Home Office

Country Policy and Information Note
Afghanistan: Fear of the Taliban

Version 4.0

August 2024

Contents

Executive summary **5**

Assessment **6**

About the assessment 6

1. Material facts, credibility and other checks/referrals 6

1.1 Credibility 6

1.2 Exclusion 7

2. Convention reason(s) 7

3. Risk 8

3.1 General overview of at-risk groups 8

3.2 Risk to people claiming to be former police, security and army officials (and their family members) or linked to international forces and organisations, including interpreters 9

3.3 Risk to people claiming to be former government officials (and their family members) 10

3.4 Risk to people claiming to be in armed opposition groups 10

3.5 Risk to people claiming to be politically or ideologically opposed to the Taliban, including journalists (non-armed political opposition) 11

3.6 Risk to people claiming to be former lawyers, judges or prosecutors 11

3.7 Risk to women 12

3.8 Risk to LGBTI people 12

3.9 Risk to ethnic and/or religious minorities 12

3.10 Risk to returnees and people claiming to be 'Westernised' 13

4. Protection 14

5. Internal relocation 14

6. Certification 15

Country information **16**

About the country information 16

7. Governance of the Taliban 16

7.1 Organisational structure of the Taliban 16

7.2 Territorial control 17

7.3 International recognition 17

8. Justice and the rule of law 18

8.1 Justice system 18

8.2 Administration of justice 20

9. Reporting on the Taliban and treatment of journalists 22

10. People associated with the former government and its security forces 24

10.1 Taliban's 'general amnesty' 24
10.2 Application of the 'general amnesty' 25
10.3 Personal disputes, feuds and rivalries 27
10.4 Profiles of people affected: former police and army (and their family members) 28
10.5 Profiles of people affected: people (and their family members) associated with foreign forces 33
10.6 Profiles of people affected: former government officials, civil servants, or those otherwise formerly in official or advisory roles (and their family members) 33
10.7 Profiles of people affected: former judges, lawyers and prosecutors 38
11. People perceived to be associated with armed opposition groups 40
11.1 The main armed opposition groups 40
11.2 Islamic State Khorasan Province (ISKP) 41
11.3 The National Resistance Front (NRF) 42
11.4 The Afghanistan Freedom Front (AFF) 42
11.5 Other armed opposition groups 43
11.6 Taliban reaction to the main armed opposition groups 43
12. Other 'opposition' to the Taliban 45
13. Ethnic and/or religious minorities 45
13.1 Ethnic and tribal identity 45
13.2 Ethnic and tribal demography 46
13.3 General treatment of ethnic/religious groups 48
13.4 Shias and Hazaras 49
13.5 Sikhs and Hindus 50
13.6 Christians 51
14. Women and girls 53
14.1 General situation for women and girls 53
14.2 Travel, 'mahram' (chaperone) rules 54
14.3 Dress code for women and girls 55
14.4 Access to education 56
15. LGBTI people 56
16. Return(ee)s to Afghanistan 59
16.1 Return(ee)s generally 59
16.2 Return(ee)s from Iran, Pakistan and Turkey 60
16.3 Concept of being 'Westernised' 64
16.4 Taliban reactions to people being 'Westernised' 65
Research methodology 68

Terms of Reference **69**
Bibliography **70**
Sources cited 70
Sources consulted but not cited 75
Version control and feedback **76**
Feedback to the Home Office 76
Independent Advisory Group on Country Information 76

Executive summary

Since 15 August 2021 the Taliban are considered the controlling party of the state (for the purposes of Article 1(A)(2) of the Refugee Convention). As the de facto state authorities, they act as a single, hierarchical body that follows a central, core set of beliefs and instructions from its leadership.

In practice, the Taliban is a group of factions made up of different tribes, ethnicities, backgrounds and histories. The combination of this, and some vagaries around edicts issued by the leadership, means that implementation of instructions is often discretionary and left to regional commands.

The Taliban should not be automatically equated to the same organisation that controlled Afghanistan between 1996 and 2001. Whilst, at its core, it retains adherence to Islamic principles, the different factions that make up the group, their exposure and experience of dealing with national and international bodies, and its experience as an insurgent group between 2001 and 2021 has resulted in a slightly more moderated approach.

Nevertheless, significant human rights issues remain, particularly regarding gender. Many Refugee Convention-defined groups of people continue, in general, to face a real risk of persecution. However, not all incidents committed by the Taliban should be considered a systematic campaign of targeting and may be due to personal disputes, feuds, or rivalries with individual Taliban members. Each case must be considered on its facts with the onus on the person to demonstrate to the requisite standard of proof that they would be at real risk on return.

Similarly, there is limited – if any – current evidence in the sources consulted in this note that all groups are at real risk of persecution from the Taliban. It will also not be sufficient to qualify for asylum based on a vague, or no specific, fear of the Taliban.

Where the person has a well-founded fear of persecution from the Taliban (the de facto state) they will not, in general, be able to obtain protection.

Where a person has a well-founded fear of persecution from the Taliban, they are unlikely to be able to relocate to escape that risk. However, internal relocation may be possible where the person (except for single women) has a well-founded fear from an individual Taliban member based on personal dispute, feud, or rivalry.

Where a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

All cases must be considered on their individual facts, with the onus on the person to demonstrate they face persecution or serious harm.

Back to Contents

Assessment

12 August 2024

About the assessment

This section considers the evidence relevant to this note – that is the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person faces a real risk of persecution/serious harm by the Taliban
- the state (or quasi state bodies) can provide effective protection
- internal relocation is possible to avoid persecution/serious harm
- if a claim is refused, it is likely to be certified as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

Sources cited in the country information may refer interchangeably to the Taliban (Taleban), Islamic Emirate of Afghanistan (IEA), the Islamic Emirate, the interim government or 'the de facto authorities'. They also self-refer as 'the Mujahadeen'. Within this assessment, they are referred to as 'the Taliban' and, since 15 August 2021 are considered the controlling party of the state (for the purposes of Article 1(A)(2) of the Refugee Convention).

Back to Contents

1. Material facts, credibility and other checks/referrals

1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on Assessing Credibility and Refugee Status.

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

1.1.3 Decision makers must also consider making an international biometric data-sharing check (see Biometric data-sharing process (Migration 5 biometric data-sharing process)).

1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis).

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

Back to Contents

1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.

1.2.2 The Islamic State in Khorasan Province (IS-KP, aka ISIL-KP, ISIS, Da'esh) and the National Resistance Front (NRF) are the 2 main armed opposition groups operating in Afghanistan, although smaller groups remain. Armed opposition groups have been responsible for attacks against the Taliban and both sides accused of serious human rights abuses (see People perceived to be associated with armed opposition groups).

1.2.3 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.4 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

Back to Contents

2. Convention reason(s)

2.1.1 The following **are likely** to fall within the Convention:

- Those who have actual or perceived ideological differences to the Taliban, including former government officials; judges, lawyers and prosecutors; journalists critical of the Taliban; and human rights defenders will fall under political
- LGBTI people form a Particular Social Group (PSG),
- Women in Afghanistan form a PSG
- Ethnic and/or religious groups will fall under race and/or religion.

2.1.2 The following **are not likely** to fall within the Convention:

- people with a vague or no specific fear of the Taliban

- people claiming to be, or perceived to be, 'Westernised'. They will not form a PSG because they do not share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it and neither do they have a distinct identity in Afghanistan because the group is perceived as being different by the surrounding society. However, consideration should be given to the reported case, YMKA and Ors ('westernisation') Iraq [2022] UKUT 00016 (IAC), heard on 15 September 2021, in which the Upper Tribunal (UT) held that:

  'The Refugee Convention does not offer protection from social conservatism per se. There is no protected right to enjoy a socially liberal lifestyle. The Convention may however be engaged where

  '(a) a "westernised" lifestyle reflects a protected characteristic such as political opinion or religious belief; or

  '(b) where there is a real risk that the individual concerned would be unable to mask his westernisation, and where actors of persecution would therefore impute such protected characteristics to him.'

2.1.3 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.

2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, Assessing Credibility and Refugee Status.

Back to Contents

3. Risk

3.1 General overview of at-risk groups

3.1.1 Those who are **likely** to be at risk from the Taliban include, but may not be restricted to:

- Former members of the Afghan Special Forces
- Former members of the National Directorate of Security (NDS), especially those who were trained by, or worked or linked with 'foreign' or international forces
- Former members of the Afghan National Defence and Armed Forces (ANDSF)
- Former members of the Afghan National Police (ANP) and Afghan Local Police (ALP)
- Former employees of, and/or those linked to international forces and organisations, including interpreters

3.1.2 Consideration should be given to how long ago the person worked there, the length of time they were employed, their role, responsibilities and/or seniority.

3.1.3 Those who are **likely** to be at risk from the Taliban also include, but may not be restricted to, people who do not conform to, or are perceived not to

conform to, cultural and religious expectations/mores, such as:

- Women
- Hazaras
- Religious minorities and non-Muslims
- Journalists critical of the Taliban
- Human rights defenders critical of the Taliban
- Judges and prosecutors who were involved in prosecuting and sentencing Taliban members during the insurgency
- Lesbian, Gay, Bisexual, Trans and Intersex (LGBTI) people
- Affiliates of armed opposition groups (Exclusion may be relevant)

3.1.4 Not all incidents committed by the Taliban should be considered a systematic campaign of targeting. They may be due to personal disputes, feuds, or rivalries with individual Taliban members. Each case must be considered on its facts, with the onus on the person to demonstrate to the requisite standard of proof that they would be at real risk on return.

3.1.5 Those who are **unlikely** to be at risk from the Taliban include, but may not be restricted to:

- People with a vague, or no specific, fear of the Taliban (such as those who say they fear the Taliban based on 'reputation')
- Current or former government officials, civil servants, or those otherwise formerly in official or advisory roles
- People who claim they are at risk simply for having made an unsuccessful asylum claim abroad
- people claiming to be 'Westernised' after having spent time in the West

3.1.6 Further detail on these is below. Guidance on assessing risk more generally is in the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

3.2 Risk to people claiming to be former police, security and army officials (and their family members) or linked to international forces and organisations, including interpreters

3.2.1 Upon taking control of Afghanistan in August 2021, the Taliban announced an amnesty for former government officials and members of the Afghan National Defence and Security Forces (ANDSF), including those who had worked for international forces, as well as the Afghan police. This was also reportedly a longer-standing policy during the Taliban insurgency phase, designed to support the narrative of the failures of the 'Western-backed (former) government', appeal to potential recruits and/or garner support for the Taliban amongst the population (see Taliban's 'general amnesty').

3.2.2 However, there are reports of the Taliban not respecting the amnesty in practice. Reported examples include extrajudicial killings, arbitrary arrests and detentions and torture and ill-treatment. These have been particularly

reported in respect of former Afghan National Police (ANP) and Afghan Local Police (ALP), security and ANDSF officials (and their family members) and especially towards former National Directorate of Security (NDS) officials. Those who worked for international forces and organisations, including interpreters, also fall within this category (see Application of the 'general amnesty', Profiles of people affected: former police and army (and their family members) and Profiles of people affected: People (and their family members) associated with foreign forces).

3.2.3 The numbers of people who may fit within this category is difficult to ascertain as the figures are disputed. Reports span between 40,000 to 50,000 and up to 300,000. However, actual number of former security personnel remaining in the country since August 2021 is unknown. The reported number of incidents – 800 violations between 15 August 2021 and 30 June 2023, according to UNAMA – appears low relative to the number of personnel, with the majority taking place in the first few months of the Taliban takeover. Nevertheless, there continues to be reports of targeting of such people (see People associated with the former government and its security forces).

Back to Contents

3.3 Risk to people claiming to be former government officials (and their family members)

3.3.1 In general, the available information does not indicate that government officials, civil servants, or those otherwise formerly in official or advisory roles are targeted with such regularity, scale or intensity that they present, in general, a real risk of persecution or serious harm.

3.3.2 The Taliban's general amnesty also applied to former government officials, including civil servants, or those in other official or advisory roles. The Taliban has repeatedly stated that they need such people to run the country. Whilst such people appear blocked from senior roles, the Taliban seem to have generally adhered to enabling people to return to the country and/or to stay in or return to previous roles, including paying people on time (see Profiles of people affected: former Govt. officials, civil servants, or those otherwise in formerly official or advisory roles (and their family members)).

3.3.3 Reports on targeting of people associated with the former government and governmental system tend to conflate, or fail to differentiate, the treatment between people in official or advisory jobs with those in active police or military roles. For example, UNAMA claimed it recorded 800 human rights violations against former government officials and ANDSF members between the Taliban takeover on 15 August 2021 and 30 June 2023. However, the source does not clarify what the 'human rights violations' were, how many of each were allegedly committed, nor how many were against government officials as opposed to ANDSF members (see Profiles of people affected: former government officials, civil servants, or those otherwise in formerly official or advisory roles (and their family members)).

Back to Contents

3.4 Risk to people claiming to be in armed opposition groups

3.4.1 One of the 2 main opposition groups is the National Resistance Front (NRF), who operate in and around Panjshir province. Sources report that some former ANDSF personnel and some former Taliban fighters have joined the NRF. Information on the size and capability of the NRF varies. However, the Council of Foreign Relations noted in January 2023 that they were not strong enough to threaten the Taliban's control (see The main armed opposition groups and The National Resistance Front (NRF)).

3.4.2 The other main opposition group is the Islamic State in Khorasan Province (IS-KP, aka ISIL-KP, ISIS, Da'esh) (see The main armed opposition groups).

3.4.3 Other armed opposition groups reportedly include: the Afghanistan Freedom Front AFF), the Afghanistan National Guard Front, the National Mobilisation Front, the National Battle Front, the Afghanistan United Front, and the Islamic Movement of Uzbekistan. However, some of these groups have reportedly not carried out any attacks in Afghanistan or against the Taliban since its takeover (see The main armed opposition groups).

3.4.4 Tehrik-i-Taliban Pakistan (TTP, aka 'the Pakistani Taliban') are an armed group reportedly active along the Afghan-Pakistan border. They also operate in Pakistan itself. However, they are aligned with the Afghan Taliban rather than being an 'opposition group'. Al-Qaeda also retain a presence in Afghanistan but are not currently in opposition to the Taliban.

Back to Contents

3.5 Risk to people claiming to be politically or ideologically opposed to the Taliban, including journalists (non-armed political opposition)

3.5.1 The Taliban have banned political parties operating inside of Afghanistan. Apart from armed resistance, the main 'political opposition' is from outside of the country. Protests and civil disobedience are rare. Most publicised protests have related to women's rights (see Other 'opposition' to the Taliban).

3.5.2 Journalists continue operate in Afghanistan, but they resort to self-censorship. The operating environment is increasingly controlled by the Taliban and journalists have reportedly encountered intimidation and harassment, including imprisonment, surveillance, and pressure to modify their reporting – particularly on topics that the Taliban deem sensitive or where the reporting is critical of them (see Reporting on the Taliban and treatment of journalists).

Back to Contents

3.6 Risk to people claiming to be former lawyers, judges or prosecutors

3.6.1 The Taliban dismissed all judges after the takeover and reports of any returning remain rare and unconfirmed. The number of former lawyers, judges and prosecutors is unknown, but likely to be limited in number. Whilst the Taliban has enabled some prosecutors and lawyers who are men to (continue) work in these professions, women have been mostly removed. Several sources also report that the Taliban have sought reprisals against prosecutors and judges who had sentenced them. As such, they are likely to face a well-founded fear of persecution. The evidence is less clear on lawyers. In all cases, the onus is on the person to demonstrate, to the

requisite standard of proof, their involvement in one of these professions and that they would be at real risk on return as a result. Each case must be considered on its facts.

Back to Contents

3.7 Risk to women

3.7.1 Since August 2021, the Taliban have gradually restricted women's social and political rights and limited the areas of public life they can engage within. Women and girls are subject to widespread and systematic discrimination, which in general amounts to persecution. For example, the enforcement of the mahram (male chaperone) rule has restricted freedom of movement, whereas a series of edicts (and the way they are enforced) has prevented women from accessing education and employment, amongst other things. A dress code is also required, and although the extent to which this is enforced appears to be mixed, there are reports of women being harassed, assaulted, detained and ill-treated in custody due allegations of violating the dress code. The release of women and girls from detention is dependent on assurances from men in the family or community (see Women and girls).

Back to Contents

3.8 Risk to LGBTI people

3.8.1 The country guidance case of AJ (Risk to Homosexuals) Afghanistan CG [2009] UKAIT 00001 (5 January 2009), heard on the 28 October 2008, focussed on the situation for gay men. However, the findings in AJ pre-date the Taliban takeover and available COI indicates that there are very strong grounds supported by cogent evidence to depart from the UT's findings.

3.8.2 Same-sex sexual acts remain criminalised under the Taliban, as they were under the former government, subject to lashes and potentially the death penalty. Since the Taliban's takeover, reports indicate violence and discrimination against LGBTI persons, both from family and Taliban-associated figures. Advocacy groups report threats, detentions, and abuse, with limited information available about the situation of lesbians and bisexuals. Trans persons face heightened discrimination and violence. Many LGBTI people feel forced to hide their identity or change their behaviour. Openly identifying as gay, lesbian, bisexual, or transgender is not accepted in Afghan society (driven by pre-existing social stigmas and the Taliban's policies). Those who do face discrimination, exclusion and violence (see LGBTI people).

Back to Contents

3.9 Risk to ethnic and/or religious minorities

3.9.1 Afghanistan is a majority Sunni Muslim country. Pashtuns form the largest ethnic group and make up the majority of Taliban members. While minority Shia Muslims have faced historical issues with the Taliban, and continue to face official and societal discrimination, in general this is not sufficiently serious to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise (see Ethnic and/or religious minorities).

3.9.2 The situation is different for ethnic Hazaras, also mostly Shia Muslim, who

continue to face abuses by the Taliban and are, in general, likely to face a real risk of persecution. Hazaras are also a major target for ISKP (see Shias and Hazaras).

3.9.3 There is limited information on the few (around 50) Sikhs and Hindus who remain in Afghanistan. Despite Taliban assurances of safety and religious freedom for Sikhs and Hindus, including property restoration efforts and a rare appointment of a community representative to the Kabul council, their numbers continue to decline due to ongoing security and economic challenges (see Sikhs and Hindus).

3.9.4 Estimates suggest there are a few thousand Christians, mostly converts from Islam, but the Taliban denies their presence and label converts as apostates (who are subject to the death penalty), forcing Christians to hide their faith (see Christians).

Back to Contents

3.10 Risk to returnees and people claiming to be 'Westernised'

3.10.1 There is no clear definition of what 'Westernised' means or entails. In September 2022, in research obtained from a wide range of sources, including primary oral sources, Landinfo (Norway's country of origin information centre) found a considerable range in local attitudes, reflecting Afghanistan's diversity and complexity (see Concept of being 'Westernised', Taliban reactions to people being 'Westernised').

3.10.2 Based on this, other sources consulted (see bibliography), and a lack of evidence to the contrary, it is considered that in general, being 'Westernised' is not a homogenous concept applied by the Taliban to people throughout Afghanistan who may have spent time in the West. The onus is on the person to show otherwise.

3.10.3 Although in the reported case, YMKA and Ors ('westernisation') Iraq [2022] UKUT 00016 (IAC), did not give a clear definition of what 'Westernisation' means, the UT considered whether being 'Westernised' was a protected right (paragraphs 24 to 33). The UT held that 'It cannot be said that the contracting states agreed to offer a protected and unfettered right to enjoy one's life in the way that one would like: there is no human right to listen to a particular kind of music, drink alcohol or to wear jeans. A claim based simply on such matters could not, under the Convention, succeed…' (para 30).

3.10.4 There is no clear evidence of the Taliban targeting returnees in general, nor persons who have lived in the West specifically on that basis. This could be because enforced returns from Western countries have not been occurring since the Taliban takeover (see Return(ee)s to Afghanistan, Concept of being 'Westernised', Taliban reactions to people being 'Westernised').

3.10.5 At least half a million people have returned to Afghanistan since the Taliban takeover, mostly from Pakistan. This figure includes people who have returned both voluntarily and involuntarily. UNHCR reported in the first 9 months of 2023 over 12,000 refugees voluntarily returned for a variety of reasons, including the improved security situation. UNHCR's November 2023 update on returnees from Pakistan also noted a variety of challenges for those who had returned, but also noted that 99% of the problems were

experienced on the Pakistan side of the border (see Return(ee)s from Iran, Pakistan and Turkey).

3.10.6 Researcher Hassan Abbas in his May 2023 publication noted significant numbers of people had returned to Afghanistan from Iran and Turkey (see Return(ee)s from Iran, Pakistan and Turkey). CPIT could find no information on incidents of reprisals or mistreatment of such returnees in the sources consulted (see bibliography).

Back to Contents

4. Protection

4.1.1 Where the person has a well-founded fear of persecution from the Taliban (the de facto state) they will not, in general, be able to obtain protection.

4.1.2 For further guidance on assessing state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

5. Internal relocation

5.1.1 Where the person has a well-founded fear of persecution from the Taliban (the de facto state), they are unlikely to be able to relocate to escape that risk.

5.1.2 However, internal relocation may be possible where the person (except for lone women) has a well-founded fear from an individual Taliban member based on personal dispute, feud, or rivalry (see Personal disputes, feuds, or rivalries).

