan', Armed Conflict Location and Event Data Project (ACLED) and Afghan Peace Watch (APW), 14 April 2022, p.9, 20220419113116

operate in at least a dozen provinces. Clashes between the NRF and the Taliban increased in January and February 2022.¹¹³

Road security in Afghanistan has improved since the Taliban takeover of the country in August 2021. According to DFAT, local sources suggest that parts of Afghanistan are returning to a 'normality' that has not been seen for many years. This relative peace has meant that travel by road across Afghanistan is generally safer than it has been for some time, albeit from a low base. DFAT did also note, however, that this is likely to be less safe for women than for men,¹¹⁴ although the Taliban issued guidance in December 2021 stating that women should not make long-distance road trips unless accompanied by a close male relative.¹¹⁵ It was reported in September 2021 that the level of security on the section of Highway 1 linking Kabul and Kandahar had improved significantly in just a few weeks following the Taliban takeover, and that rather than safety it was the quality of the road that had become the biggest issue.¹¹⁶ Two *Washington Post* journalists were able to complete the journey along the section of highway from Kabul to Kandahar in October 2021 without any apparent issues.¹¹⁷ Reports from February and April 2022 also refer to how the improved security situation has made it safer to travel on roads, which had resulted in it becoming easier for patients to travel to hospitals and thus put more pressure on Afghanistan's health system.¹¹⁸

Economic Situation

The economic situation in Afghanistan has deteriorated significantly since the Taliban takeover in August 2021. According to the United Nations High Commissioner for Refugees (UNHCR), Afghanistan is confronted with widespread economic collapse and a humanitarian crisis of unprecedented proportions, with more than half the Afghan population, or 22.8 million people, facing acute food insecurity.¹¹⁹ DFAT has also reported that the Afghan economy was in crisis and close to collapse. Prior to the Taliban takeover, 75 per cent of Afghanistan's economy was dependent on aid. The country had already experienced negative economic impacts of the COVID-19 pandemic, conflict and high food prices following successive years of drought in many provinces and floods in others. Development cooperation aid and trust funds, including those held by the World Bank and other development institutions, were frozen or diverted to humanitarian support following the Taliban takeover. The US Federal Reserve and commercial financial institutions have also frozen Afghan government assets that, along with the application of United Nations sanctions, has contributed to a liquidity crisis.¹²⁰ The United Nations Development Programme (UNDP) has forecasted that the Afghan economy will contract by 20 per cent within a year of the Taliban's takeover, and that 97 per cent of Afghanistan's population may fall below the poverty line by mid-2022.¹²¹ 44 per cent of the population

¹¹³ 'Afghan 'Fighting Season' Ushers in New Anti-Taliban Groups', Farivar, M, Voice of America (VOA), 27 April 2022, 20220428092526; 'Taliban Faces Rising Armed Resistance From Former Government Factions', Siddique, A, Gandhara, 27 April 2022, 20220428103411; 'Tracking Disorder during Taliban Rule in Afghanistan', Armed Conflict Location and Event Data Project (ACLED) and Afghan Peace Watch (APW), 14 April 2022, p.8, 20220419113116

¹¹⁴ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.22, p.10, 20220114090718

¹¹⁵ 'No long-distance road trips for Afghan women without male escort: Taliban', Woodside, D and Deshmukh, J, Agence France-Presse (AFP), 26 December 2021, 20220110110425

¹¹⁶ 'Highway 1 revisited: A journey from Kabul to Kandahar', The Economist, 14 September 2021, 20210915084611

¹¹⁷ 'Along Afghanistan's 'highway of death,' the bombs are gone but suffering has deepened', Raghavan, S and Tugnoli, L, The Washington Post, 20 December 2021, 20211222100725

¹¹⁸ 'Afghanistan: Providing essential medical care through thick and thin at Boost hospital', Medecins Sans Frontieres - Doctors Without Borders (MSF), 8 April 2022, 20220412114157; 'Afghanistan's Health Care System Is Collapsing Under Stress', Zucchini, D and Padshah, S, The New York Times, 6 February 2022, 20220208132248

¹¹⁹ 'UNHCR Guidance Note on the International Protection Needs of People Fleeing Afghanistan', United Nations High Commissioner for Refugees (UNHCR), 9 February 2022, p.1, 20220210080933

¹²⁰ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.8, p.8, 20220114090718

¹²¹ 'UNHCR Guidance Note on the International Protection Needs of People Fleeing Afghanistan', United Nations High Commissioner for Refugees (UNHCR), 9 February 2022, p.1, 20220210080933; 'DFAT Thematic Report on

works in agriculture and 60 per cent of Afghans derive part of their income from agriculture, but a drought in 2021 (the second in three years) has harmed agricultural output and food security.¹²² Non-agricultural work is limited. Cash shortages were reported in October 2021, along with shortages of many imported products, and the Taliban has restricted withdrawals from banks. Food shortages have also been reported across the country.¹²³

Health

The Taliban takeover of Afghanistan has had a severe impact on the healthcare system in that country. Over the twenty-year period prior to the Taliban takeover in August 2021, access to health facilities had improved in many parts of Afghanistan. This was mostly due to national and international NGOs being contracted to provide basic health services at the provincial and district levels, with government spending on health remaining low; this meant that the health sector was heavily dependent on donors and NGO partners during this period. Following the Taliban takeover, most donors suspended their support for the health sector beyond the provision of basic humanitarian needs. The banking and liquidity crisis have had adverse impacts on the health system, with multiple facilities unable to pay salaries and fuel to run their generators. In addition, ambulances cannot operate, food supplies are running short for the patients, and they lack adequate medicine. In recent months there has been a slow but gradual improvement in the funding being provided to the health sector due to the resumption of funding from the World Bank/Afghanistan Reconstruction Trust Fund.¹²⁴ Nevertheless, in October 2021 the Afghan health service was described as being 'close to collapse', with hospitals and clinics having no money for food, medicine, oxygen or diesel for power supplies, and health workers having not been paid for several months.¹²⁵ Afghanistan's healthcare system was described in February 2022 as having been 'devastated' following the Taliban's takeover.¹²⁶ The International Rescue Committee warned in January 2022 that up to 90 per cent of health centers in Afghanistan might shut down by the end of 2022 if the current economic and political situation continues.¹²⁷

Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.9, p.8, 20220114090718

¹²² 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.9, p.8, 20220114090718

¹²³ 'DFAT Thematic Report on Political and Security Developments in Afghanistan (August 2021 to January 2022)', Department of Foreign Affairs and Trade (DFAT), 14 January 2022, Section 2.10, p.8, 20220114090718

¹²⁴ 'Situation of human rights in Afghanistan - Report of the United Nations High Commissioner for Human Rights', United Nations Human Rights Council, 4 March 2022, p.4, 20220310103511

¹²⁵ 'Afghanistan: COI Repository (1st September 2021 - 6th April 2022)', Asylos and Clifford Chance, 7 April 2022, p.150, 20220408082406

¹²⁶ 'New COVID surge batters Afghanistan's crumbling health care', Gannon, K, Associated Press, 10 February 2022, 20220211110527

¹²⁷ 'Crisis in Afghanistan: Unprecedented hunger after the conflict', International Rescue Committee, 7 January 2022, 20220111090924; 'Afghanistan's 90% health centers may shut down by the end of 2022: IRC', Lalzoy, N, Khaama Press, 8 January 2022, 20220111090318