5.1.3 In regard to internal relocation to Kabul, in the country guidance case AS (Safety of Kabul) Afghanistan (CG) [2020] UKUT 130 (IAC) (1 May 2020), the Upper Tribunal held that:

‘Having regard to the security and humanitarian situation in Kabul as well as the difficulties faced by the population living there (primarily the urban poor but also IDPs and other returnees, which are not dissimilar to the conditions faced throughout many other parts of Afghanistan) it will not, in general, be unreasonable or unduly harsh for a single adult male in good health to relocate to Kabul even if he does not have any specific connections or support network in Kabul and even if he does not have a Tazkera.

‘However, the particular circumstances of an individual applicant must be taken into account in the context of conditions in the place of relocation, including a person’s age, nature and quality of support network/connections with Kabul/Afghanistan, their physical and mental health, and their language, education and vocational skills when determining whether a person falls within the general position set out above. Given the limited options for employment, capability to undertake manual work may be relevant.

‘A person with a support network or specific connections in Kabul is likely to be in a more advantageous position on return, which may counter a particular vulnerability of an individual on return. A person without a network may be able to develop one following return. A person’s familiarity with the cultural and societal norms of Afghanistan (which may be affected by the

age at which he left the country and his length of absence) will be relevant to whether, and if so how quickly and successfully, he will be able to build a network' (paragraphs 253(iii) to 253(v)).

5.1.4 In the country guidance case of AK (Article 15(c)) Afghanistan CG [2012] UKUT 00163(IAC), heard on 14 to 15 March 2012 and promulgated on 18 May 2012, the Upper Tribunal held that it would be unreasonable to expect lone women and female heads of household to relocate internally without the support of a male network (paragraph 249B (v)). This was confirmed in the country guidance case AS (Safety of Kabul).

5.1.5 Whilst both AK and AS pre-date the Taliban's assumption of control over all of Afghanistan, the country information in this note does not indicate that there are very strong grounds supported by cogent evidence to depart from these findings. See also the Country Policy and Information Note on Afghanistan: Humanitarian situation.

5.1.6 For further guidance on considering internal relocation, see the Asylum Instruction on Assessing Credibility and Refugee Status.

Back to Contents

6. Certification

6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

6.1.2 For further guidance on certification, see Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

Back to Contents

Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the research methodology. It provides the evidence base for the assessment.

The structure and content follow a terms of reference which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **8 May 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

Back to Contents

7. Governance of the Taliban

7.1 Organisational structure of the Taliban

7.1.1 In his extensively researched book 'The Return of the Taliban: Afghanistan after the Americans Left' (published May 2023), Hassan Abbas, 'Distinguished Professor of International Relations at the Near East South Asia Strategic Studies Center, National Defense University, in Washington, DC'[1], argued that the factions within the Taliban 'Primarily … existed along identity lines and can be broken down into five main categories.'[2]:

'First, those seen as the "moderates" of the group, their public face – those who led negotiations in Doha.

'Second, the Quetta Shura-hardliners and old guard who fit into the mould of general perceptions about the group, the ideological brain. A parallel Taliban group that emerged in 2005-Peshawar Shura, managing the eastern provinces of Afghanistan-balanced the southern bias of the Quetta Shura.

'Third, those fighting on the ground, the veins of the group – field commanders running the physical show.

'Fourth, the notorious organized criminal groups made up of drug dealers who capitalized on the chaos for their own financial gain.

'And last, potentially the largest of the factions was made up of ordinary villagers, who, with tribal alliances and in their opposition to urbanites and Kabul, found themselves without much choice in "joining" the Taliban.'[3]

7.1.2 Afghanistan researcher at the Institute for the Study of War (ISW), Peter Mills, noted in his March 2024 paper on Taliban Governance for the that 'The Taliban is not a homogeneous organization but rather remains a broad coalition of factions with sometimes competing tribal, ethnic, political,

[1] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (Authors), May 2023
[2] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 79), May 2023
[3] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 79, 80), May 2023

business, and ideological relationships.'[4]

7.1.3 Abbas (May 2023) referred to 'a conversation with journalist Kathy Gannon, whose time in and expertise of Afghanistan spans over three decades, she shared … a number of fascinating insights about the internal politics of the Taliban. No other Western journalist understands the Taliban better than she does.'[5]. He noted 'As Gannon emphasizes, "the Taliban are not a monolith." Indeed, they have a variety of viewpoints and backgrounds that have shaped them, as discussed throughout this work. "The Taliban have many pragmatists in their ranks," Gannon argues, "but in a way the West doesn't understand."'[6]

7.1.4 A report on Afghanistan written by the Country of Origin Information (COI) sector of the European Union Agency for Asylum (EUAA Country Focus), dated December 2023, based on a range of sources, covering the period from 1 July 2022 to 30 September 2023[7], noted that 'policy implementation has varied across the country. Local governance has varied due to different interpretations of decrees issued by the central de facto government, and due to the influence of local contexts and local stakeholders.'[8] The same report continued 'According to UNAMA [UN Assistance Mission in Afghanistan], the mandate of the Taliban MPVPV [Ministry for the Propagation of Virtue and the Prevention of Vice] is being interpreted with great variation, and in some provinces its local departments have issued and implemented their own instructions. The international journalist stated that there have been few examples where the Taliban implemented their decrees by force, as most of the time the population has been complying with them.'[9]

Back to Contents

7.2 Territorial control

7.2.1 The Report by the UN Secretary-General dated 1 December 2023, on developments in Afghanistan since the issuance of their previous report dated 18 September 2023, noted that 'The armed opposition posed no challenge to the Taliban for territorial control during the reporting period.'[10]

7.2.2 A COI query response by the EUAA, dated 2 February 2024, based on a range of sources and covering October 2023 to 31 January 2024, noted that 'The de facto administration of Afghanistan, officially the Islamic Emirate of Afghanistan … continued to exercise territorial control of Afghanistan.'[11]

Back to Contents

7.3 International recognition

7.3.1 The EUAA's February 2024 COI query response, based on a range of sources and covering October 2023 to 31 January 2024, noted 'The de facto administration of Afghanistan, officially the Islamic Emirate of Afghanistan

[4] ISW, Taliban Governance in Afghanistan, March 2024
[5] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left (page 137), May 2023
[6] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left (page 137), May 2023
[7] EUAA, Afghanistan – Country Focus (pages 5, 11, 12), December 2023
[8] EUAA, Afghanistan – Country Focus (page 24), December 2023.
[9] EUAA, Afghanistan – Country Focus (page 25), December 2023.
[10] UNGA, UNSC, Report of the Secretary-General (paragraph 18), 1 December 2023
[11] EUAA, Major legislative, security-related, and humanitarian… (page 2), 2 February 2024

(IEA), remains unrecognised by countries worldwide …'[12]

Back to Contents

8. Justice and the rule of law

8.1 Justice system

8.1.1 The Report of the Special Rapporteur on the situation of human rights in Afghanistan, covering the period mainly from September 2023 to January 2024, published February 2024, argued that the suspension of the Constitution and laws, inconsistent enforcement, and lack of transparency and clarity in law-making processes had 'put at risk the principle of legal certainty, the bedrock of the rule of law'[13], and that 'Those changes have also compromised international due process obligations, including, inter alia, the presumption of innocence, independence of the judiciary and the right to legal defence.'[14]

8.1.2 Writing in Al Jazeera in March 2023, Haroun Rahimi, Associate Professor and Interim Chair of the Law at the American University of Afghanistan[15], opined that:

'The Taliban has suspended the laws of the country pending a complete review which is yet to be concluded. However, outside the judiciary, administrative laws are still used to keep the bureaucracy and revenue collection running.

'The Taliban has also made the final judgments of courts pre-August 2021 reviewable upon challenge. In case of a challenge, the Supreme Court's highest fatwa-making body, dar ul-fatwa, acts as the court of revision for those decisions and could vacate an existing judgement.

'The Taliban has not released a draft constitution. The administrative and legal regulations for courts adopted by the judiciary are drawn heavily from the Ottoman-era codification of the Hanafi School of Islamic law.'[16]

8.1.3 Rahimi's article published in the Institute of South Asian Studies (ISAS), which cited a December 2021 article in Tolo News[17], noted the Taliban had also restructured the judiciary[18]. The article also explained

'Under the Taliban, each court (or division within a court) usually comprises a judge, a mufti and a clerk. The clerk attends to the administrative affairs of the court. The division of labour between the position of the judge and the mufti is less clear. The Taliban's enacted rules for the court state that muftis and other participants in the trial cannot pose questions to the claimant, defendant or witnesses and only the judge can do so (Article 18 citing Article 1801 of the Majjalah).'[19]

8.1.4 In September 2023, Voice of America (VOA) cited Abdul Malik Haqqani, the

[12] EUAA, Major legislative, security-related, and humanitarian… (page 2), 2 February 2024
[13] UNHRC, Situation of human rights in Afghanistan… (paragraph 79), 22 February 2024
[14] UNHRC, Situation of human rights in Afghanistan… (paragraph 80), 22 February 2024
[15] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[16] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[17] Tolo News, Supreme Court Appoints 69 Provincial Judges, 16 December 2021
[18] Rahimi, H, Remaking of Afghanistan … 26 July 2022
[19] Rahimi, H, Remaking of Afghanistan … 26 July 2022

Taliban's deputy chief justice to report that 'Under the new [justice] system, every aspect — from assigning cases to charging and sentencing — must be carried out in the presence of a judge without the involvement of public prosecutors.'[20]

8.1.5 An English translation of an April 2024 report produced by the BFA Staatendokumentation (the COI unit of the Austrian Federal Office for Immigration and Asylum) explained that:

'After the fall of the Taliban in 2001, with the support of some regional powers, they were able to gradually rebuild themselves in the villages. Despite the limited resources and with little facilities, they were able to establish courts in most rural areas and facilitate access to legal rulings at the local level for people. These actions of the Taliban made it possible for them to create a relatively predictable (not regularized) court even in war conditions, and this was exactly the turning point that greatly contributed to the victory of the Taliban in Afghanistan. This was while the governmental judicial institutions had largely lost their credibility with the people due to the existence of widespread corruption. Therefore, the people preferred to go to Taliban courts rather than government courts.

'In the past twenty years, the Taliban's judicial system was able to attract people's trust and attention with its practical actions. Taliban judges acted both as judges in the legal field and as scholars (ulama) in the religious field. Taliban judges completed their education by studying in Deobandi schools in Pakistan and Afghanistan, which were mainly based on Hanafi jurisprudence.'[21]

8.1.6 The same report added 'The changes in Afghanistan's judicial system in the last two years have been mostly in formal and administrative areas, but no concrete changes have been made in the jurisdiction of the courts. In addition to canceling the laws of Republic jurisprudence, the changes in the judicial system and courts can be counted in the following areas:

- Removal of all judges and administrative employees of the courts
- Attempting to remove the Attorney General
- Non-observance of hierarchy in reviewing cases
- Cancelation of the independence of the Association of Defense Lawyers
- Women's lack of access to female lawyers
- Advancing the administrative affairs of the courts based on the principles of the Taliban and the orders of the leadership level
- Changing the basis of the judge's ruling from the law to the mufti's fatwa.'[22]

8.1.7 In July 2023, the Afghanistan Analysts Network (AAN) published a detailed

[20] VOA, Taliban Undertake Speedy Overhaul of Afghanistan's Justice System, 28 September 2023
[21] BFA Staatendokumentation, Afghan legal system under the Taliban, v2 (pages 3, 4), 9 April 2024
[22] BFA Staatendokumentation, Afghan legal system under the Taliban, v2 (page 4), 9 April 2024

report on '65 decrees, edicts and instructions from Mullah Hibatullah'[23] whom, they explain, was 'the highest authority in the Emirate, and his orders are the law.'[24] The report explained that 'The orders span the last seven years, with the first issued in 2016, when Hibatullah took over as Taleban supreme leader following the killing of his predecessor.'[25]

8.1.8 The same report explained 'The orders were first issued in Pashto and after translation into Dari, published in both languages in the Gazette. They can be found in the Resources section of the AAN website, alongside an unofficial English translation by AAN. A list of the orders (brief title, number and date) can also be found at the end of [their] report.'[26]

Back to Contents

8.2 Administration of justice

8.2.1 In a statement issued on 16 December 2022 UN experts reported that:

'Since 18 November 2022, the de facto authorities have reportedly carried out floggings of over 100 individuals, both women and men, in several provinces including Takhar, Logar, Laghman, Parwan and Kabul. Each were given between 20 and 100 lashes for alleged crimes including theft, "illegitimate" relationships or violating social behaviour codes. While criminalisation of relationships outside of wedlock seem gender-neutral, in practice, punishment is overwhelmingly directed against women and girls. The flogging has been carried out in stadiums in the presence of officials and members of the public.

'On 7 December 2022, the Taliban publicly executed a man in Farah city, Farah province, in what appears to be the first public execution since seizing power in August 2021. Senior de facto officials, including the Deputy Prime Minister and Chief Justice, were in attendance. The application of these punishments began after the Supreme Leader on 13 November 2022 ordered the judiciary to implement Hudood (crimes against God) and Qisas (retribution in kind) punishments across the country.'[27]

8.2.2 The South Asia Intelligence Review (SAIR) of the South Asia Terrorism Portal (SATP) reported on the public flogging of 9 women and 18 men, which occurred on 8 December 2022 in a football stadium in Charikar city, the capital of Parwan Province, for various crimes, including robbery, being in relationships outside of marriage and running away from home. Each person received between 29 and 35 lashes as local Taliban officials and hundreds of spectators watched. The SAIR cited numerous other public floggings in November and December 2022, for men and women charged with theft, premarital relationships and adultery[28].

8.2.3 A UNAMA report on corporal punishment and the death penalty, published in May 2023, noted that 'Between 13 November 2022 and 30 April 2023, UNAMA documented at least 43 instances of judicial corporal punishment

[23] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023
[24] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[25] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[26] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[27] OHCHR, Afghanistan: UN experts call on the Taliban to immediately halt…, 16 December 2022
[28] SAIR SATP, Afghanistan: Women flogged into silence, 12 December 2022

[carried out in accordance with a court decision]. Within the 43 instances, 58 women, 274 men and two male children were lashed for a variety of offences, including zina, "running away from home", theft, homosexuality, consuming alcohol, fraud and drug trafficking.'[29]

8.2.4 The Report by the UN Secretary-General dated 18 September 2023, reporting on events since their last report dated 20 June 2023, noted:

'Regarding judicial corporal punishment, UNAMA recorded public floggings of at least 34 men, 8 women and 2 boys for a range of offences, including drug offences, gambling, running away, "immoral" behaviour and sodomy. On 20 June, the de facto Supreme Court announced on social media that the death penalty had been carried out publicly on a 35-year-old man in Laghman Province. This was the second recorded instance of the death penalty being carried out in accordance with a court decision since the Taliban takeover.'[30]

8.2.5 The UN Secretary-General's report dated 1 December 2023, informing on events since their 18 September 2023 report, noted that 'The de facto authorities continued to implement public judicial corporal punishment. UNAMA recorded public floggings of at least 24 men and 4 women.'[31]

8.2.6 The Report of the Special Rapporteur on the situation of human rights in Afghanistan, published February 2024, noted that 'The Taliban has continued to subject people to corporal punishment in public, often involving groups' opining that it was 'in violation of the prohibition of torture and cruel, inhuman or degrading treatment or punishment.'[32]

8.2.7 The same report also noted that 'the Taliban's claimed adherence to sharia law has led to the imposition of corporal punishment for what they deem as moral or sexual offences, including illicit relationships, adultery and sodomy, as well as conventional offences, such as robbery.'[33] The Special Rapporteur cited a report by the NGO Afghan Witness, to illustrate that 'between 26 October 2022 and 26 October 2023, the de facto authorities issued 71 declarations of sharia punishments, involving 417 individuals. In the report, the organization claimed that nine qisas sentences had been announced, of which, two had led to the execution of individuals accused of murder in December 2022 and June 2023, whereas the other seven individuals had received pardons.'[34] The report was unclear on the extent to which it had conducted its own field work or had verified the reporting by Afghan Witness.

8.2.8 UNAMA recorded incidences of corporal punishment handed down and imposed by non-judicial entities of the Taliban, and ad hoc punishments, most often carried out by the Department for the Propagation of Virtue and Prevention of Vice (DPVPV), but also the police and intelligence services. Punishments included beatings and lashings against women for not wearing the hijab or leaving the house with a mahram (male chaperone), and against

[29] UNAMA, Corporal Punishment and the Death Penalty in Afghanistan (page 14), May 2023
[30] UNGA, UNSC, Report of the Secretary-General (paragraph 35), 18 September 2023
[31] UNGA, UNSC, Report of the Secretary-General (paragraph 33), 1 December 2023
[32] UNHRC, Situation of human rights in Afghanistan… (paragraph 81), 22 February 2024
[33] UNHRC, Situation of human rights in Afghanistan… (paragraph 82), 22 February 2024
[34] UNHRC, Situation of human rights in Afghanistan… (paragraph 82), 22 February 2024

barbers for trimming men's beards and/or men for wearing a trimmed beard, shopkeepers for allowing women without a mahram entering the shop, and against men for not going to mosque[35].

Back to Contents

9. Reporting on the Taliban and treatment of journalists

9.1.1 In her extensively researched book, Ashley Jackson, co-director of the Centre for the Study of Armed Groups at the Overseas Development Institute, argued that 'Much of what we think we know about the Taliban relies on reportage or indirect research which has often turned out to be either incorrect, misleading or incomplete'[36]. Jackson also referenced researcher and writer Alex Strick van Linschoten, who explained that 'Part of the problem … is that many reporters and researchers come with preconceptions relating to the Islamic nature of the movement, and find it difficult to offer a balanced perspective.'[37]

9.1.2 The Australian Government's Department of Foreign Affairs and Trade (DFAT) January 2022 'Thematic Report on Political and Security Developments in Afghanistan', covering the period August 2021 to January 2022 ('DFAT's January 2022 Thematic Report'), – based on their 'knowledge and discussions with a range of sources in Australia and overseas. It takes into account relevant and credible open source reports [examples of which are listed in the report]'[38] – noted 'While a number of journalists continue to work, there are clear signs that Taliban tolerance of a free media is limited.'[39]

9.1.3 Rahimi's March 2023 article in Al Jazeera noted that 'Afghanistan's independent media has collapsed, as the Taliban cracked down on free speech and foreign funding stopped. Public criticism is not tolerated and is regularly punished.'[40]

9.1.4 IFEX, a Canadian-based organisation who describe themselves as 'a network whose strength lies in the local knowledge and grassroots efforts of our members and the connections that are built through collaborating for the common goal of defending and promoting free expression'[41] noted in an August 2023 Q&A on media challenges in Taliban-controlled Afghanistan that there was:

'… limited access to information, especially from Taliban government sources. Investigative journalism becomes more challenging as journalists face obstacles in collecting reliable information, conducting interviews, or accessing official documents. Media outlets face the threat of closure, and journalists imprisonment for not conforming to new restrictions, including a ban on music, mixed gender workplaces, women journalists' uncovering their faces during work, or criticism of Taliban governance or policies.'[42]

[35] UNAMA, Corporal Punishment and the Death Penalty in Afghanistan (pages 14, 15), May 2023
[36] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (page 213), August 2021
[37] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (page 213), August 2021
[38] DFAT, Thematic Report on Political and Security Developments… (paragraph 1.4), January 2022
[39] DFAT, Thematic Report on Political and Security Developments… (paragraph 3.36), January 2022
[40] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[41] IFEX, Who We Are - IFEX, no date
[42] IFEX, Q&A: Confronting media challenges in Taliban-controlled Afghanistan, 15 August 2023

9.1.5 IFEX also reported:

'As oppressive conditions and threats have increased, journalists are facing severe consequences for reporting on sensitive topics or criticising the Taliban authorities. They have encountered intimidation and harassment, including imprisonment, surveillance, threats to their families, or direct pressure to modify their reporting. This has led to self-censorship, a reluctance to cover certain issues, and pressure to align their reporting with the views of the authorities to safeguard their own safety or the survival of their outlets.'[43]

9.1.6 However, the same source noted coping strategies adopted by journalists:

'While navigating these challenges is extremely difficult, journalists have shown resilience and resourcefulness in their efforts to continue reporting.

'They have increasingly turned to digital platforms to disseminate news and information, adopted secure communication tools and encryption technologies to protect their sources, and formed networks and collaborations with international media organisations and journalists to help ensure their stories reach a global audience.

'To navigate the media restrictions, journalists have also adjusted their reporting style, using more cautious language and adopting subtle forms of criticism or indirect storytelling to convey important information while avoiding overt confrontation with the authorities. Some journalists have chosen to continue reporting clandestinely by operating underground or from exile.'[44]

9.1.7 David Loyn, Senior Visiting Research Fellow at the War Studies Department in King's College London, wrote in 2023 'In government, [the Taliban] wanted full control of the media. They allowed foreign correspondents into the country for their first year in office, but the issuing of visas is now rare.'[45]

9.1.8 A May 2024 article by RFE/RL noted 'Only a few independent media outlets still operate under the Taliban. But their journalists face severe restrictions and often resort to self-censorship.'[46].

9.1.9 The same article reported that 'Afghan journalists are forbidden from broadcasting or publishing stories that are critical of the Taliban.'[47] The article quoted a 'Kabul-based editor who works for a major broadcaster' as having told RFE/RL 'Covering issues like "insecurity, human rights, and corruption" are off-limits.'[48]

9.1.10 The May 2024 article by RFE/RL claimed that 'Reporters who cross that red line have been arrested and jailed, beaten in custody, or threatened and harassed.'[49] And, other than later saying 'Scores of reporters and media workers have been imprisoned or physically attacked'[50], the article gave no

[43] IFEX, Q&A: Confronting media challenges in Taliban-controlled Afghanistan, 15 August 2023
[44] IFEX, Q&A: Confronting media challenges in Taliban-controlled Afghanistan, 15 August 2023
[45] Loyn D, The scattered forces opposing the Taliban need support now, updated November 2023
[46] RFE/RL, This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024
[47] RFE/RL, This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024
[48] RFE/RL, This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024
[49] RFE/RL, 'This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024
[50] RFE/RL, This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024

specific numbers or timeframe for this.

9.1.11 The Afghan Journalists Centre (AFJC) provided tables of what they term 'press freedom violations' which CPIT have tabulated the results for 2022 and 2023 below. The tables on the AFJC website also provide differing levels of detail for each incident, including the person's job/role, the date, the province and the perpetrator.

	Deaths	Injuries	Threats	Arrest, Criminal Charges	Total
2022[51]	0	13	128	119	**260**
2023[52]	1	19	87	61	**168**

Back to Contents

10. People associated with the former government and its security forces

10.1 Taliban's 'general amnesty'

10.1.1 UNAMA stated in its report on human rights violations against former government officials and members of the armed forces by the Taliban (referred to by UNAMA as the de facto authorities), covering the period 15 August 2021 to 30 June 2023, that:

'Following their takeover of Afghanistan on 15 August 2021, the de facto authorities announced what they termed a "general amnesty" for former officials of the government of the Islamic Republic of Afghanistan and former members of the Afghan National Defense and Security Forces (ANDSF). In the almost two years since, senior de facto officials have repeatedly, publicly, expressed their commitment to the general amnesty, calling for it to be upheld and for breaches to be investigated and for those found responsible to be punished.'[53]

10.1.2 UNAMA cited numerous comments made by senior Taliban representatives urging officials to respect the amnesty, but noted there was no written text or guidance in the public domain setting out its scope[54].

10.1.3 International Crisis Group (ICG) noted 'The Taliban publicised a general amnesty as their forces began capturing large swathes of territory in the summer of 2021 …' and that it 'promised all former government officials, including security forces, and others associated with the previous political dispensation the right to live peacefully and without harassment under Taliban rule.'[55]

10.1.4 However, Jackson (2021) noted that this 'amnesty' dated back as far as 2016. In her extensively researched book, including multiple sources in Afghanistan, she pointed out that 'In 2016, the practice became an official policy whereby the Taliban offered amnesty to anyone associated with the government or international forces. For example, Afghan security forces were allowed to return to civilian life, provided they surrendered their arms,

[51] AFJC, Press Freedom Violations 2022, no date
[52] AFJC, Press Freedom Violations 2023, no date
[53] UNAMA, A barrier to securing peace… (page 1), August 2023
[54] UNAMA, A barrier to securing peace… (pages 1, 2), August 2023
[55] ICG, Afghanistan's Security Challenges under the Taliban (section IV(C)), August 2022

apologised for the harm done and had a trusted elder vouch for them.'[56]

10.1.5 The July 2023 report by AAN on '65 decrees, edicts and instructions from Mullah Hibatullah'[57] [see The Justice system under the Taliban] explained that they covered what it termed 'insurgency-era decrees'[58] which included for example, 'curbing behaviour in the field which would harm higher-order priorities, for example, accepting government soldiers who have switched sides, even if they bring no weapons with them, and not persecuting defectors; the leadership wanted to encourage defections and government soldiers and officials needed to have confidence that amnesties would be honoured to come over.'[59]

Back to Contents

10.2 Application of the 'general amnesty'

10.2.1 Despite calls to uphold the amnesty, UNAMA claimed that during the period of its investigations, it had '… recorded credible reports of hundreds of human rights violations – including extrajudicial killings, arbitrary arrests and detentions and torture and ill-treatment – carried out by the de facto authorities against former government officials and ANDSF members. There is limited information regarding efforts by the de facto authorities to conduct investigations and hold perpetrators … to account.'[60]

10.2.2 In its August 2022 report, ICG described the amnesty as 'unevenly enforced', but also noted that 'Cognisant that reprisals helped armed opposition groups draw recruits, the Taliban have increasingly preached the importance of respecting the amnesty order to their members, even framing it as an Islamic obligation.'[61]

10.2.3 UNAMA's report included 6 specific examples between December 2021 and July 2022 of 'senior de facto authorities … [urging] officials to respect the "general amnesty" through comments in the media, via their social media accounts, and at a number of public gatherings.'[62]

10.2.4 The EUAA Country Focus based on a range of sources, covering 1 July 2022 to 30 September 2023[63], noted that 'One man who previously worked as a US contractor, building NATO military bases, told the AAN that he had "managed to establish good connections" with the de facto authorities after the takeover, and described the Taliban as "committed to the amnesty".'[64]

10.2.5 The EUAA Country Focus added 'Sources have described the practices towards former officials as "inconsistent", "ad hoc" and "an interesting mixture of contradictory policies".'[65]

10.2.6 The same report further noted, citing an interview with an international

[56] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (page 95), August 2021
[57] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[58] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[59] AAN, The decrees and edicts of the Taleban supreme leader, 15 July 2023.
[60] UNAMA, A barrier to securing peace… (page 1), August 2023
[61] ICG, Afghanistan's Security Challenges under the Taliban (section IV(C)), August 2022
[62] UNAMA, A barrier to securing peace… (page 2), August 2023
[63] EUAA, Afghanistan – Country Focus (pages 5, 11, 12), December 2023
[64] EUAA, Afghanistan – Country Focus (pages 64, 65), December 2023
[65] EUAA, Afghanistan – Country Focus (pages 56, 57), December 2023

journalist, that 'Rather than the targeting being carried out based on an individual's previous role in the former government, the international journalist thought that the targeting depended on the local contexts. In one area, for example, the amnesty was upheld, and the former local NDS director was appointed head of the Taliban approved valley shura [council], while many killings seemed to take place in Kandahar.'[66]

10.2.7 The Netherlands Ministry of Foreign Affairs (MFA) noted in its report on Afghanistan, based on a range of sources covering the period April 2022 to May 2023, that 'The Taliban are not a homogeneous group, and local Taliban follow their own rules. It is unclear to what extent the Taliban leaders in Kabul are able to and do control their fighters and commanders in enforcing the amnesty, the rules and respect for human rights.'[67]

10.2.8 The Netherlands MFA report also noted that:

'According to a confidential source, there was great uncertainty and insecurity. Violent incidents took place in a legal vacuum without legal protection. Each individual situation was different.

'According to a source, the further away an area is from Kabul, the more uncertain the situation is. Many former members of the security forces were detained and interrogated in areas such as Nangarhar and Panjshir, where the armed opposition was strongest. According to sources, the risk that an individual faces depends mainly on the local Taliban actors. If they want revenge, for whatever reason, he or she is not safe. There is a great deal of arbitrariness when it comes to reprisals against individuals.'[68]

10.2.9 According to the EUAA Country Focus:

'Both the international analyst and the international journalist stated that it is not possible to draw any conclusions or identify any patterns as regards the targeting of particular profiles among civil and security personnel of the former government. The international analyst added that there have been many more killings than what has been reported. The international journalist had not noted any indications of targeting being carried out based on some general criteria.'[69]

10.2.10 A November 2022 article by National Public Radio (NPR), cited 'Watchdog groups and analysts' who said 'the leadership's directives are either not reaching Taliban rank and file, particularly in more remote villages — or worse yet, are ignored altogether.'[70] The NPR article also cited Chris Purdy, a director at Human Rights First, as having said '"What we're seeing is that while they're making these proclamations from the central government, they're not really enforced at any meaningful level outside the central rings of power … They pretty much leave the actual decision-making up to their local commanders."'[71]

[66] EUAA, Afghanistan – Country Focus (page 61), December 2023
[67] Netherlands MFA, General Country of Origin Report Afghanistan (page 64), June 2023
[68] Netherlands MFA, General Country of Origin Report Afghanistan (pages 67, 68), June 2023
[69] EUAA, Afghanistan – Country Focus (pages 60, 61), December 2023
[70] NPR, For Afghans who fought against the Taliban, life is fraught under their…, 28 November 2022
[71] NPR, For Afghans who fought against the Taliban, life is fraught under their…, 28 November 2022

Back to Contents

10.3 Personal disputes, feuds and rivalries

10.3.1 According to UNAMA's August 2023 report 'The de facto authorities have refuted reports of breaches of the general amnesty, stating, however, that if breaches had occurred, these were based on "personal enmity or revenge", as opposed to an official order to take such action…'[72]

10.3.2 The Netherlands MFA report noted 'There was a high degree of arbitrariness, and in any case individual actions and the settlement of old scores or personal feuds sometimes occurred'[73]

10.3.3 Citing various sources, the EUAA Country Focus noted that:

'The Taliban have claimed that violations of the amnesty have taken place due to personal animosities, and not because of a government policy. Expert sources emphasised that it has been hard to discern motives behind the killings, especially when taking what was described as an existing "revenge culture" into account. According to Human Rights Watch's Patricia Gossman, as referenced by RFE/RL ['They Call Us Infidels'…, July 2022] there have been cases of revenge killings being carried out "with the knowledge or tacit approval of senior Taliban commanders".'[74]

10.3.4 The Netherlands MFA June 2023 report, citing various sources, noted '… it was reported that certain incidents sometimes stemmed more from the settlement of old scores or personal feuds (out of sight of the leadership) than from a systematic policy. Ethnic or tribal dynamics or personal feuds and rivalries could also play a role. Some tribal and other groups aligned themselves either with the Taliban or with the Ghani government. Sometimes there were alliances with opposing factions within a single tribe or family.'[75]

10.3.5 The EUAA Country Focus stated:

'According to the international analyst, the most important thing for the Taliban is that individuals are loyal to them today, rather than their allegiances from before the takeover. However, people may be targeted due to personal disputes. Journalist Ali Latifi stated that individuals that are willing to function within the new circumstances of the de facto administration have been able to do so, as the Taliban needs to keep the de facto authorities functioning. However, Latifi also pointed out retaliating acts as a continuing issue for the de facto administration – which it has been for all governments in Afghan history. French newspaper Le Figaro reported that journalists and international observers lack insight on the situation in the Afghan countryside where former enemies of the Taliban have frequently been hunted and executed. Amnesty International and a US Department of State official told Le Figaro that disappearances of such individuals have been "completely underestimated".

[72] UNAMA, A barrier to securing peace… (pages 2, 3), August 2023
[73] Netherlands MFA, General Country of Origin Report Afghanistan (pages 67, 68), June 2023
[74] EUAA, Afghanistan – Country Focus (page 59), December 2023
[75] Netherlands MFA, General Country of Origin Report Afghanistan (page 67), June 2023

'Rawadari [an independent human rights organisation[76]] recorded cases of human rights abuse against former military and former civilian personnel following allegations of possessing weapons. The organisation also reported that there have been cases of the Taliban killing people of these groups but claiming that the victims were ISKP members or committed suicide. The international analyst also noted uncertainties as regards people presented as ISKP by the Taliban, particularly in the north. It is unclear whether those people have actually been ISKP members or they have been simply suspected of being part of the former regime or they were linked to resistance groups. UNAMA noted that arrests and detentions of former government officials and ANDSF members occurred on accusations of affiliations to NRF, and according to some accounts such claims were false and used as a cover for the Taliban to target individuals who had served the former government.'[77]

Back to Contents

10.4 Profiles of people affected: former police and army (and their family members)

10.4.1 SIGAR (US Special Inspector General for Afghanistan Reconstruction) noted that, according to the Afghan Personnel and Pay System, the ANDSF had 300,699 employees (182,071 military personnel and 118,628 police officers) as of 29 April 2021, although SIGAR noted had repeatedly warned of the existence of 'ghost' soldiers[78,79]. In September 2021, the Afghan Republic's last finance minister, Khalid Payenda, told the AAN that the reported 300,000 Afghan military and police personnel 'was all a lie' and that at most there were between 40,000 to 50,000 police and army personnel, with the remainder being 'ghosts.'[80] Actual number of personnel remaining in the country since August 2021 is unknown.

10.4.2 DFAT's January 2022 Thematic Report noted that 'Despite the amnesty, since August 2021 there are signs that some Taliban forces are actively targeting members of the Afghanistan Government's security forces, particularly those adjudged to be impossible to recruit to the Taliban's cause: namely former Special Forces soldiers and members of the National Directorate of Security (NDS), along with those who specifically aided foreign forces'[81], and concluded that 'there is a high risk that former Afghan security forces, especially special forces and NDS personnel, may be subject to violence from the Taliban.'[82]

10.4.3 According to UNAMA, during 15 August 2021 and 30 June 2023:

'… former Afghan National Army members were at greatest risk of experiencing human rights violations, followed by police (both Afghan National Police and Afghan Local Police) and National Directorate of

[76] Rawadari Rawadari – For an Equal and Peaceful Afghanistan, no date
[77] EUAA, Afghanistan – Country Focus (pages 59, 60), December 2023
[78] SIGAR, Quarterly Report to Congress (page 82), 30 October 2021
[79] SIGAR, Quarterly Report to Congress (page 43), 30 January 2024
[80] AAN, The Khalid Payenda Interview (1): An insider's view of politicking…, 27 September 2021
[81] DFAT, Thematic Report on Political and Security Developments… (paragraph 3.27), January 2022
[82] DFAT, Thematic Report on Political and Security Developments… (paragraph 3.30), January 2022

Security officials.

'Human rights violations against former government officials and ANDSF members have been recorded across all 34 provinces; with the greatest number of violations recorded in Kabul, Kandahar and Balkh provinces... '[83]

10.4.4 UNAMA claimed that it had recorded '… at least 800 human rights violations against former government officials and ANDSF members between the Taliban takeover on 15 August 2021 and 30 June 2023', including 'credible reports' of 218 extrajudicial killings, 14 enforced disappearances, 424 arbitrary arrests and detentions, and 144 cases of torture and ill-treatment, committed by the Taliban[84]. Whilst over 70% of the total human rights violations were reported to be against the ANDSF, including the military, NDS and police[85], UNAMA's report did not distinguish which type of incident happened to former government officials as opposed to former ANDSF members.

10.4.5 UNAMA recognised that 'The majority of violations took place in the four months following the Taliban takeover of Afghanistan (15 August 2021–31 December 2021), with UNAMA recording almost half of all extrajudicial killings of former government officials and ANDSF members during this period. Despite this, human rights violations have continued beyond this initial period, with 70 extrajudicial killings recorded between 1 January and 31 December 2022.'[86]

10.4.6 A November 2022 article by NPR reported on a 'former army officer [who] was in charge of setting up military checkpoints in Helmand Province […who then picked…] apples for a living' They quoted him as explaining '"There's no work for those of us who served in the military" … "As you can see, I'm educated and experienced, but this is the best I can find to support my family."'[87]

10.4.7 The same article added 'Those who once drove tanks now drive taxis. The soldiers who once stood in formation now stand in line for food aid. Some former soldiers who served during the old republic tell NPR they live in fear of being detained and disappeared.'[88]

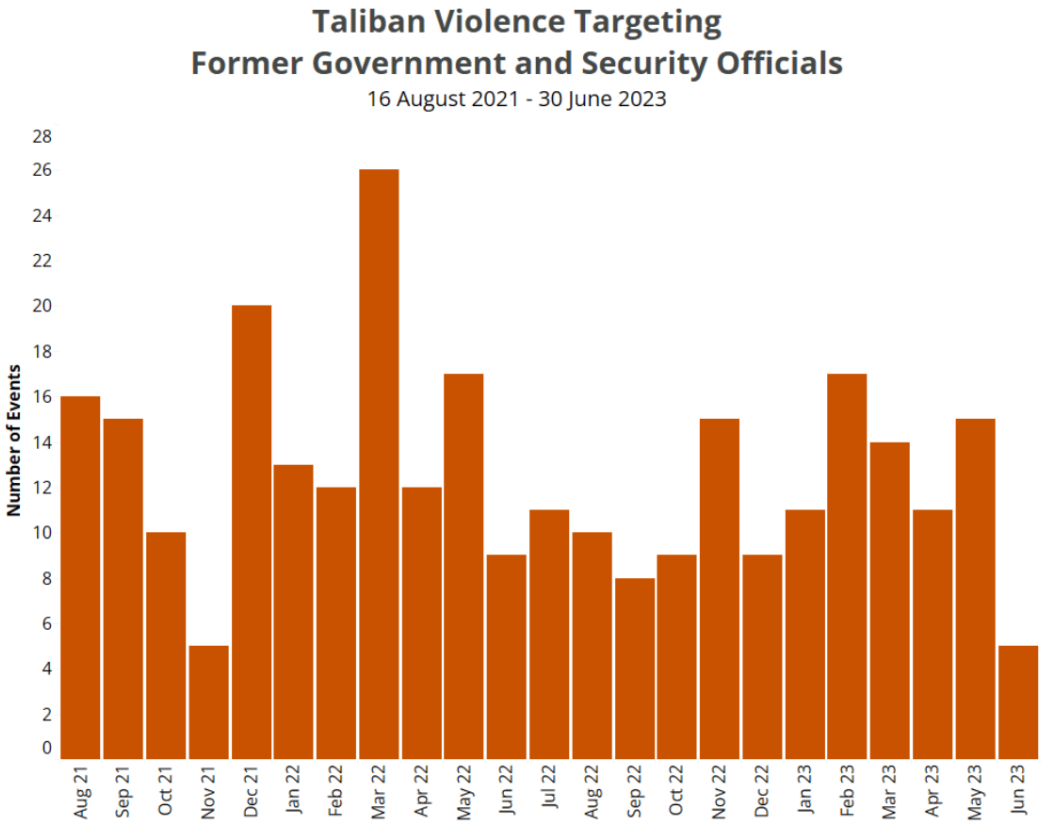
10.4.8 UNAMA continued to document human rights violations against former government officials and ANDSF following its August 2023 report[89,90]. The Report by the UN Secretary-General on developments in Afghanistan since 18 September 2023, dated 1 December 2023, noted that:

'Following the issuance of the [UNAMA's] report on human rights violations against former government officials and former Afghan National Defence and Security Forces members on 22 August [2023], de facto Deputy Prime Minister Hanafi said, with regard to the amnesty, that any act of revenge was considered a crime and perpetrators would be prosecuted. However, during

[83] UNAMA, A barrier to securing peace… (page 6), August 2023
[84] UNAMA, A barrier to securing peace… (pages 5, 6 to 9), August 2023
[85] UNAMA, A barrier to securing peace… (pages 5, pie chart), August 2023
[86] UNAMA, A barrier to securing peace… (page 6), August 2023
[87] NPR, For Afghans who fought against the Taliban, life is fraught under their…, 28 November 2022
[88] NPR, For Afghans who fought against the Taliban, life is fraught under their…, 28 November 2022
[89] UNAMA, Human Rights Situation in Afghanistan: October – December… (page 5), January 2024
[90] UNGA, UNSC, Report of the Secretary-General (paragraph 32), 1 December 2023

the reporting period, UNAMA documented at least 10 extrajudicial killings, 21 arbitrary arrests and detentions and eight instances of torture and ill-treatment of former government officials and members of the Afghan National Defence and Security Forces.'[91]

10.4.9 A joint ACLED and Afghan Peace Watch (APW) report of August 2023 noted that 'From 16 August 2021 to 30 June 2023, ACLED records over 400 acts of violence targeting former government and security officials, with 290 incidents committed by the Taliban.'[92]



Source data: ACLED and APW, August 2023[93] The graph did not distinguish between 'government' and 'security' officials.

10.4.10 According to the EUAA Country Focus, citing the international journalist:

'… based on Taliban propaganda and the patterns of attacks they carried out during the insurgency, one could note that they, by then, particularly disliked the NDS Zero Units ("squadrons of U.S.-trained Afghan special forces soldiers"), the army commandos and the Afghan Local Police (ALP). The source could however not say if this has played a role in the targeting that has occurred after the takeover. Le Monde reported that the Taliban hold a "real grudge" against NDS [National Directorate of Security] agents, which is "aggravated toward those who have worked with foreign forces".'[94]

10.4.11 The same report added 'Since the takeover, there have been continuous

[91] UNGA, UNSC, Report of the Secretary-General (paragraph 32), 1 December 2023
[92] ACLED and APW, Two Years of Repression…, 11 August 2023
[93] ACLED and APW, Two Years of Repression…, 11 August 2023
[94] EUAA, Afghanistan – Country Focus (pages 60, 61), December 2023

claims of the Taliban killing former ANDSF members and their relatives. Some experts have assessed that the reprisals have been relatively few in contrast to the size of the former administration's civil and military sector.'[95]

10.4.12 As noted in the Netherlands MFA report:

'Many former officials and security force personnel said that their relatives had suffered threats, intimidation and physical violence. Several organisations confirmed this and found that relatives of former security force personnel and government employees had been subjected to interrogations, beatings, violence and even executions. Other sources also stated that threats to family members were used as a means of putting pressure on those who were persecuted by the Taliban. As a result, the family members themselves were also at risk.'[96]

10.4.13 The Netherlands MFA report referred to a fact-finding mission report by the Danish Immigration Service ['Afghanistan; Taliban's impact on the population', June 2022], which concluded there was:

'… no clear picture about the extent to which relatives of former security personnel were also targeted. According to a source in the report, family members who had worked for the Ghani government, international companies, foreign forces, embassies or NGOs were not generally a target for persecution. Rather, this had to do with the person's own activities or job or whether there had been a previous dispute with someone from the Taliban.'[97]

10.4.14 Based locally sourced information provided by 'Victims and survivors, eyewitnesses, officials from health centres and teachers from educational institutions, human rights advocates, defence lawyers, former and current employees of judicial and legal institutions and released detainees'[98], independent human rights organisation Rawadari recorded the arbitrary arrest and detention of at least 118 former government employees and their family members in 2023, which included 91 military personnel[99]. Of the 118, 47 military personnel, 5 civilian personnel and 21 relatives were unlawfully arrested and detained during the first 6 months of 2023, though Rawadari claimed that numbers were likely to be higher[100].

10.4.15 The EUAA Country Focus cited data on human rights violations against former ANDSF members and their families, which included cases by unknown perpetrators, compiled by Afghan-led NGO Safety and Risk Mitigation Organization (SMRO), and Afghan Witness (AW), established by the Centre for Information Resilience (CIR) to collect, preserve and verify information on human rights and current events in Afghanistan:

'In 2022, SMRO recorded 76 killings and 57 detentions of former security forces, but noted an increase in 2023, as they logged 27 killings and 55 detentions in the first quarter alone. In the second quarter of 2023, SMRO

[95] EUAA, Afghanistan – Country Focus (page 58), December 2023
[96] Netherlands MFA, General Country of Origin Report Afghanistan (pages 67, 68), June 2023
[97] Netherlands MFA, General Country of Origin Report Afghanistan (pages 67, 68), June 2023
[98] Rawadari, Human Rights Situation Report 2023 (page 5), March 2024
[99] Rawadari, Human Rights Situation Report 2023 (page 16), March 2024
[100] Rawadari, Human Rights Situation in Afghanistan: Mid-year… (pages 17 to 18), August 2023

logged 2 instances of rape and another 15 killings and 35 detentions of former security forces in numerous provinces. Most killings took place in Kabul (4 cases). Moreover, one former NDS official reportedly committed suicide after being subjected to severe torture in custody in Khost Province. In almost the same reference period (1 January 2023–10 July 2023), AW recorded 108 claims of torture, arbitrary detention, killings and attacks against former ANDSF members and their family members in 28 provinces. 57 alleged killings were carried out across 19 provinces, and one took place in an unknown location. AW data also indicated that most killings took place in Kabul Province (9 cases).'[101]

10.4.16 As noted in the EUAA Country Focus:

'ACAPS [Assessment Capacities Project – 'Afghanistan - Coping with the crisis…' June 2023] reported that households in both urban and rural Kabul feared that they would be abused by the de facto authorities due to a family member's previous employment in the ANDSF. This concern caused anxiety and reportedly impacted all household members, affecting their ability to travel, work, or access humanitarian aid, as they did not want to attract the attention of the Taliban. SMRO explained that relatives were frequently "caught up" in attacks targeting former security personnel and gave the example of a wife and two sons of a former military official being beaten when their home was raided by Taliban troops. The two sons were taken to an unknown location.

'In the second quarter of 2023, SMRO collected data of 6 relatives of former security personnel being detained, and 1 being raped. In the first six months of 2023, Rawadari recorded arbitrary arrests of 21 relatives of former civil and security personnel. As mentioned, Rawadari assessed the prevalence of enforced disappearances to be much higher due to reports of family members being threatened not to speak with human rights organisations.'[102]

10.4.17 The same report gave some specific examples, including the detention, torture, rape, enforced disappearance and killings of family members. The EUAA report stated that Afghan Witness (a monitoring project) noted that some victims appeared to be minors[103].

Back to Contents

10.5 Profiles of people affected: people (and their family members) associated with foreign forces

10.5.1 It was noted in the EUAA Country Focus that:

'The Taliban's general amnesty extended to individuals that were affiliated with foreign forces. Many left Afghanistan during the evacuation efforts following the Taliban takeover, and in media interviews, individuals who have remained stated that they were living in hiding. As previously mentioned, Le Monde reported that the Taliban hold a "real grudge" against NDS agents, which is "aggravated toward those who have worked with foreign forces". Furthermore, a joint investigation by The Independent, Lighthouse Reports

[101] EUAA, Afghanistan – Country Focus (pages 58, 59), December 2023
[102] EUAA, Afghanistan – Country Focus (page 62), December 2023
[103] EUAA, 'Afghanistan – Country Focus' (pages 62, 63), December 2023

and Sky News found that dozens of former commandos "set up, trained and funded by the British" had been beaten, tortured or killed by the Taliban since August 2021. The men served the former Commando Force 333 (CF333) established in 2002 and the former Afghan Territorial Force 444 (ATF444), knows as the "Triples" established in 2006. Documentary evidence showed that the units had received a salary from the British Foreign and Commonwealth Office, and after 2014 Polish forces reportedly took charge of the ATF444. Many reportedly also lived in hiding apart from their families, and moved location every month to escape the Taliban. The investigation could verify 24 such cases, and provided examples of 6 killings carried out by the Taliban and unidentified actors, and 3 cases of torture in Taliban custody. …".

'The Association of Wartime Allies surveyed Afghans that have served US forces and had applied for a Special Immigration Visa (SIV) in 2023. Although not specifying the number of respondents, the source indicated that 30% had been imprisoned by the Taliban due to their service to the US, and around half of the respondents stated that they had been detained or questioned by the Taliban. Almost all respondents did not dare to leave their homes out of fear of retaliation. 76–78% had personally witnessed violence towards individuals supporting the US mission in Afghanistan. The organisation No One Left Behind surveyed 16 000 SIV applicants in 2022. Almost 70% were living in Kabul City, and another 10.8% in Kabul Province. 63.8% stated that they and their families did not live secure and safe from harm, while 6.5% stated that they did, and 29.7% stated that they did this "sometimes". The Taliban were identified as the biggest threat to safety by 77.6% of the respondents. Close to 10% stated that they and their families had been threatened by the Taliban within the last week, and 75.8% had been threatened within the last one to six months (in August 2022). 14.5% had never been threatened by the Taliban.'[104]

Back to Contents

10.6 Profiles of people affected: former government officials, civil servants, or those otherwise formerly in official or advisory roles (and their family members)

10.6.1 DFAT's January 2022 Thematic Report noted that '… lower and mid-level ordinary officials within the Afghanistan government have been ordered back to work in order to help run the country'[105] and assessed that 'Due to the Taliban's desire to restart Afghan governance and curry favour with the international community, ordinary and/or technical government officials are presently assessed to be at low risk of adverse Taliban attention.'[106]

10.6.2 UNAMA claimed that it had recorded '… at least 800 human rights violations against former government officials and ANDSF members between the Taliban takeover on 15 August 2021 and 30 June 2023'[107]. However, the source did not clarify what the 'human rights violations' were, nor how many of each were allegedly committed, nor how many were specifically against

[104] EUAA, Afghanistan – Country Focus (pages 64, 65), December 2023
[105] DFAT, Thematic Report on Political and Security Development… (paragraph 3.29), January 2022
[106] DFAT, Thematic Report on Political and Security Development… (paragraph 3.30), January 2022
[107] UNAMA, A barrier to securing peace… (page 5), August 2023

government officials as opposed to ANDSF members.

10.6.3 The joint ACLED and APW report of August 2023 stated that 'Since the fall of Kabul, former government and security officials have been the most targeted civilian group by the Taliban in the country, according to the salient identity categories that ACLED tracks.'[108]

10.6.4 In the global affairs magazine, Foreign Policy, an article about civil servants that remained in Afghanistan following the Taliban takeover, dated 9 February 2022, noted that:

'The Taliban told Foreign Policy that of the 455,000 total civil servants, more than 98 percent remained in Afghanistan, including at least two deputies at the Ministry of Finance, two at the Ministry of Transport and Aviation, and one in Kabul's municipal government. Former President Hamid Karzai and former Chairman of the High Council for National Reconciliation Abdullah Abdullah remain in Afghanistan as well but have essentially been put under house arrest…

'While a handful of officials chose to stay in Afghanistan, the majority of civil servants didn't really have an option. Few had international connections, and while many feared Afghanistan's new rulers, most depended on a regular income.'[109]

10.6.5 In a June 2023 report, the UN Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls stated: 'Prior to August 2021, women comprised… 30 per cent in the civil service, and held key roles in the Government, independent commissions and the judiciary. While many of these officials have since left the country, many others live in fear of retribution for having worked with the former regime, despite the declaration of a "general amnesty". The experts are deeply concerned about the continuing reprisal attacks on former officials.'[110] (see also Women and girls)

10.6.6 ICG noted that, based on their interviews with Panjshir residents and former government officials, May-June 2022, 'The sporadic nature of reprisals, and their low numbers relative to the size of the Republic's political and security apparatus, suggested that it was not the Taliban's nationwide policy to hunt down all former government officials. Still, the Taliban detained and interrogated many former security officials in areas, such as Nangarhar and Panjshir, where armed opposition was fiercest.'[111]

10.6.7 The EUAA Country Focus also referenced Crisis Group's point above and added 'This information was confirmed by the international journalist who stated that if the Taliban had carried out an orchestrated revenge campaign to kill former soldiers, the number of deaths would be much higher.' [112]

10.6.8 Rahimi wrote in July 2022:

'In terms of staffing, at the national level, the Taliban seems to have kept

[108] ACLED and APW, Two Years of Repression…, 11 August 2023
[109] Foreign Policy, I Wanted to Stay for My People, 9 February 2022
[110] UNHRC, Situation of women and girls in Afghanistan… (page 6), 15 June 2023
[111] ICG, Afghanistan's Security Challenges under the Taliban (section IV(C)), August 2022
[112] EUAA, Afghanistan – Country Focus (pages 56, 57), December 2023

most of the staff in technical ministries who remained in the country but have placed Taliban members in leadership roles. The security ministries were almost entirely purged from non-Talibs, on the other hand. In the ministries that dealt with issues considered sensitive by the Taliban, such as the ministry of education and higher education, it appears that the Taliban have replaced most of the staff with their members.

'On the local level, hoping to cement their control over the country and generate employment for the now oversized fighting force, the Taliban appear to have replaced most of the staff in the local administration with Taliban members but have kept most teachers and professors. Most of the staffing decisions at the national and local levels were taken primarily based on proximity to the Taliban and not qualifications.'[113]

10.6.9 Landinfo, Norway's country of origin information centre[114], noted in its September 2022 COI Query response 'Departures and returns after Taliban's takeover of power' that

'From the takeover of power until today, the signals from the Taliban have been that Afghans are encouraged not to leave Afghanistan. Directly after the takeover of power, during the evacuation, the Taliban requested that Western countries stop evacuating skilled Afghans. "We need their talent", said spokesman Zabiullah Mujahid (Matre & Lode 2021).

'The Taliban recognises that they are dependent on the part of the population that has education and experience in administration in order to rule the country. Civilian and military leaders are therefore encouraged to return home. The message is that all Afghans are welcome back to Afghanistan to contribute to the country's development.'[115]

10.6.10 In its annual report for 2023, published in March 2024, Rawadari reported on targeted and extra-judicial killings of former government employees by the Taliban and unknown individuals. According to families of victims, unknown armed individuals were actually Taliban taking revenge[116]. The report added that 'In some cases the Taliban, especially their intelligence agency, assassinate former government employees and then announce that these individuals were affiliated with the ISIS group or committed suicide.'[117]

10.6.11 Rawadari recorded the targeted killing of 82 former government employees (and one injured) in 2023, which included 68 military personnel and 14 civilian officials of the former government[118]. The majority of incidents occurred during the first half of 2023 (1 January to 30 June), when Rawadari recorded 54 killings and 1 person injured, including 45 former military personnel and 10 civilian employees[119]. Rawadari noted the limits in obtaining information on extra-judicial killings due to the Taliban's restrictions on reporting[120].

---

[113] Rahimi, H, Remaking of Afghanistan … 26 July 2022
[114] Landinfo, About Landinfo, no date
[115] Landinfo, Departures and returns after Taliban's takeover of power (page 3), 29 September 2022
[116] Rawadari, Human Rights Situation Report 2023 (page 12), March 2024
[117] Rawadari, Human Rights Situation Report 2023 (page 12), March 2024
[118] Rawadari, Human Rights Situation Report 2023 (page 12), March 2024
[119] Rawadari, Human Rights Situation in Afghanistan… (page 11), August 2023
[120] Rawadari, Human Rights Situation Report 2023 (page 11), March 2024

10.6.12 The EUAA Country Focus noted in regard to the Taliban's general amnesty that 'most civilian former public officials have been able to resume their duties within the new de facto administration in Kabul, except for most female civil servants that were sent home.'[121]

10.6.13 The same EUAA report added:

'At sub-national level the Taliban have tried to bring in their own members to be trained by and then replace former officials. Some former security personnel work in the Taliban's de facto forces, and an international journalist knew about a case where even the former local head of the former National Directorate of Security (NDS) in one area had been appointed head of the Taliban valley shura. Retired officials have also staged protests against the non-payment of their pensions. At the same time, killings and various forms of ill-treatment have taken place against both former military and civilian personnel, and such individuals have reportedly been living in hiding.'[122]

10.6.14 The Report by the UN Secretary-General on developments in Afghanistan since 18 September 2023, dated 1 December 2023, noted that, 'According to the de facto authorities, salaries of all civil servants, including women ordered to remain at home, continued to be paid. The de facto Ministry for Martyrs and Disabled Affairs announced in early September that it had processed payments for the families of martyrs and disabled persons of the Republic and de facto authority periods, though pensions of retired Republic-era government employees remained unpaid.'[123]

10.6.15 The EUAA Country Focus noted that:

'The Taliban have communicated that former officials returning from abroad will be ensured safety, and established a commission for the "Return and Communications with Former Afghan Officials and Political Figures" in March 2022. According to this commission, as reported by TOLOnews, up to 1 000 businessmen and political or military figures had returned to Afghanistan as of early November 2022, including some former ministers, governors, and generals. The commission continued to report on returns of political figures and former government officials in 2023. An international analyst questioned their estimate of 1 000 people returning, stating instead that a handful former political and military figures had returned, and that many could have gone but left again.

'Other media outlets also reported on political figures and former government officials returning to Afghanistan. According to the international analyst, the return commission has not led to any political recognition or pledges for allegiance, and the commission has mainly been a way for wealthy individuals to return to manage their assets. The former director of Afghanistan's intelligence agency, Rahmatullah Nabil, also stated that some former officials had returned for personal business interests, to retain their properties and assets. Local media Kabul Now ['Taliban's false amnesty…', July 2023] reported on individual cases of low-ranking military officials being

[121] EUAA, Afghanistan – Country Focus (pages 56, 57), December 2023
[122] EUAA, Afghanistan – Country Focus (pages 56, 57), December 2023
[123] UNGA, UNSC, Report of the Secretary-General (paragraph 14), 1 December 2023

detained, disappeared or killed after returning. The same source reported that some high-ranking military officials had received a “warm reception” by Taliban officials upon their return, whilst others had received a “cold welcome” or were living in fear and uncertainty. The same source reported that returning officials were to be provided with “immunity cards” upon their return to ensure that they were not detained. However, it was reportedly difficult to receive an immunity card as the Taliban had not announced a registration centre and the return commission was hard to reach, and in some cases returned individuals had to bribe Taliban officials to receive an immunity card. Moreover, in some cases Taliban officials detained individuals despite having immunity cards. It has not been possible to corroborate the information provided by Kabul Now with other sources.’[124]

10.6.16 The Netherlands MFA report noted that:

‘The Taliban reportedly focused their persecution more on security forces personnel (low-ranking, middle-ranking and senior) than on civilian employees. However, the Taliban apparently had a narrower definition of “civil” than in humanitarian law. For example, they regarded ministers, senior officials and persons who held non-combat positions in the army as non-civilians. According to experts, the treatment (and possible persecution) of the former officials depended on the position they had held.

‘Workers in health care and education were reportedly less targeted. However, this did not mean that persons working in the “less dangerous” sectors were not at any risk of persecution. ’[125]

10.6.17 Rawadari recorded the arbitrary arrest and detention of at least 118 former government employees and their family members in 2023, which included 6 civilian personnel[126]. Of the 118, 47 military personnel, 5 civilian personnel and 21 relatives were unlawfully arrested and detained during the first 6 months of 2023, though Rawadari noted that numbers were likely to be higher[127].

10.6.18 The EUAA Country Focus also noted that:

‘According to ACLED data [from 1 July 2022 to 30 September 2023] over fatalities in Kandahar Province, 29 events (out of 100) concerned killings of former security forces personnel, as well as the killing of one former customs department employee. The Taliban was the main identified perpetrator, but in many cases the actor behind the killings was unknown. In an interview carried out by the Afghanistan Analyst Network (AAN), a former senior civil servant of the former government described how he and his two brothers had been able to return to Afghanistan (after fleeing to Turkey amid the Taliban takeover) after the general amnesty was announced. This individual stated that he had not faced any issues with the de facto authorities, and that they even let him carry a gun for his protection while travelling in his area of origin. He thought that the reason for the Taliban not targeting him or his family was due to the fact that they had not fought the Taliban but served as

[124] EUAA, Afghanistan – Country Focus (pages 57, 58), December 2023
[125] Netherlands MFA, General Country of Origin Report Afghanistan (pages 67, 68), June 2023
[126] Rawadari, Human Rights Situation Report 2023 (page 16), March 2024
[127] Rawadari, Human Rights Situation in Afghanistan… (pages 17 to 18), August 2023

civilians for the former republic. A former Afghan National Army (ANA) member from Nangarhar stated that he had been arrested and faced one week's imprisonment and subsequently was investigated two more times, as the social network of his home village did not protect him from retaliation. Rather, he had been "subjected to a 'show of force' by fellow tribesmen" on the winning side after the Taliban takeover.'[128]

Back to Contents

10.7 Profiles of people affected: former judges, lawyers and prosecutors

10.7.1 The EUAA Country Focus noted that:

'The Taliban ousted all judges after their takeover, and although prosecutors initially were told not to come to work, they were not formally dismissed. Some male judges working in administration and considered "professional" have, however, been asked to return to work according to interlocutors of the Afghanistan Analysts Network (AAN) ['What Do The Taleban Spend Afghanistan's Money On?...', March 2023]. The Office of the UN High Commissioner for Human Rights (OHCHR) on the other hand reported on 11 September 2023 that no former judges had been retained. ILAC [International Legal Assistance Consortium, 'Afghanistan_Report_2023'] reported that there were a few reports of a handful of male judges being called back to limited or temporary roles, but these reports remained unconfirmed and "extremely rare". Former prosecutors have been resuming work at the de facto prosecutor's office. Although emphasising that the numbers are not precise, ILAC estimated that 20–25% of former prosecutors had returned to work at the Attorney General's office in Kabul by late 2021. Later announcements by the Taliban supreme leader and the Taliban Attorney General, however, indicated that the de facto courts should not rely on prosecutors and that prosecutors should cease operations. The de facto Attorney General's Office has, however, not been abolished. The legal and operational status of prosecutors has remained unclear and "varied substantially from region to region" according to ILAC. Many prosecutors (as well as judges) have however reportedly been living in hiding or have left Afghanistan. Particularly women judges have fled the country. The Afghanistan Judges Association has stressed that male judges face a precarious situation which was also indicated by a legal consultant, who also emphasised that male prosecutors had been attacked, in a conversation with the International Bar Association.

'Among the 800 human rights violations documented by UNAMA in the period 15 August 2021–30 June 2023, 2% targeted former judges and prosecutors. Criminal offenders released by the Taliban have sought to carry out reprisals against prosecutors and judges who had sentenced them. According to a member of the Association of Prosecuting Attorneys Afghanistan, as cited by the Guardian, at least 28 former prosecutors and their family members have been killed since the Taliban takeover. The UN Special Rapporteur reported on over a dozen former prosecutors being killed in July–December 2022.'[129]

[128] EUAA, Afghanistan – Country Focus (page 61), December 2023
[129] EUAA, Afghanistan – Country Focus (pages 63, 64), December 2023

10.7.2 The Netherlands MFA report stated in regard to lawyers that:

'In November 2021, the Taliban incorporated the Afghanistan Independent Bar Association (AIBA) into the de facto Ministry of Justice. They stripped the Office of the Attorney General and the AIBA of their key roles. They issued a decree requiring lawyers to renew their licences. This process was only open to men. As a result, female lawyers – previously a quarter of the total – could no longer practise their profession. More than 250 female judges and hundreds of female lawyers and prosecutors were removed in this way. The de facto Ministry of Justice reported that as of 10 November 2022, 1,275 of the 1,332 assessed lawyers had met the conditions. 947 of these had received renewed licences. Prior to August 2021, there were 6,000 practising lawyers, including 1,500 women.'[130]

10.7.3 As of 4 July 2023, 1,479 male defence lawyers had been re-licensed, noted the Report of the Special Rapporteur, dated 11 September 2023[131].

10.7.4 In September 2023, VOA claimed that:

'When the Taliban seized power in 2021, they not only dismantled the attorney-general's office but persecuted former prosecutors who had previously built criminal cases against thousands of Taliban insurgents.

'Thousands of prisoners the Taliban set free from jails across Afghanistan in 2021 have sought to carry out reprisals against prosecutors and judges resulting in the killings of more than a dozen former prosecutors, the U.N. human rights body reported in January.'[132]

10.7.5 The Report of the Special Rapporteur on the situation of human rights in Afghanistan, covering the period mainly from September 2023 to January 2024, published February 2024, noted that '… judges and prosecutors who served with the Islamic Republic have informed the Special Rapporteur that they are facing dire circumstances, not only being without jobs but also fearing for their lives and seeking assistance and relocation.'[133]

10.7.6 The Report of the Special Rapporteur also claimed that 'Despite the Taliban's proclaimed amnesty, they have targeted not only former security personnel but also former members of the judiciary. The Special Rapporteur received information about the killing of 20 prosecutors (18 men and 2 women) across the country since January 2023…'[134], and that 'judges and prosecutors are under threat of retaliation from prisoners who were released immediately after the takeover.'[135]

Back to Contents

11. People perceived to be associated with armed opposition groups

11.1 The main armed opposition groups

11.1.1 In its August 2022 report, ICG described Islamic State – Khorasan Province (IS-KP) and the National Resistance Front (NRF) as 'the main

[130] Netherlands MFA, General Country of Origin Report Afghanistan (page 115), June 2023
[131] UNHRC, Situation of Human Rights in Afghanistan… (paragraph 21), 11 September 2023
[132] VOA, Taliban Undertake Speedy Overhaul of Afghanistan's Justice System, 28 September 2023
[133] UNHRC, Situation of human rights in Afghanistan… (paragraph 85), 22 February 2024
[134] UNHRC, Situation of human rights in Afghanistan… (paragraph 85), 22 February 2024
[135] UNHRC, Situation of human rights in Afghanistan… (paragraph 85), 22 February 2024

contenders.'[136]

11.1.2 ACLED explained, on how they codify their data, that 'the Islamic State (IS) is also active in Afghanistan. In 2015, IS announced the formation of an Afghanistan/South Asia affiliate which refers to itself as Islamic State of Iraq and the Levant – Khorasan Province (ISIL-KP).'[137]

11.1.3 Independent think tank, Council on Foreign Relations (CFR), noted in its backgrounder on the Taliban, last updated in January 2023, that 'The Islamic State in Khorasan, with up to four thousand members in Afghanistan, has emerged as the Taliban's main military threat.'[138] The same report added 'In addition, a resistance movement of former officials, local militia members, and Afghan security forces who call themselves the National Resistance Front formed to oppose the Taliban's rule.'[139]

11.1.4 Rahimi opined in a March 2023 Al Jazeera article that 'ISKP remains the most serious internal threat targeting Taliban officials … in Afghanistan.'[140]

11.1.5 Mills' March 2024 paper on Taliban Governance for the ISW noted that:

'The Taliban faces several significant domestic challenges to its rule. In general terms, they fall into two categories – representatives of pre-Taliban leaders and groups that do not accept the Taliban's rule and members of terrorist groups such as the Islamic State Khorasan Province (ISKP) that were the target of attacks by United States, Afghan, and Taliban forces before the Taliban takeover and remain at odds with the Taliban today. The first category includes groups such as the National Resistance Front (NRF) and the Afghanistan Freedom Front (AFF), both are anti-Taliban groups formed following the Taliban capture of Kabul and are led by or associated with former Afghan National Security Forces (ANSF) officers and former Afghan government officials.'[141]

11.1.6 ICG's August 2022 report noted 'Afghanistan remains home to several jihadist groups, including al-Qaeda, TTP, the Islamic Movement of Uzbekistan and others.'[142]

11.1.7 The Report by the UN Secretary-General, dated 1 December 2023, noted that 'Compared with the same period in 2022, actual attacks on the de facto authorities were fewer in number, despite an increase in the number of claimed attacks by groups on social media. The Afghanistan Freedom Front was the most active group during the reporting period, although its attacks remained small in scale, while the National Resistance Front was much less active than in 2022, carrying out no attacks in its traditional stronghold of Panjshir.'[143]

11.1.8 The same report added 'Four additional armed political opposition groups announced their existence during the reporting period – the Afghanistan

[136] ICG, Afghanistan's Security Challenges under the Taliban (section V(B)), August 2022
[137] ACLED, Coding decisions on the Taliban … and more, updated 29 November 2023
[138] CFR, The Taliban in Afghanistan, updated 19 January 2023
[139] CFR, The Taliban in Afghanistan, updated 19 January 2023
[140] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[141] ISW, Taliban Governance in Afghanistan (page 15), March 2024
[142] ICG, Afghanistan's Security Challenges under the Taliban (section V(C)), August 2022
[143] UNGA, UNSC, Report of the Secretary-General (paragraph 18), 1 December 2023

National Guard Front, the National Mobilization Front, the National Battle Front and the Afghanistan United Front – with no attacks claimed by the latter two groups.'[144]

Back to Contents

11.2 Islamic State Khorasan Province (ISKP)

11.2.1 An August 2023 Associated Press (AP) News article described how '[the Taliban] have improved domestic security through crackdowns on armed groups such as the Islamic State' and that 'The Islamic State has struck high-profile targets in deadly bombings, including two government ministries, but the militants lack fighters, money and other resources to wage a major offensive against the Taliban.'[145]

11.2.2 Loyn claimed in November 2023 that ISKP had 'a growing presence.'[146]

11.2.3 A March 2024 article in RFE/RL noted that 'As well as continuing to carry out attacks in Afghanistan and Pakistan, IS-K appears to have shifted its focus to external operations in recent months.'[147]

11.2.4 The same article added 'IS-K is made up of Afghan and foreign fighters. In a report published in June 2023, the UN Security Council said the number of IS-K militants in Afghanistan ranged "from 4,000 to 6,000," including family members. Some experts estimate that the number is much lower.'[148]

11.2.5 A January 2024 article by Rahimi and Andrew Watkins (Senior Expert with the United States Institute of Peace (USIP)), citing other sources, considered that 'ISK proved capable of targeting foreign institutions and assassinating senior officials inside Afghanistan throughout 2023, and has evolved into a serious security concern across the region – as the attack in Iran demonstrated in the first days of 2024. But the group is far from posing an existential threat to the Taliban's authority – and indeed, appears to have adjusted its foreseeable objectives in light of that fact.'[149]

11.2.6 For more information on suspected affiliates of ISKP, see pages 67 to 69 of the EUAA Country Focus.

Back to Contents

11.3 The National Resistance Front (NRF)

11.3.1 ICG's August 2022 report noted:

'The NRF has struggled to broaden its appeal beyond its bastion in Panjshir, and several prominent northern commanders have refrained from throwing their weight behind it. Although the Afghanistan Freedom Front and the NRF have reportedly cooperated in a few limited cases, unification between the two seems unlikely with each group seeking to attract fighters away from the other. A merger between the High Resistance Council and the NRF is

[144] UNGA, UNSC, Report of the Secretary-General (paragraph 18), 1 December 2023
[145] AP News, The Taliban Are Entrenched in Afghanistan after 2 Years of Rule, 14 August 2023
[146] Loyn D, The scattered forces opposing the Taliban need support now, updated November 2023
[147] RFE/RL, From Offshoot To "Spearhead": The Rise Of IS-K, 26 March 2024
[148] RFE/RL, From Offshoot To "Spearhead": The Rise Of IS-K, 26 March 2024
[149] Rahimi H and Watkins A H, Taliban Rule at 2.5 Years January 2024

similarly unlikely, at least for now, due to squabbles over leadership.'[150]

11.3.2 A CFR backgrounder, last updated in January 2023, reported that 'the National Resistance Front … is based in the mountainous, northern Panjshir Province and has launched guerrilla-style attacks in several other provinces.'[151] It also noted that 'analysts say the group is currently not strong enough to threaten the Taliban's control.'[152]

11.3.3 The joint ACLED and APW report of August 2023 cited Mills (ISW, September 2022[153]), to explain that 'The largest anti-Taliban armed group, the National Resistance Front (NRF), has been operating mainly in the northeast of the country, primarily in and around Panjshir province. The NRF also expanded further in northern Afghanistan in mid-2022, notably in Takhar province.'[154]

11.3.4 Mills' March 2024 paper for the ISW noted that 'The NRF is led by the son of former Afghan warlord Ahmad Shah Massoud, Ahmad Massoud, and operates in mostly Tajik areas of northeastern Afghanistan.'[155]

11.3.5 The Uppsala Conflict Data Program (UCDP), a data collection programme on organised violence based at Uppsala University in Sweden, undated profile of the NRF estimated that it 'controlled between a few thousands [sic] and up to 10 000 troops', but also considered that '… with Panjshir being encircled by Taleban, and without international support, NRF's military capabilities were likely to be limited.'[156]

11.3.6 For more information, including reprisal attacks (see Taliban reaction to the main armed opposition groups), on suspected affiliates of the NRF, see pages 66 to 67 of the EUAA Country Focus. Further details of the NRF is also included in Appendix B of Mill's March 2024 ISW paper.

Back to Contents

11.4 The Afghanistan Freedom Front (AFF)

11.4.1 The UCDP noted in its undated profile of the AFF that 'Alternative names include National Liberation Front, National Freedom Front, Afghanistan Liberation Front, and Azadi Front.'[157]

11.4.2 Mills' March 2024 paper for the ISW noted that 'The AFF operates across ethnic boundaries in both southern and northeastern Afghanistan and is led by former Takhar governor and former Afghan National Army Chief of Staff Yassin Zia.'[158]

11.4.3 Further details of the AFF is included in Appendix B of Mills' March 2024 ISW paper.

Back to Contents

[150] ICG, Afghanistan's Security Challenges under the Taliban (section V(B)), August 2022
[151] CFR, The Taliban in Afghanistan, updated 19 January 2023
[152] CFR, The Taliban in Afghanistan, updated 19 January 2023
[153] ISW, Taliban struggles to contain Afghan National Resistance Front, 7 September 2022
[154] ACLED and APW, Two Years of Repression…, 11 August 2023
[155] ISW, Taliban Governance in Afghanistan (page 15), March 2024
[156] UCDP, [Profile of the] NRF, no date
[157] UCDP, [Profile of the] AFF, no date
[158] ISW, Taliban Governance in Afghanistan (page 15), March 2024

11.5 Other armed opposition groups

11.5.1 An April 2022 English language version of a blog entry by the Swiss Institute for Global Affairs, as well as listing (and providing some further detail) about the NRF noted:

'… an array of additional resistance groups have announced their existence since the Taliban's return to power. These groups are namely:

- the National Resistance Council, which allegedly includes major anti-Taliban key figures of the past decades such as Abdurrab Rasul Sayyaf, Mohammad Younus Qonuni, Ata Mohammad Noor, Abdul Rashid Dostum, Muhammad Mohaqiq, Abdul Hadi Arghandiwal, and Engineer Mohammad Khan;
- the Unknown Soldiers of Hazaristan, referring to a part of central Afghanistan predominantly inhabited by the ethnic minority of the Hazaras;
- the Liberation Front of Afghanistan;
- the Afghanistan Islamic National & Liberation Movement;
- the Afghanistan Freedom Front;
- the Freedom and Democracy Front, another apparent Hazara-centred resistance group; and
- the Freedom Corps that claims to be active in parts of the northeastern province of Takhar.'[159]

Back to Contents

11.6 Taliban reaction to the main armed opposition groups

11.6.1 The EUAA Country Focus noted that 'The Taliban have responded to armed opposition with force, with subsequent reports on summary executions, detentions, and ill-treatment of detainees, as well as collective punishment and abuses of civilians suspected of supporting anti-Taliban groups.'[160] The same report also referred to UNAMA's reporting from March 2022 until August 2023, in which they claimed to have 'documented 408 arbitrary arrests and detentions of individuals perceived as NRF [National Resistance Front] affiliates and 39 arbitrary arrests and detentions of individuals perceived as ISKP affiliates.'[161]

11.6.2 Rawadari's report covering the whole of 2023 noted that:

'In 2023, Taliban unlawfully detained and imprisoned at least 124 individuals on the charges of membership in the National Resistance Front and other opposition groups. ….

'There are also cases where the Taliban have detained and imprisoned their opponents on the charges of collaborating with DAESH (ISIS). For example, on 30 August 2023, Taliban raided a residential house in Nimruz province and arrested five individuals on the charges of collaborating with the ISIS,

[159] Swiss Institute for Global Affairs, Vive la Résistance in Afghanistan?, March/April 2022
[160] EUAA, Afghanistan – Country Focus (page 65), December 2023
[161] EUAA, Afghanistan – Country Focus (page 65), December 2023

subjecting them to beatings and detention.'[162]

11.6.3 Rawadari also reported on the abuse and detention of family members of people affiliated to armed opposition forces:

'Additionally, the intelligence forces of the Taliban have detained relatives and close associates of members of the NRF in some provinces. For instance, on the 24 August 2023, in Badakhshan province, the Taliban detained the sons and several family members of a local commander of the NRF. This local commander had previously been killed by the Taliban. Moreover, 52 relatives of NRF fighters in this province, who had participated in the funeral prayers for some of the deceased members of the NRF, were beaten up by the Taliban and Taliban members disrupted the funeral ceremony. Some of the mourners were also detained by the Taliban.'[163]

11.6.4 According to data collected by Rawadari, the Taliban killed at least 21 civilians accused of affiliation with the NRF and other opposition groups in 2023. The report provided examples[164].

11.6.5 SIGAR noted in its quarterly report to Congress, based on a range of sources, dated 30 January 2024, that:

'The Taliban reportedly keep a "most wanted" list of about 600 opposition fighters, labeling them "evil and corrupt." On December 1 [2023], Taliban defense minister Mohammad Yaqoob said, "to those organizing gatherings with the intent to undermine the country's security or create chaos, know that the Taliban leadership has granted you pardon and the arms of the security forces are open to you," reiterating the Taliban's general amnesty offered after their August 2021 takeover. On the same day, the Taliban claimed to detain four NRF members in Kabul, including a former ANDSF official. The NRF denied affiliation with these detained individuals, suggesting the arrests aimed to detain former ANDSF members, rather than quell the NRF, even though former Afghan government and military officials account for most opposition groups' membership.'[165]

Back to Contents

12. Other 'opposition' to the Taliban

12.1.1 An August 2023 AP News article, citing one of their earlier (January 2023) articles[166] noted 'There's no armed or political opposition with enough domestic or foreign support to topple the Taliban. A fighting force resisting Taliban rule from the Panjshir Valley north of Kabul is being violently purged.'[167] (see National Resistance Front (NRF))

12.1.2 Rahimi and Watkins considered in January 2024 that the Taliban '… have managed to consolidate control over the country with a growing confidence that they face no real domestic challengers.'[168]

[162] Rawadari, Human Rights Situation Report 2023 (page 18), March 2024
[163] Rawadari, Human Rights Situation Report 2023 (page 18), March 2024
[164] Rawadari, Human Rights Situation Report 2023 (pages 13, 14), March 2024
[165] SIGAR, Quarterly Report to Congress (page 43), 30 January 2024
[166] AP News, Afghan Taliban Kill 8 in Raids of IS Hideouts in Afghanistan, 5 January 2023
[167] AP News, The Taliban Are Entrenched in Afghanistan after 2 Years of Rule 14 August 2023
[168] Rahimi H and Watkins A H, Taliban Rule at 2.5 Years, January 2024

12.1.3 An August 2023 AP News article, citing one of their earlier (July 2023) articles[169] noted 'public protests are rare'[170].

12.1.4 RFE/RL, citing an Azadi Radio article[171] noted in August 2023 that the Taliban had 'banned all political parties, saying there is "no justification" for them under Shari'a law.' The article cited the Taliban's de facto justice minister, as having said during a news conference on 16 August 2023 that '"Political parties are banned completely, we will not permit any political party to operate in the country."'[172]

12.1.5 In its 2023 Freedom in the World report, Freedom House considered that 'Afghanistan is an effective one-party state under the Taliban. Political parties have no legal protection. However, some parties informally operate in Afghanistan; their leaders operate in exile abroad.'[173] The report added that 'The Taliban tolerate no opposition.'[174]

12.1.6 Rahimi and Watkins considered in January 2024 that 'Building on their strengths as an insurgent movement, the Taliban have utilized the resources of that leftover state and have begun to craft a sophisticated, if low-budget security state, with extensive monitoring, policing, and limitation of dissent and political expression.'[175]

Back to Contents

13. Ethnic and/or religious minorities

13.1 Ethnic and tribal identity

13.1.1 The Report of the Special Rapporteur, dated February 2024, noted that 'Afghanistan is a multi-ethnic, multilinguistic and multireligious country, made up of Pashtuns, Tajiks, Hazaras, Uzbeks, Turkmen, Aimaq and Baluchi, as well as Sunni, Shia, Sikhs, Hindus, Baha'is, Christians, Ahmadiyya, Ismaili and many other religious, ethnic and linguistic communities.'[176]

13.1.2 Jackson noted her 2021 book that 'the implications of ethnic and tribal identity are complex and have often been misunderstood.'[177] She cited scholar Christian Bleuer as having described 'much of what has been written as "ethnic stereotyping of behaviour or assumed behaviour based on lack of knowledge."'[178] Jackson also pointed out that 'To support his case, Bleuer recalls that conventional wisdom in Western policy circles before 2010 was that Pashtuns in the north would never join the Taliban – until they did, along with Uzbeks and Tajiks, who many also believed would never be drawn to the Taliban for reasons of identity politics.'[179]

13.1.3 Jackson also noted that 'There are, of course, those who see ethnic and

[169] AP News, Taliban ... Break up Afghan Women Protesting Beauty Salon Ban, 19 July 2023
[170] AP News, The Taliban Are Entrenched in Afghanistan after 2 Years of Rule, 14 August 2023
[171] Azadi Radio, The Taliban government banned the activities of political parties…, not known
[172] RFE/RL, Taliban Bans Political Parties … Declaring Them Un-Islamic, 17 August 2023
[173] Freedom House, Freedom in the World 2024 (B1), 29 February 2024
[174] Freedom House, Freedom in the World 2024 (B2), 29 February 2024
[175] Rahimi H and Watkins A H, Taliban Rule at 2.5 Years, January 2024
[176] UNHRC, Situation of human rights in Afghanistan… (paragraph 50), 22 February 2024
[177] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (pages 54 to 55), August 2021
[178] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (pages 54 to 55), August 2021
[179] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (pages 54 to 55), August 2021

tribal identity as more stable and determinative of behaviour and political dynamics in Afghanistan' but she argued for 'a more nuanced stand: ethnicity and tribe are not the only forms of identity that matter, and in many instances they may not even be the most important ones.'[180]

13.1.4 She added '… ethnic and tribal identity does indeed play an operational (if not always straightforward) role in political and economic life. At the same time, kin and neighbours (or qawm) – than they might with any broader Afghans often display closer links to the people they live with their national level co-ethnic grouping (Barfield, 2010; Rubin, 2002). Qawm is, in essence, one's personal network. What this suggests is that Afghan forms of identity are functional and situational, and that Afghans mobilise various elements of their identity to suit the circumstances at hand. Crucially, forms of identity and social organisation – whether qawm or tribe or ethnic group – are shored up by reciprocal relationships.'[181]

13.1.5 Abbas (May 2023) concluded '… whether Afghanistan is to truly see a new future as regards its treatment of minorities, who knows – but the intentions among some Taliban to do so are there.'[182]

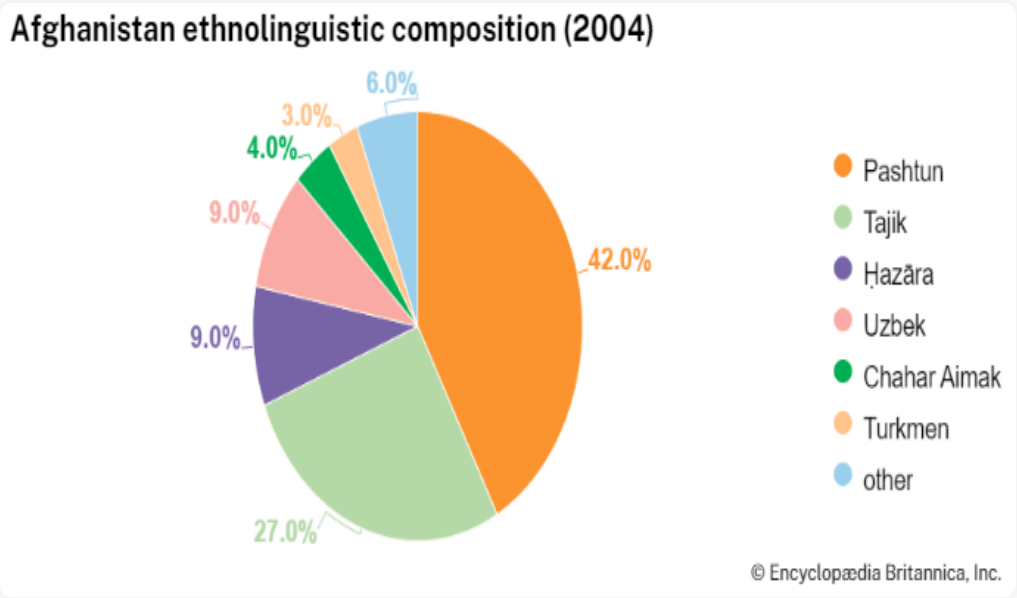
Back to Contents

13.2 Ethnic and tribal demography

13.2.1 An entry on people and ethnic groups in Afghanistan in Encyclopaedia Britannica noted that 'No national census has been conducted in Afghanistan since a partial count in 1979, and years of war and population dislocation have made an accurate ethnic count impossible.'[183]

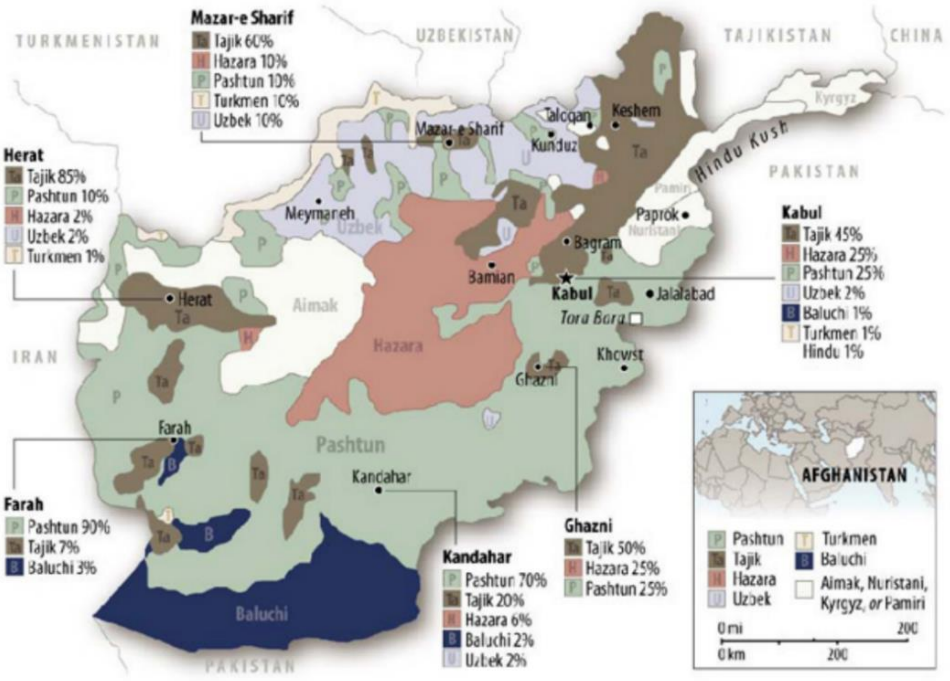
13.2.2 However, the entry noted that 2004 population estimates were '… rough approximations, which show that Pashtuns comprise about two-fifths of the population. The two largest Pashtun tribal groups are the Durrānī and Ghilzay. Tajiks are likely to account for some one-fourth of Afghans, while Ḥazāra and Uzbeks each constitute nearly one-tenth. Chahar Aimaks, Turkmen, and other ethnic groups each account for small portions of the population.'[184]

[180] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (pages 54 to 55), August 2021
[181] Jackson A, Negotiating Survival: Civilian–Insurgent Relations… (pages 54 to 55), August 2021
[182] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 118), May 2023
[183] Britannica, Afghanistan (People - Ethnic Groups), no date
[184] Britannica, Afghanistan (People - Ethnic Groups), no date



Source: Britannica[185]

13.2.3 In a 2014 paper, the CFR, courtesy of the Congressional Research Service, illustrated the ethnic make-up of Afghanistan in some of its major cities[186]:



Courtesy Congressional Research Service

13.2.4 DFAT's January 2022 Thematic Report noted that 'Accurate data on ethnic groups is not available, but the 2004 constitution recognises 14 ethnic groups: Pashtun, Tajik, Hazara, Uzbek, Baloch, Turkmen, Nuristani, Pamiri, Arab, Gujar, Brahui, Qizilbash, Aimaq, and Pashai.'[187] DFAT map[188]:

[185] Britannica, Afghanistan (People - Ethnic Groups), no date
[186] CFR, The Taliban in Afghanistan, 2014
[187] DFAT, Thematic Report on Political and Security Developments… (paragraph 2.5), January 2022
[188] DFAT, Thematic Report on Political and Security Developments… (page 1), January 2022

13.2.5 The CIA World Factbook estimated the population to be 40.1 million as of 2024 and noted the country was 99.7% Muslim (between 84.7% and 89.7% Sunni and 10% to 15% Shi'a) and less than 0.3 % other religions[189].

13.2.6 The United States Commission on International Religious Freedom (USCIRF) 2024 Annual Report noted that 'Many religious minorities fled Afghanistan following the Taliban's 2021 takeover, but small communities of Christians, Ahmadiyya Muslims, Hindus, and Sikhs remain.'[190]

Back to Contents

13.3 General treatment of ethnic/religious groups

13.3.1 The USCIRF 2024 Annual Report asserted that 'Under Taliban rule, Hindus, Sikhs, and Christians face severe restrictions, including on their dress and appearance, and have been prohibited from celebrating their religious holidays publicly', and added that 'Shi'a Muslims also continued to face harassment, violence, and interference with their right to worship.'[191]

13.3.2 The same report also claimed that 'Throughout the year, Taliban officials … detained a number of journalists, women's rights activists, and religious minorities.'[192] However, the report did not quantify how many the 'number' included, nor which fell into which category and gave no further details of the frequency, length, or other circumstances of the detentions.

13.3.3 The US Department of State report on human rights published in April 2024,

[189] CIA, World Factbook (People and society), last updated 22 May 2024
[190] USCIRF, 2024 Annual Report (page 14), 5 May 2024
[191] USCIRF, 2024 Annual Report (page 14), 5 May 2024
[192] USCIRF, 2024 Annual Report (page 14), 5 May 2024

covering 2023, cited 'Significant human rights issues included credible reports of… crimes involving violence or threats of violence targeting members of ethnic and religious minority groups (Hazara, Sikh, Shia, Salafi, Ahmadi, Hindu, and Christian groups)…'[193]

13.3.4 Rahimi noted in a March 2023 article in Al Jazeera that 'Despite publicly conciliatory messages towards Afghanistan's ethnic and religious minorities, the IEA has excluded them from power', and that it had 'failed to protect them from attacks by the Islamic State Khorasan Province (ISKP).'[194] The same article considered that 'ISKP remains the most serious internal threat targeting … religious minorities in Afghanistan.'[195]

13.3.5 Amnesty International's report on the state of the world's human rights for 2023 observed that 'People from Hazara, Uzbek, Turkmen and Tajik ethnic groups faced growing marginalization and forced eviction from their homes and land. Members of the Baloch community were reportedly detained and forcibly disappeared.'[196]

Back to Contents

13.4 Shias and Hazaras

13.4.1 In a February 2023 article by the San Jose State University Human Rights Institute (SJSU HRI), they explained that 'Hazara people are an ethnic minority group who live largely in the central mountainous region of Afghanistan (Hazarajat). Population estimates suggest Hazaras make up about 10-20% of the Afghan population, but it's difficult to find current, reliable statistics. Most Hazaras are Shia Muslims – religious minorities in Afghanistan who speak Hazaragi and Dari, two dialects of Farsi.'[197]

13.4.2 DFAT's January 2022 Thematic Report concluded that 'Outside of Hazaras, DFAT is not aware that other ethnic groups in Afghanistan face discrimination or violence on the basis of their ethnicity, despite the dominance of Pashtuns within the Taliban.'[198]

13.4.3 SJSU HRI's February 2023 article also claimed that 'Today Hazara communities are facing increased threats of arbitrary arrest, disappearance, loss of employment and education, denial of humanitarian aid, and forced displacement.'[199]

13.4.4 According to Abbas (May 2023), Hazaras '… are specifically targeted not only for tribal and ethnic reasons but because of anti-Shia sectarianism as well'[200] and they have 'Continuously since the Taliban's inception, been victims of unbelievable human rights violations.'[201] Abbas opined that 'It is hard then to believe that today's Taliban, with such intense genocidal hatred

[193] USSD, 2023 Country Report on Human Rights Practices: Afghanistan, 22 April 2024
[194] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[195] Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023
[196] AI, 'The State of the World's Human Rights; Afghanistan 2023', 24 April 2024
[197] SJSU HRI, Human Rights Conditions for Hazaras in AFG Under the Taliban, 7 February 2023
[198] DFAT, Thematic Report on Political and Security Developments… (paragraph 3.6), January 2022
[199] SJSU HRI, Human Rights Conditions for Hazaras in AFG Under the Taliban, 7 February 2023
[200] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left (page 113), May 2023
[201] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left (page 113), May 2023

in their past, could be capable of reform.'[202]

13.4.5 However, Abbas stated that a philanthropist visiting Afghanistan (2022) said that during the Shia commemoration of Muharram '… almost every pole in the streets of Kabul hoisted a black flag signifying the days of mourning. The public display of some Shia symbols such as this was allowed without much interference…'[203] Also adding, '… the major Ashura procession in Mazar-e-Sharif was dropped – but for an interesting reason. The Taliban had told Shias there that a big procession would attract ISK's attention, and advised them to divide the community into four small groups across the city so the Taliban could provide better security – a great contrast from the days when such processions were either completely banned or targeted by the Taliban themselves!'[204]

13.4.6 The Report of the Special Rapporteur '… documented at least seven attacks that have been carried out against Shia Muslims of Hazara ethnicity between September 2023 and January 2024, a concerning increase in comparison with the first nine months of 2023.'[205] The report indicated that most attacks were claimed by ISKP[206].

13.4.7 The same report noted that, between 22 November and 1 December 2023, 3 shootings in Herat resulted in 9 fatalities, including four Shia Ulema Council members. No one has claimed responsibility. In response, hundreds of Hazaras peacefully protested in Herat City, demanding justice and security. The de facto Ministry of the Interior termed the Herat incident a 'terrorist attack' and offered condolences to the victims. The de facto governor reportedly met with Hazara communities and promised investigations. The Special Rapporteur reported that subsequent arrests have been made concerning the Herat incidents[207].

13.4.8 A May 2024 report by JURIST, in which law students report on the rule of law, claimed that 'After the resurgence of the Taliban, the Hazaras and Shia of Afghanistan have faced violence, systematic discrimination and exclusion. The targeting of Hazaras has intensified and many attacks go unprosecuted.'[208]

Back to Contents

13.5 Sikhs and Hindus

13.5.1 In his February 2024 report, the Special Rapporteur noted with concern 'that the number of Sikh and Hindu families that reside in Afghanistan has dropped further due to the security and economic situation. Community representatives indicate that there are about 50 Sikh and Hindu families left in Afghanistan.'[209]

13.5.2 USCIRF's 2024 Annual Report noted that 'An estimated 50 Hindus were in

[202] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left (page 113), May 2023
[203] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 117), May 2023
[204] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 117), May 2023
[205] UNHRC, Situation of human rights in Afghanistan… (paragraph 54), 22 February 2024
[206] UNHRC, Situation of human rights in Afghanistan… (paragraph 55), 22 February 2024
[207] UNHRC, Situation of human rights in Afghanistan… (paragraph 57), 22 February 2024
[208] JURIST, Hazaras and Shias: Violence, Discrimination, and Exclusion Under the Taliban, May 2024
[209] UNHRC, Situation of human rights in Afghanistan… (paragraph 59), 22 February 2024

Afghanistan in 2021, while eight Sikhs … remained in 2023.'[210]

13.5.3 Reporting in December 2023 and January 2024, the Times of India were informed by a Sikh resident in Kabul that there were around 50 Sikhs and Hindus in Afghanistan, with around 24 living in Kabul, about half of whom were Sikhs[211] [212]. Other Sikhs and Hindus resided in cities such as Jalalabad, Kandhar and Ghazni[213]. Security had been provided by the Taliban for the 9 gurdwaras and 2 temples in Kabul, although the Gurdwara Karte Parwan, Kabul, was the primary and only functional gurdwara in Afghanistan[214] [215]. Despite Taliban assurances, Sikhs and Hindus living in the country continued to feel insecure hence sending their families to India or elsewhere, stated the Sikh resident[216].

13.5.4 The Report of the Special Rapporteur noted that in October 2023, '… the Taliban took the rare step of appointing a representative of the Hindu and Sikh communities to the de facto municipality council of Kabul.'[217]

13.5.5 In April 2024, Indian national newspaper, The Hindu, stated that the Taliban was working to restore properties to Afghan Hindus and Sikhs, which were seized by warlords during past conflicts. A spokesperson for the Taliban's Justice Ministry, Hafez Barakatullah Rasuli, told The Hindu that the Taliban was committed to protecting the rights of these minority communities and ensuring their properties were restored. Suhail Shaheen, head of the Taliban's political wing, announced the formation of a commission to address these issues. Narender Singh Khalsa, a former Afghan MP, returned from Canada following Taliban assurances regarding his rights. The Taliban's pledges aligned with Islamic Hanafi jurisprudence, which details the rights of religious minorities, according to Rasuli[218].

13.5.6 A May 2022 VOA article quoted a Taliban spokesman as saying that Sikhs and Hindus were '"… completely free and safe to practice their religion."'[219]

Back to Contents

13.6 Christians

13.6.1 A May 2022 article by VOA noted 'There is no official data available about Christianity in Afghanistan, but USCIRF, quoting ICC [International Christian Concern], has reported 10,000 to 12,000 Christian converts in the Muslim country.'[220] Christian rights group, Open Doors, in its World Watch List (WWL) 2024 for Afghanistan (covering the period 1 October 2022 to 30 September 2023, dated January 2024[221], as per its WWL Methodology[222])

[210] USCIRF, 2024 Annual Report, (page 14), 5 May 2024
[211] Times of India, Braving threats, Afghan Sikhs and Hindus uphold daily…, 17 December 2023
[212] Times of India, Afghanistan: Afghan, Pak Sikhs to celebrate 'Parkash Purb', 5 January 2024
[213] Times of India, Braving threats, Afghan Sikhs and Hindus uphold daily…, 17 December 2023
[214] Times of India, Braving threats, Afghan Sikhs and Hindus uphold daily…, 17 December 2023
[215] Times of India, Afghanistan: Afghan, Pak Sikhs to celebrate 'Parkash Purb', 5 January 2024
[216] Times of India, Braving threats, Afghan Sikhs and Hindus uphold daily…, 17 December 2023
[217] UNHRC, Situation of human rights in Afghanistan… (paragraph 53), 22 February 2024
[218] The Hindu, Taliban is 'particularly committed' to protect rights of Hindus and Sikhs…, 16 April 2024
[219] VOA, Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022
[220] VOA, Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022
[221] Open Doors, Afghanistan Full Country Dossier (page 4), January 2024
[222] Open Doors, 'Complete World Watch List Methodology', October 2023

estimated the number of Christians remaining in Afghanistan was in the 'thousands'[223] adding 'Almost all Afghan Christians are converts from Islam…'[224] However, the VOA article quoted a Taliban spokesman as having said '"There are no Christians in Afghanistan. Christian minority has never been known or registered here".'[225]

13.6.2 VOA's article also noted that the Taliban spokesperson 'did not specify what the Taliban will do if they find Afghans who have converted to Christianity'[226], but opined that 'quitting Islam has always been considered apostasy and punishable by law in Afghanistan.'[227]

13.6.3 USCIRF's 2024 Annual Report noted that 'fewer than 10,000 Christians remained in 2023, despite the Taliban's previous claim that no Christians are present in the country.'[228]

13.6.4 USCIRF's 2024 Annual Report reported that 'The Taliban considers Afghans who convert from Islam to Christianity as "apostates" and as such subject to the death penalty'[229] and claimed that 'the Taliban in September [2023] detained 18 NGO workers, accusing them of promoting Christianity.'[230]

13.6.5 Open Doors WWL 2024 noted that:

'The overall score [for levels of persecution[231]] for Afghanistan remains extremely high. This does not mean that each and every Christian in the country is being forced to flee (although each and every Christian will hide his or her faith even more carefully with the Taliban in power); it does not mean that church life is not possible at all or that house-churches cannot meet at all. It also does not suggest that the persecution situation cannot get worse again. However, as one country expert put it: "There is no way to speculate on the growth of the church. The usual indices are missing. ... [T]he underground church is maintaining silence."'[232]

13.6.6 The same report noted:

'The WWL 2024 Persecution pattern for Afghanistan shows:

- The pressure on Christians in Afghanistan is at an extreme level and showed a very slightly higher average (15.9 points) compared to WWL 2023. Christian converts continue to face the fact that they need to comply with all Taliban rules and remain hidden.
- While extreme scores for pressure in the Family, Private and Community spheres are typical for strictly Islamic countries, the extreme pressure in the National sphere and the nearly maximum score in Church sphere highlight two things: i) a government relying on strictly interpreted Islamic rules and a basically tribal society; and ii) the impossibility of any visible

[223] Open Doors, Afghanistan Full Country Dossier (page 11), January 2024
[224] Open Doors, Afghanistan Full Country Dossier (pages 6, 31), January 2024
[225] VOA, Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022
[226] VOA, Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022
[227] VOA, Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022
[228] USCIRF, 2024 Annual Report (page 14), 5 May 2024
[229] USCIRF, 2024 Annual Report (page 14), 5 May 2024
[230] USCIRF, 2024 Annual Report (page 14), 5 May 2024
[231] Open Doors, 'Complete World Watch List Methodology', October 2023
[232] Open Doors, Afghanistan Full Country Dossier (page 32), January 2024

church being able to function within the country. All promises made to international bodies by the Taliban about making attempts to live up to and implement human rights standards have evaporated.

- The violence score remained at 4.6 points, as there was no concrete evidence to confirm a similar level of violence as in WWL 2022 … it has to be emphasized here that a lack of concrete evidence does not mean that higher levels were not occurring in reality. The few reports received indicate that the Taliban are more interested in arresting and interrogating suspected Christians (in order to identify networks) than in directly killing them.'[233]

Back to Contents

14. Women and girls

14.1 General situation for women and girls

14.1.1 The EUAA Country Focus noted that:

'Since their takeover, the de facto authorities have repeatedly expressed their commitment to respect women's and girl's rights within the framework of sharia. Several edicts, decrees and declarations have been issued by the Taliban since 15 August 2021, which have increasingly restricted women's and girls' freedom of movement, expression and behaviour, as well as their access to education, employment, healthcare, justice, and social protection. 'In practice, women and girls have been confined to the home…'[234]

14.1.2 In a June 2023 report, the UN Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls described the 'widespread and systematic discrimination to which women and girls in Afghanistan are subjected'[235] and concluded that:

'… nowhere else in the world has there been an attack as widespread, systematic and all-encompassing on the rights of women and girls as in Afghanistan. Every aspect of their lives is being restricted under the guise of morality and through the instrumentalization of religion. The discriminatory and restrictive environment, the climate of fear and the lack of accountability for the wide range of violations documented by the experts in the present report make it impossible for women and girls to exercise their rights, restrains all persons and organizations from defending them, and emboldens further abuses.'[236]

14.1.3 The report of the UN Special Rapporteur also opined that 'The pattern of large-scale systematic violations of women's and girls' fundamental rights in Afghanistan, abetted by the Taliban's discriminatory and misogynistic policies and harsh enforcement methods, constitutes gender persecution and an institutionalized framework of gender apartheid.'[237]

14.1.4 Rawadari noted in its 2023 report that:

[233] Open Doors, Afghanistan Full Country Dossier (page 37), January 2024
[234] EUAA, Afghanistan – Country Focus (page 71), December 2023
[235] UNHRC, Situation of women and girls in Afghanistan… (page 1), 15 June 2023
[236] UNHRC, Situation of women and girls in Afghanistan… (paragraph 97), 15 June 2023
[237] UNHRC, Situation of women and girls in Afghanistan… (paragraph 97), 15 June 2023

'Since regaining control over Afghanistan, Taliban have systematically implemented policies to exclude women from the public life. In the past nearly three years, Taliban have deprived Afghan women and girls of their most fundamental human rights and freedoms, including the right to education, the right to work and participate in public affairs, and the right to freedom of movement, without any regard to their legal commitments to respect international human rights obligations.'[238]

14.1.5 For a list of national decrees and instructions issued by the Taliban up to June 2023, which affect women and girls, see the EUAA Country Focus (Annex 3, page 160).

14.1.6 According to the EUAA Country Focus:

'The enforcement of issued edicts and instructions has not been consistent, especially at local level, "leading to a climate of legal uncertainty and fear, in which people self-censor to avoid punishment by individual Taliban officers who have their own understanding of the restrictions and punishments for perceived transgression." In practice, women's active participation in political, economic and social life has been largely curtailed in comparison to their situation under the previous government, and violations of women's rights under the de facto authorities have been systematic. While for most rural women, education and work opportunities have always been limited (beyond menial farm work), since the Taliban takeover, their situation has worsened, largely due to the deteriorating economy (e.g. forcing them to ration food, undertake more labour, avoid seeking medical assistance).'[239]

Back to Contents

14.2 Travel, 'mahram' (chaperone) rules

14.2.1 In January 2024, Radio Free Europe/Radio Liberty (RFE/RL) noted that 'In late 2021, the Taliban said women seeking to travel more than 72 kilometers should not be offered transport unless they were accompanied by a close male relative.'[240]. The same article explained that these rules 'rules prohibit women from leaving their home without a male chaperone [mahram], often a husband or a close relative such as a father, brother, or uncle'[241] and that 'Single and unaccompanied women, including an estimated 2 million widows, say they are essentially prisoners in their homes and unable to carry out the even the most basic of tasks.'[242]

14.2.2 According to the EUAA Country Focus:

'Some women and girls have been "disproportionately affected by lack of access to services and means to navigate the restrictive environment" including those without a male family member. The situation of widows has been socially and economically precarious, especially for widows without sons due to the intensified requirement of having a mahram.

'Female-headed households have also faced issues in accessing

[238] Rawadari, Human Rights Situation Report 2023 (page 23), March 2024
[239] EUAA, Afghanistan – Country Focus (pages 72, 73), December 2023
[240] RFE/RL, "All Doors Are Closed" … 31 January 2024
[241] RFE/RL, "All Doors Are Closed" … 31 January 2024
[242] RFE/RL, "All Doors Are Closed" … 31 January 2024

humanitarian assistance due to their lack of a mahram and the lack of female humanitarian staff.'[243]

Back to Contents

14.3 Dress code for women and girls

14.3.1 In May 2022, the Taliban ordered all women to observe 'sharia hijab', preferably by wearing a burqa or chador (a loose black garment covering the body and face) in public and made male relatives responsible for enforcing the ban or face punishment[244] [245].

14.3.2 The EUAA Country Focus stated that:

'Documented cases of women being harassed or beaten up at checkpoints for not wearing hijab, or ordered to return home from markets because they were not accompanied by a mahram have reportedly occurred frequently. However, journalist Ali Latifi also observed that, in the cities, some women defy Taliban's instructions to wear a black niqab or a blue chadari and continue to dress as they used to (e.g. colourful outfits, makeup, sunglasses and other expressions of personal style and fashion). However, Latifi also noted, that when women need to go to government buildings for instance, they will wear a "proper" dress in line with the Taliban's direction and would be accompanied by a male chaperone.'[246]

14.3.3 UNAMA reported that on 31 December 2023, officials of the DPVPV, in cooperation with de facto Police '… arrested women and girls predominantly in West Kabul/Dasht e-Barchi, a Hazara-dominated area, with some also taking place in Khair Khana, which is mainly populated by people of Tajik ethnicity and communities from Panjshir. To date, most of the women detained were released after several hours and upon their mahram signing a guarantee that the female relative will adhere to the hijab decree in future.'[247]

14.3.4 UNAMA added that they were 'looking into allegations of instances of ill-treatment, longer periods of detention, incommunicado detention and demands for payment of money in exchange for release.'[248] However, no further detail was provided on what that entailed or how it would be achieved or verified, or how many allegations (and how many allegations of each), or over what period the allegations referred.

14.3.5 UN experts expressed their concern at the reported arbitrary detention and ill-treatment of 'scores' of women and girls since early January 2024, for their alleged violation of the Taliban's dress code for women. It was noted that:

'The operations initially began in western Kabul, a predominantly Hazara populated area, but rapidly spread to other parts of the city, primarily Tajik populated areas, and other provinces, including Bamiyan, Baghlan, Balkh, Daykundi and Kunduz. Arrests and detentions were made in public places, including shopping centres, schools and street markets.

[243] EUAA, Afghanistan – Country Focus (pages 72, 73), December 2023
[244] AAN, "We need to breathe too": Women across Afghanistan navigate the Taleban…, 1 June 2022
[245] BBC News, Afghanistan face veil decree: "It feels like being a woman is a crime", 15 May 2022
[246] EUAA, Afghanistan – Country Focus (page 73), December 2023
[247] UNAMA, Human Rights Situation in Afghanistan: October – December… (page 3), January 2024
[248] UNAMA, Human Rights Situation in Afghanistan: October – December… (page 3), January 2024

'Women and girls were forcibly taken into police vehicles and accused of wearing a "bad hijab", and held incommunicado, with the Taliban reportedly claiming that they were wearing colourful and tight clothing against their instructions…'[249]

14.3.6 According to the UN experts, '… the release of women and girls was dependent on male family members and community elders providing assurances, often in writing, that they would comply with the prescribed dress code in the future…' and '… while some women and girls were released after a few hours, others had been detained for days or weeks and, due to a lack of transparency and access to justice, it is not known how many are still detained, perhaps incommunicado.'[250]

Back to Contents

14.4 Access to education

14.4.1 In January 2024, ICG, in comparing January 2024 to the preceding 2 years, noted 'the Ministry of Education remains the only entity offering girls' primary education at a large scale' and that 'Enrolments climbed – overall (and for girls, despite the bans on secondary education, as the proportion of Afghan girls in primary classes increased from 36 to 60 per cent).'[251] However, they also noted the Taliban's '[refusal] to revisit the bans they imposed in 2022 on girls attending high school and university, leaving girls who wish to continue their studies beyond primary school with few options to do so.'[252]

14.4.2 In April 2022, the United States Institute of Peace (USIP) published an article which argued that 'inconsistent messages … allows Taliban elements and certain government entities around Afghanistan to make their own local policies based on their personal interpretation of Sharia.'[253]

14.4.3 Mills' March 2024 paper on Taliban Governance included a one-page overview of the Taliban's policies towards girl's education and the internal tensions with that policy[254].

Back to Contents

15. LGBTI people

15.1.1 In its Freedom in the World 2024, covering 2023 events, Freedom House stated 'LGBT+ people are excluded from political participation; the Taliban support the former republic's criminalization of same-sex relations and reject LGBT+ rights.'[255]

15.1.2 The Netherlands MFA report, citing various sources, noted that:

'Since the Taliban took power, the social climate in cities, which had previously become somewhat more tolerant, has grown more restrictive again. In his report of 9 February 2023, the UN Special Rapporteur on the

[249] OHCHR, Afghanistan: Taliban's arbitrary arrests and detention of women and…, 2 February 2024
[250] OHCHR, Afghanistan: Taliban's arbitrary arrests and detention of women and…, 2 February 2024
[251] ICG, Toward a Self-sufficient Afghanistan, 30 January 2024
[252] ICG, Toward a Self-sufficient Afghanistan, 30 January 2024
[253] USIP, Taliban's Ban on Girls' Education in Afghanistan (page 27), 1 April 2022
[254] ISW, Taliban Governance in Afghanistan (page 15), March 2024
[255] Freedom House, 'Freedom in the World 2024' (B4), 29 February 2024

human rights situation in Afghanistan, Richard Bennett, expressed serious concerns about violence and discrimination towards LGBTI people in Afghanistan…

'In Afghanistan, sexual acts between two people of the same sex had already been criminalised under the Afghan Penal Code before the Taliban took power. Subsequently, the de facto authorities confirmed the criminalisation of same-sex sexual relations, which are considered to be contrary to sharia… The committing of homosexual acts is said to be punishable by lashes. There is no information available to suggest that the de facto authorities sentenced homosexuals to the death penalty.'[256]

15.1.3 The same report noted that:

'Since the Taliban takeover, a number of reports have been published by foreign NGOs that focus on advocacy for LGBTI people. They reported on Afghan LGBTI victims of various forms of discrimination and violence, either at the hands of their own families and social circles, or at the hands of persons seen as representatives of the Taliban. In the case of the latter group, their exact status was generally not clear (police, army, local representatives, armed groups affiliated with the Taliban). These NGOs, some of which also help Afghan LGBTI people flee the country, received reports from Afghan LGBTI people about threats, house searches, physical and sexual violence, detentions and imprisonment, among other things. Rainbow Railroad stated that when reporting on disappearances of Afghan LGBTI people, it was often difficult to determine whether people had been disappeared by the Taliban or had themselves chosen to go into hiding and cut off contacts.

'After the Taliban took power, many LGBTI people in Afghanistan felt compelled to go into hiding, or to change their clothing and behaviour. According to one source, most LGBTI people's strategy for avoiding problems is simply to not come out about their sexuality. This is said to be the strategy adopted by the majority, with only a few coming out publicly or working for LGBTI rights.'[257]

15.1.4 The same report stated:

'A representative of Rainbow Railroad, a Canadian NGO that advocates for LGBTI rights and works to help endangered Afghan LGBTI people to safety in other countries, indicated during a webinar in February 2023 that they had received 1,700 requests for help from Afghan LGBTI people. Four of them received a form of arrest warrant from the de facto Taliban authorities. Rainbow Railroad supported 300 Afghan LGBTI applications for resettlement in Canada. Arrest warrants were reported in more than a dozen cases. It was often difficult to identify exactly which element of the de facto Taliban authorities was involved.

'According to one source, there were a number of cases of homosexual acts being punished as criminal offences. Those concerned were arrested and given lashes. However, the death penalty is also said to be possible. The Taliban is said to monitor social media to look for potential opponents and

[256] Netherlands MFA, General Country of Origin Report Afghanistan (page 97), June 2023
[257] Netherlands MFA, 'General Country of Origin Report Afghanistan' (page 99, 100), June 2023

individuals who are not following sharia. According to a source, it is unlikely that LGBTI people are punished more severely than others for the same offences. The punishments for homosexual acts are already so severe that no further punishment is "needed".'[258]

15.1.5 With regard to the situation of gay men, the same report stated:

'The idea that an individual may have a particular orientation or that a community could exist around a common orientation or gender identity is not recognised in Afghan society. For the vast majority of men who perform sexual acts with people of the same sex, this is therefore reportedly not seen as part of their identity. Openly identifying as gay and putting into practice the desire to share your life with a person of the same sex is not acceptable. This goes against traditional gender norms, societal codes and tribal and other codes of honour. If an individual's homosexual orientation becomes known, he or she runs the risk of becoming a victim of exclusion, discrimination and violence.'[259]

15.1.6 Regarding the situation of lesbians, the Netherlands MFA report stated:

'There are no indications that the attitude towards lesbian women – on the part of society and the Taliban – has changed since the previous country of origin report [published March 2022]. Women who have sexual contacts outside marriage run the risk of being punished for moral crimes or becoming victims of honour killings. Outright International, an international NGO that campaigns for LGBTI rights and the resettlement of threatened Afghan LGBTI people, states that – partly due to their limited freedom of movement – less information is available about violence by the de facto authorities against lesbian women. In general, they seem to be primarily at risk of pressure, discrimination and violence within their own families. The fear of family violence in the event of a lesbian orientation was also confirmed in earlier media articles.'[260] (see also Women and girls)

15.1.7 In relation to bisexuals the same report stated 'There is virtually no information available on bisexuals in Afghanistan. Many homosexual individuals live in practice as bisexuals. Anecdotal evidence suggests that both lesbians and gay men feel compelled to enter into heterosexual marriages in order to conceal their true orientation and to conform to cultural expectations around marriage.'[261]

15.1.8 Regarding trans people the Netherlands MFA report stated:

'Before the Taliban took power, a community of transgender women and men existed in cities such as Kabul and Mazar-i-Sharif. They reportedly often lived together there in groups outside the control of their families. Many of these individuals were said to work as sex workers or dancers and dress as women. These individuals suffered from severe forms of discrimination and sometimes lethal violence. Recent reports from foreign NGOs advocating for LGBTI rights outline a number of cases of transgender men who have been victims of discrimination and violence from society and

[258] Netherlands MFA, 'General Country of Origin Report Afghanistan' (page 98), June 2023
[259] Netherlands MFA, General Country of Origin Report Afghanistan (page 98), June 2023
[260] Netherlands MFA, General Country of Origin Report Afghanistan (pages 98, 99), June 2023
[261] Netherlands MFA, 'General Country of Origin Report Afghanistan' (page 99), June 2023

Taliban representatives. Outright International states that there is less information available about violence by the de facto authorities against transgender men. In general, they seem to be primarily at risk of pressure, discrimination and violence within their own families.'[262]

15.1.9 Amnesty International's report on the state of the world's human rights in 2023 observed that 'Consensual same-sex relations remained illegal and punishable by death. LGBTI people continued to face a host of human rights violations perpetrated by the Taliban, including discrimination, targeted violence, threats and arbitrary detention. Many continued to live in hiding, fearing a risk to their lives, while some incidents of forced marriages of LGBTI people were also reported.'[263]

15.1.10 The report of the Special Rapporteur on the situation of human rights in Afghanistan, dated 23 February 2024, noted that:

'The challenges faced by the LGBTQI+ community in Afghanistan were massive before the political changes in 2021. Historically, many LGBTQI+ individuals in Afghanistan lived in secrecy, concealing their gender identity or sexual orientation due to fear of rejection by families, societal stigma and prosecution. Since the collapse of the Islamic Republic, their situation has become even more perilous.

'Members of the LGBTQI+ community in Afghanistan have informed the Special Rapporteur that they are subject to severe hardship. In interviews, they have indicated that those whose non-conforming sexual orientation or gender identity or expression becomes known to the de facto authorities face gender persecution and serious ill-treatment. Disturbing accounts have emerged of persons being subjected to physical and sexual violence in prisons, possibly amounting to torture, based on their sexual orientation or gender identity…

'Pre-existing social stigma and taboos, exacerbated by the Taliban's discriminatory gender ideology, create additional obstacles for them to access justice and services.'[264]

Back to Contents

16. Return(ee)s to Afghanistan

16.1 Return(ee)s generally

16.1.1 In its situation report on voluntary returns during 2023, UNHCR reported that, as of September 2023, '… 12,795 Afghan refugees have returned to Afghanistan (97% from Pakistan) … Returnees stated that the main reasons behind return movements from Iran and Pakistan are the cost of living and lack of employment opportunities in host countries, improved security situation in Afghanistan, and reunification with family.'[265] A huge rise in voluntary returns occurred in the fourth quarter of 2023 (over 63,000 from Pakistan), largely due to Pakistan's policy to return foreigners who did not

[262] Netherlands MFA, 'General Country of Origin Report Afghanistan' (page 99), June 2023
[263] AI, 'The State of the World's Human Rights; Afghanistan 2023', 24 April 2024
[264] UNHRC, Situation of human rights in Afghanistan… (paragraphs 65, 66, 68), 22 February 2024
[265] UNHCR, UNHCR RBAP Afghanistan Situation…July to September 2023…, 18 October 2023

hold legal documentation to remain in Pakistan[266]. (see also Return(ee)s from Iran, Pakistan and Turkey)

16.1.2 Landinfo's September 2022 COI Query response 'Departures and returns after Taliban's takeover of power', citing various sources, noted that 'There is no complete overview of Afghans who voluntarily return to their home country – either to move home or to stay for a shorter or longer period.'[267], adding that the Taliban had 'established the commission Return of and Communications with Former Afghan Officials and Political Figures …' and 'welcome the returnees, but nothing indicates that they are granted power or authority in the Taliban's de facto government apparatus …'[268]

16.1.3 Cedoca – the research and documentation service of the Belgium Commissioner General for Refugees and Stateless persons (CGRS) – also published a December 2023 paper titled 'Migration movements of Afghans since the Taliban takeover of power' which contained a synopsis of returns to Afghanistan.

16.1.4 In December 2023, the EUAA also produced a COI Query response, based on a range of sources (listed in their bibliography on pages 7 to 12) covering the Situation of Afghan returnees from Pakistan amid the campaign linked to the 'Illegal Foreigners' Repatriation Plan'.

Back to Contents

16.2 Return(ee)s from Iran, Pakistan and Turkey

16.2.1 Human Rights Watch (HRW) reported that Turkey returned 44,768 Afghan nationals in the first eight months of 2022 – a 150% increase than the first eight months of 2021[269].

16.2.2 HRW further asserted that 'Many of the people interviewed for this report would qualify under the "well-founded fear of being persecuted" standard from the 1951 Refugee Convention based on the five protected grounds of race, religion, nationality, membership of a particular social group, or political opinion. Others might not qualify under the traditional refugee definition, but nonetheless have compelling protection needs based on other serious threats to their lives and physical integrity.'[270]. However, it is unclear on what basis they have made that assessment, or on what basis they are qualified to do so having seemingly not examined the claims.

16.2.3 Landinfo cited the Turkish Ministry of the Interior to report that 'At the end of August 2022, 82,550 Afghans residing irregularly in Turkey had been apprehended by the Turkish authorities during the year ...'[271]

16.2.4 A January 2023 Khaama Press News Agency article noted 'The General Directorate of Migration of Turkey has announced that it has deported some 68,290 Afghan nationals out of 124,441 illegal migrants during the past year [2022].'[272] A Middle East Eye (MEE) article noted in 2022 'More than

[266] UNHCR, UNHCR RBAP Afghanistan Situation…October to December 2023…, 19 March 2024
[267] Landinfo, Departures and returns after Taliban's takeover of power (page 4), 29 September 2022
[268] Landinfo, Departures and returns after Taliban's takeover of power (page 4), 29 September 2022
[269] HRW, No-One Asked Me Why I Left, 18 November 2022
[270] HRW, No-One Asked Me Why I Left, 18 November 2022
[271] Landinfo, Departures and returns after Taliban's takeover of power (page 2), 29 September 2022
[272] Khaama, Turkey Deports 68,000 Undocumented Afghan Migrants, 8 January 2023

240,000 Afghan refugees have been deported from Iran and Turkey' and that 'Though Turkish police have been accused of trying to push Afghans back towards the Iranian border, most of their deportations take place via commercial and charter flights on private and government-run Afghan airlines.'[273]

16.2.5 Abbas (May 2023) pointed to a significant number of people who have returned (or been returned) to Afghanistan from Iran[274].

16.2.6 CPIT could find no evidence of incidents of reprisals or mistreatment of such returnees in the sources consulted (see bibliography). Abbas also noted that international reporting was still taking place from inside Afghanistan[275].

See Reporting on the Taliban

16.2.7 In July 2023, RFE/RL noted:

'A spokesman for the commission this month claimed that more than 600 political figures, ex-officials, and other prominent Afghans who were promised amnesty had returned to Afghanistan since March 2022.

'But dozens of returnees told RFE/RL's Radio Azadi that they left Afghanistan again over their disillusionment with the Taliban and fears for their safety.

'Janat Fahim Chakari, the head of the private Karwan University in Kabul, said he left the country after receiving "many threats." "Unfortunately, we were not treated well" by the Taliban, he said.

'Meanwhile, Lal Mohammad Gharibzadeh, a local anti-Taliban leader in northern Afghanistan who had returned to the country, was killed by unidentified gunmen last month. Gharibzadeh's relatives, speaking on condition of anonymity for fear of retribution, suspect that he was targeted by the Taliban.'[276]

16.2.8 In November 2023, The Independent noted that 'The Taliban … appealed to Afghanistan's private sector to help people fleeing Pakistan's mass deportation drive.'[277]

16.2.9 In December 2023 VOA noted 'Abdul Rahman Rashid, the Taliban minister of refugees and repatriation, told the local TOLO news channel … that Iran had deported "approximately 345,000" Afghans since the last week of September.'[278]

16.2.10 The same article added 'Officials in Pakistan have reported that almost 490,000 individuals have returned to Afghanistan since the government ordered a crackdown on all illegal foreigners, including an estimated 1.7 million Afghan nationals two months ago.'[279]

16.2.11 As of January 2024, there had been 502,100 total returns from Pakistan to

[273] MEE, Over 240,000 Afghan refugees deported from Iran and Turkey, 15 November 2022
[274] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 219), May 2023
[275] Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, (page 242), May 2023
[276] RFE/RL, The Azadi Briefing…, 28 July 2023
[277] The Independent, Taliban appeal to Afghan private sector …, 4 November 2023
[278] VOA, Taliban: Iran Deports Almost 350,000 Afghans Within 3 Months, 11 December 2023
[279] VOA, Taliban: Iran Deports Almost 350,000 Afghans Within 3 Months, 11 December 2023

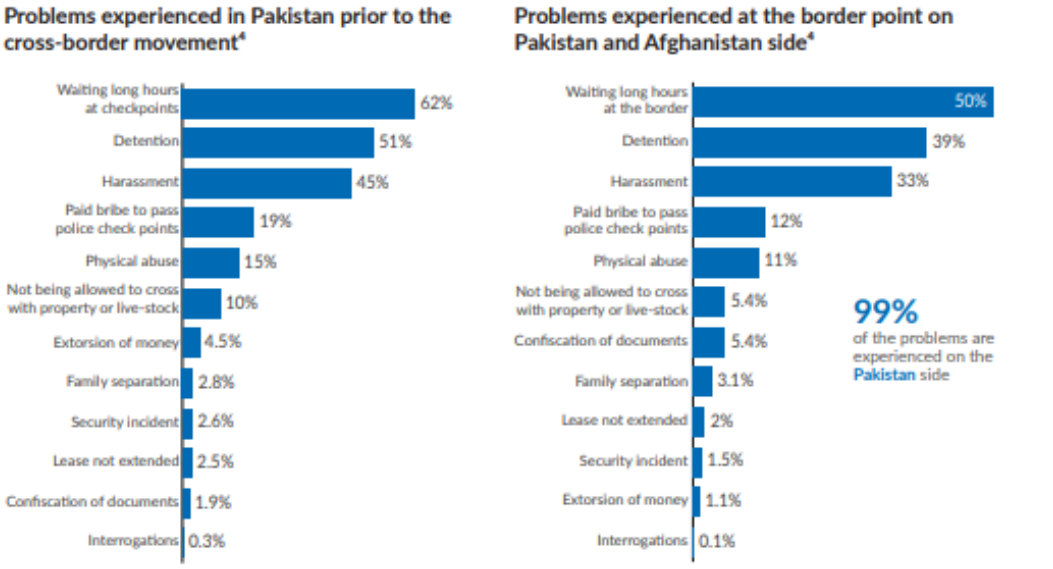
Afghanistan since 15 September 2023, according to UNHCR/International Organization for Migration (IOM), who also explained that 'Total returns is an umbrella term that includes all returns including deportations, assisted Voluntary Repatriation (VolRep) and other returns of Afghans of all statuses such as PoR [Proof of Registration] cardholders, ACC [Afghanistan Citizen Card] holders, and the undocumented.'[280]

16.2.12 In April 2024, Ariana News reported that 'The Islamic Emirate of Afghanistan (IEA) and UN agencies estimate that more than half a million people have been deported from Pakistan or voluntarily returned to Afghanistan in the past six months [to April 2024].'[281]

16.2.13 The EUAA's December 2023 COI query cited a November 2023 situation report by the World Health Organisation to record 'the majority of returnees from Pakistan were from Nangahar, Kandahar, Kunar, Kunduz and Laghman provinces and 90% of them aimed to return to their provinces of origin.'[282]

16.2.14 The Assessment Capacities Project (ACAPS), a Geneva-based NGO which describes itself as an 'independent analysis-provider' and an 'an independent analytical voice helping humanitarian workers, influencers, fundraisers, and donors make better-informed decisions and respond more effectively to disasters'[283] cited a 6 December 2023 update by IOM to record 'Between 15 September and 2 December [2023], an estimated 438,171 Afghans returned to Afghanistan from Pakistan.'[284]

16.2.15 ACAPS' December 2023 update also cited a November 2023 UNHCR update to illustrate the 'challenges reported by affected Afghans in Pakistan and at the border crossing, as at November 2023.'[285]



Note: responses were taken from multiple choice questions; hence, percentages may add up to over 100%.
Source: UNHCR (24/11/2023)

[280] UNHCR, Afghanistan situation, June 2024
[281] Ariana News, MSF "deeply concerned" over new phase of deportations of AFG …, 19 April 2024
[282] EUAA, COI Query; Situation of Afghan Returnees from Pakistan… (page 4), December 2023
[283] ACAPS, Who we are no date
[284] ACAPS, Forced return of Afghans from Pakistan (page 1), 7 December 2023
[285] ACAPS, Forced return of Afghans from Pakistan (page 5), 7 December 2023

16.2.16 BBC News reported that 'Close to 200,000 Afghans have returned home as of Monday [30 October 2023], Pakistan said.'[286]

16.2.17 On 30 April 2024, the ACAPS Project tweeted that '+540,000 #Afghans have returned since #Pakistan's Illegal Foreigners Repatriation Plan in Oct 2023.'[287] The tweet included an infographic showing the main return provinces in 2024[288]:

16.2.18 ACAPS tweet also provided a link to one of their own reports entitled 'Afghanistan: Spotlight on social impact (October 2023 to February 2024), which '… aims to shed light on emerging issues that have or are likely to have significant social impact on Afghans as well as consequences for the humanitarian response.'[289]

16.2.19 In May 2024, RFE/RL, citing a report by Radio Farda[290], noted that 'Iran says it has expelled some 1.3 million foreigners over the past year'[291] and whilst both articles were unspecific about how many of those 1.3 million were returns to Afghanistan, the articles quoted the Iranian interior minister as having said '"To stop unauthorized nationals from entering Iran, it is necessary to amend the relevant laws in parliament,"'[292] and noted 'Iranian officials typically use the term "unauthorized nationals" to refer to Afghan refugees.'[293]

Back to Contents

16.3 Concept of being 'Westernised'

16.3.1 The EUAA's 2023 'Country Guidance' on Afghanistan considered that 'persons who are perceived as 'Westernised' was due, for example, to their activities, behaviour, appearance and expressed opinions, which may be seen as non-Afghan or non-Muslim. It may also include those who return to Afghanistan after having spent time in Western countries.' And that 'This

[286] BBC News, Afghan Refugees Fear as Pakistan Prepares for Deportations, 1 November 2023
[287] ACAPS (@ACAPSproject), Tweet dated 30 Apr 2024 @ 3:36PM, 30 Apr 2024
[288] ACAPS (@ACAPSproject), Tweet dated 30 Apr 2024 @ 3:36PM, 30 Apr 2024
[289] ACAPS, Afghanistan: spotlight on social impact - October 2023 to February 2024, 25 April 2024
[290] Radio Farda, Iran's interior minister says … 1.3m foreign nationals … "deported" …, 8 May 2024
[291] RFE/RL, Iran Seeks To Tighten Crackdown On Afghan Refugees, 8 May 2024.
[292] RFE/RL, Iran Seeks To Tighten Crackdown On Afghan Refugees, 8 May 2024.
[293] RFE/RL, Iran Seeks To Tighten Crackdown On Afghan Refugees, 8 May 2024.

profile may largely overlap with … Individuals perceived to have transgressed religious, moral and/or societal norms, for example in relation to norms associated with dress code.'[294]

16.3.2 Citing numerous sources, the EUAA Country Focus stated regarding Western influence that 'The Taliban have reportedly had the aim to "purify" Afghan society and eject foreign influence from Afghanistan. The de facto state has invested vast resources on building mosques and madrassas across the country. As mentioned, an international analyst stated that the Taliban's "assault" on Western education is part of the supreme leader's project to "purify" Afghan society.'[295]

16.3.3 Landinfo noted that:

'There is no precise definition or unified understanding of "westernised" as a concept. Rather, there is a loose, vague conception of what the concept entails. It often refers to people who have lived in Europe or other parts of the Western world and have been influenced by Western culture and lifestyle. The influence may involve physical characteristics such as clothing, hairstyle, beard length and coverings. It could also be attitudes and views on, for example, women's participation in the workforce and freedom of movement, as well as attitudes towards the consumption of alcohol and pork.'[296]

16.3.4 EUAA's Country Guidance, based on the EUAA's COI reports, noted:

'Although Taliban officials repeatedly called on Afghans to return to Afghanistan, their views on persons leaving Afghanistan for Western countries remain ambiguous. On the one hand, the Taliban said that people flee due to poverty and that it has nothing to do with any fear of the Taliban, adding they were attracted by the economically better life in West. The other narrative was about the elites that left, they were not seen as "Afghans", but as corrupt "puppets" of the "occupation", who lacked "roots" in Afghanistan. This narrative could also include, for example, activists, media workers and intellectuals, and not only former government officials.'[297]

16.3.5 Landinfo also referenced UNHCR's eligibility guidelines from 2018, noting that '[UNHCR] were aware that returnees from Western countries had been subjected to severe reactions and that some were viewed with suspicion by families, local communities and local authorities (UNHCR 2018, p.46, 47). Landinfo notes that UNHCR primarily relied on self-reporting.'[298]

16.3.6 Landinfo's reasoned conclusion, based on the sources consulted and their own expertise, was that:

'Afghanistan is a diverse and complex country, and this is reflected in the Taliban's rule. There is a considerable range in attitudes and local variations. There is reason to believe that this also applies to the view of people influenced by the West. Any reactions will there depend on the profile, network and where in the country the person resides. There is also reason to

[294] EUAA, Country Guidance: Afghanistan, (page 77), updated January 2023
[295] EUAA, Afghanistan – Country Focus (page 101), December 2023
[296] Landinfo, Departures and returns after Taliban's takeover of power (page 6), 29 September 2022
[297] EUAA, Country Guidance: Afghanistan, (page 77), updated January 2023
[298] Landinfo, Departures and returns after Taliban's takeover of power (page 6), 29 September 2022

believe that Afghans who come from abroad have to deal with the Taliban's various decrees and regulations the same way as Afghans in Afghanistan do.'[299]

Back to Contents

16.4 Taliban reactions to people being 'Westernised'

16.4.1 Landinfo reported that:

'In February 2022, Landinfo met with a representative of an international organisation (digital meeting, February 2022) who claimed that at that time, things had not changed significantly on the streets of Kabul. In the cities, there were still Afghans who wore western clothes, and there were women both with and without burqas. Another one of Landinfo's sources has lived in Kabul since the takeover and continues to do so. He has a very western appearance – he has short hair, is clean-shaven and wears western clothing. When asked directly (conversation in Islamabad, March 2022) he stated that he did not have problems with the Taliban for that reason.'[300]

16.4.2 Landinfo added that (as of September 2022) 'There is little relevant knowledge of what the situation is today. There have been no forced returns from Western countries after the takeover, and it is presumed that relatively few people have returned voluntarily. Landinfo is unaware of reports that Afghans have been subjected to reactions because they appear "westernised" or have stayed in a Western country.'[301]

16.4.3 The Netherlands MFA report, drawing on other sources, including the 2023 EUAA Country Guidance stated:

'In Afghanistan it is generally customary to wear traditional clothing. Only a few people wear Western clothes. According to a source, it is possible to wear a suit and tie to the office. Not having a beard is reportedly a bigger problem. In government institutions, almost everyone wears traditional clothing, in some cases with a turban. More Western clothing is only said to be seen at the Ministry of Foreign Affairs. A Taliban member aiming for a high position should avoid wearing a suit, according to a source. On the street in the villages, intolerance with regard to clothing is said to be greater. More important than clothing, however, is a person's behaviour and adaptation to socio-cultural norms… Those who were seen as "Westernised" might be threatened by the Taliban, relatives or neighbours…'[302]

16.4.4 Citing other sources, the same report further noted:

'It is not clear whether a stay in a Western country is a factor in whether or not people encounter problems on returning. Not many people have returned from Europe or a Western country. Where this has been the case, they have usually come via a third country. According to one source, people coming from a Western country may have to answer more questions on entering Afghanistan. This is especially true if they are wearing Western clothing. According to Freedom House, with regard to human rights defenders the

[299] Landinfo, Departures and returns after Taliban's takeover of power (page 7), 29 September 2022
[300] Landinfo, Departures and returns after Taliban's takeover of power (page 6), 29 September 2022
[301] Landinfo, Departures and returns after Taliban's takeover of power (page 6), 29 September 2022
[302] Netherlands MFA, General Country of Origin Report Afghanistan (page 80), June 2023

Taliban consider factors such as a Western education, having worked for a Western organisation, dressing in Western style, and speaking English as indicators of ties with the 'enemy'.'[303]

16.4.5 A report of the Office of the UN High Commissioner for Human Rights of September 2023 stated:

'In addition to the restrictive edits and instructions determining how women and girls should lead their lives, the de facto MPVPV has issued guidance advising barbers not to trim men's beards or give "Western-style" haircuts. While the guidance is reportedly only advisory in nature, instances of men and barbers being ill-treated and temporarily arbitrarily detained for allegedly breaching the guidance have been reported consistently since the Taliban takeover. At district and provincial levels, men have been ordered by officials of de facto Departments for the MPVPV to attend congregational prayers at mosques and in some instances, failure to do so has led to fines and ill-treatment.'[304]

16.4.6 The EUAA Country Focus stated:

'In some areas the Taliban have issued instructions against trimming beards and have advised men to not wear Western-style clothes, but they have not imposed any general dress code for men. A Taliban official however called on people to stop wearing the necktie arguing that it is a symbol for the Christian cross. Male students and teachers have earlier been called upon not to wear ties (15 April 2022). Ties are however still used by inter alia news anchors. There were also reports about people wearing t-shirts and clothes with US motives in Kabul City. Moreover, the New York Times reported on fast food restaurants and bodybuilding gyms being present in every neighbourhood in Kabul City.'[305]

16.4.7 In its 2024 World Report (covering 2023 events), Freedom House stated, 'Men, especially civil servants, were ordered to grow full beards and avoid Westernized hairstyles or dress. Enforcement is arbitrary and inconsistent, varying over time and between provinces.'[306]

Back to Contents

[303] Netherlands MFA, General Country of Origin Report Afghanistan (page 80), June 2023
[304] UNHRC, Situation of Human Rights in Afghanistan… (paragraph 38), 11 September 2023
[305] EUAA, Afghanistan – Country Focus (page 101), December 2023
[306] Freedom House, Freedom in the World 2024 (G3), 29 February 2024

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

Back to Contents

Terms of Reference

The ‘Terms of Reference’ (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the country information.

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Updates on key developments since April 2022
- Life under the Taliban
    - Territorial control
    - General law & order and administration of justice
    - Access to information and reporting on the Taliban
- Treatment of different groups, including
    - Former government officials, inc. civil servants, ANDSF, judges and prosecutors, and family members
    - People associated with foreign forces/international community, inc. interpreters
    - People affiliated with armed opposition groups
    - Women and girls
    - Minority religious and ethnic groups
    - LGBTI people
    - Journalists
    - Human rights defenders and activists
- Situation for returnees
    - From Europe/the West
    - From the nearer region (Turkey, Iran, Pakistan, others?)
    - Reporting – or lack thereof – on the consequences for having left Afghanistan, returning (incl. as a failed asylum seeker) and/or as having been ‘Westernised’

Back to Contents

Bibliography

Sources cited

Abbas H, The Return of the Taliban: Afghanistan after the Americans Left, May 2023 (Yale University Press)

Afghanistan Analysts Network (AAN),

> The Khalid Payenda Interview (1): An insider's view of politicking, graft and the fall of the Republic, 27 September 2021. Accessed: 6 March 2024
>
> "We need to breathe too": Women across Afghanistan navigate the Taleban's hijab ruling, 1 June 2022. Accessed: 11 March 2024
>
> From Land-grabbing to Haircuts: The decrees and edicts of the Taleban supreme leader, 15 July 2023. Accessed: 2 May 2024

The Afghan Journalists Centre (AFJC),

> Press Freedom Violations 2022, no date. Accessed: 17 May 2024
>
> Press Freedom Violations 2023, no date. Accessed: 17 May 2024

Al Jazeera, The Taliban in Government: A Grim New Reality Is Settling In, 23 March 2023. Accessed: 8 May 2024

Amnesty International, The State of the World's Human Rights; Afghanistan 2023, 24 April 2024. Accessed: 25 July 2023

Ariana News, MSF "deeply concerned" over new phase of deportations of Afghans from Pakistan, 19 April 2024. Accessed: 22 April 2024

Armed Conflict Location & Event Data Project (ACLED), Coding decisions on the Taliban, external forces, the fall of Kabul and more, updated 29 November 2023. Accessed: 23 April 2024

Armed Conflict Location & Event Data Project (ACLED) and Afghan Peace Watch (APW), Two Years Of Repression: Mapping Taliban Violence Targeting Civilians in Afghanistan, 11 August 2023. Accessed: 23 April 2024

The Assessment Capacities Project (ACAPS),

> Forced return of Afghans from Pakistan, 7 December 2023. Accessed: 6 May 2024
>
> Who we are, no date. Accessed: 6 May 2024
>
> ACAPS (@ACAPSproject), Tweet dated 30 Apr 2024 @ 3:36PM, 30 April 2024. Accessed: 17 May 2024

Associated Press (AP) News,

> Afghan Taliban Kill 8 in Raids of IS Hideouts in Afghanistan, 5 January 2023. Accessed: 12 May 2024
>
> Taliban Use Stun Guns, Fire Hoses and Gunfire to Break up Afghan Women Protesting Beauty Salon Ban, 19 July 2023. Accessed: 12 May 2024
>
> The Taliban Are Entrenched in Afghanistan after 2 Years of Rule: Women and Girls Pay the Price, 14 August 2023. Accessed: 12 May 2024

Australian Government's Department of Foreign Affairs and Trade (DFAT), DFAT Thematic Report - Afghanistan - Political and Security Developments August 21 to January 22, January 2022. Accessed: 16 April 2024

Azadi Radio, The Taliban government banned the activities of political parties in Afghanistan, not known. Accessed: 12 May 2024

BBC News,

Afghanistan face veil decree: "It feels like being a woman is a crime", 15 May 2022. Accessed: 11 March 2024

Afghan Refugees Fear as Pakistan Prepares for Deportations, 1 November 2023. Accessed: 21 May 2024

BFA Staatendokumentation, Afghanistan: Afghan legal system under the Taliban, version 2, 9 April 2024. Accessed: 8 May 2024

Council on Foreign Relations (CFR),

The Taliban in Afghanistan, 2014. Accessed: 2 May 2024

The Taliban in Afghanistan, updated 19 January 2023. Accessed: 2 May 2024

CIA, World Factbook, 22 May 2024. Accessed: 24 May 2024

Encyclopaedia Britannica, Afghanistan, no date. Accessed: 6 May 2024

European Union Agency for Asylum (EUAA),

Afghanistan Country Focus, December 2023. Accessed: 26 February 2024

Country Guidance: Afghanistan, 24 January 2023. Accessed: 30 April 2024

Situation of Afghan returnees from Pakistan amid the campaign linked to the "Illegal Foreigners' Repatriation Plan" (IFRP), 14 December 2023. Accessed: 3 May 2024

Afghanistan; Major legislative, security-related, and humanitarian developments, 2 February 2024. Accessed: 8 March 2024

Freedom House, Freedom in the World 2024, 29 February 2024. Accessed: 21 May 2024

Foreign Policy, I Wanted to Stay for My People, 9 February 2022. Accessed: 28 February 2024

The Hindu, Taliban is 'particularly committed' to protect rights of Hindus and Sikhs: Spokesperson of Taliban 'Justice Ministry', 16 April 2024. Accessed: 23 May 2024

House of Commons Library, Research Briefing: Expulsion of Afghans from Pakistan and Iran, 8 December 2023. Accessed: 23 May 2024

Human Rights Watch, No-One Asked Me Why I Left Afghanistan, 18 November 2022. Accessed: 23 May 2024

IFEX,

Who We Are - IFEX, no date. Accessed: 23 May 2024

Q&A: Confronting media challenges in Taliban-controlled Afghanistan, 15 August 2023. Accessed: 23 May 2024

International Crisis Group (ICG),

Afghanistan's Security Challenges under the Taliban, August 2022. Accessed: 18 April 2024

Toward a Self-sufficient Afghanistan, 30 January 2024. Accessed: 22 April 2024

The Independent, Taliban appeal to Afghan private sector to help those fleeing Pakistan's mass deportation drive, 4 November 2023. Accessed: 16 April 2024

Institute for the Study of War (ISW),

Taliban struggles to contain Afghan National Resistance Front, 7 September 2022. Accessed: 23 April 2024

Taliban Governance in Afghanistan, March 2024. Accessed: 6 May 2024

Jackson A, Negotiating Survival: Civilian–Insurgent Relations in Afghanistan, August 2021, (Hurst & Co Publishers)

JURIST, Hazaras and Shias: Violence, Discrimination, and Exclusion Under the Taliban, May 2024. Accessed: 11 June 2024

Kabul Now, Fear and Nightmares: the dark life after Taliban captivity, 14 April 2023. Accessed: 27 February 2024

Khaama Press News Agency, Turkey Deports 68,000 Undocumented Afghan Migrants, 8 January 2023. Accessed: 16 April 2024

Landinfo,

About Landinfo, no date. Accessed: 22 May 2024

Departures and returns after Taliban's takeover of power, 29 September 2022. Accessed: 30 April 2024

Loyn D, The scattered forces opposing the Taliban need support now, updated November 2023. Accessed: 12 May 2024

Middle East Eye, Over 240,000 Afghan refugees deported from Iran and Turkey, 15 November 2022. Accessed: 16 April 2024

National Public Radio (NPR), For Afghans who fought against the Taliban, life is fraught under their rule, 28 November 2022. Accessed: 26 April 2024

Netherlands Ministry of Foreign Affairs (MFA), General Country of Origin Report Afghanistan June 2023. Accessed: 16 April 2024

Open Doors,

Afghanistan Full Country Dossier, January 2024. Accessed: 23 July 2024

Complete World Watch List Methodology, October 2023. Accessed: 23 July 2024

Rawadari,

Afghanistan Human Rights Situation Report 2023 March 2024. Accessed: 11 March 2024

Human Rights Situation in Afghanistan: Mid-year Report 1 January to 30 June 2023 August 2023. Accessed: 27 February 2024

Radio Farda, Iran's interior minister says that 1.3 million foreign nationals were

"deported" in the last year, 8 May 2024. Accessed: 17 May 2024

Radio Free Europe/Radio Liberty (RFE/RL),

The Azadi Briefing: Fear, Disillusionment Undermine Talibans Efforts To Woo Exiled Former Afghan Officials, 28 July 2023. Accessed: 22 April 2024

Taliban Bans Political Parties In Afghanistan After Declaring Them Un-Islamic, 17 August 2023. Accessed: 12 May 2024

All Doors Are Closed For Single And Unaccompanied Afghan Women Under The Taliban, 31 January 2024. Accessed: 22 April 2024

From Offshoot To "Spearhead": The Rise Of IS-K, Islamic State's Afghanistan Branch, 26 March 2024. Accessed: 12 May 2024

This Is What It's Like To Be A Journalist Under Taliban Rule, 3 May 2024. Accessed: 17 May 2024

Iran Seeks To Tighten Crackdown On Afghan Refugees. 8 May 2024. Accessed: 17 May 2024

Rahimi H, Remaking of Afghanistan: How the Taliban are Changing Afghanistan's Laws and Legal Institutions, 26 July 2022. Accessed: 8 May 2024

Rahimi H and Watkins A for the Combating Terrorism Center (CTC) Sentinel, Taliban Rule at 2.5 Years, January 2024. Accessed: 17 May 2024

San Jose State University Human Rights Institute (SJSU HRI), Human Rights Conditions for Hazaras in Afghanistan Under the Taliban Regime, 7 February 2023. Accessed: 11 June 2024

South Asia Intelligence Review (SAIR) of the South Asia Terrorism Portal (SATP), Afghanistan: Women flogged into silence, Weekly Assessments & Briefings Volume 21, No. 25, 12 December 2022. Accessed: 8 March 2024

Special Inspector General for Afghanistan Reconstruction (SIGAR),

Quarterly Report to Congress, 30 October 2021. Accessed: 6 March 2024

Quarterly Report to Congress, 30 January 2024. Accessed: 6 March 2024

Swiss Institute for Global Affairs, Vive la Résistance in Afghanistan? (English Version), March/April 2022. Accessed: 17 May 2024

Times of India,

Afghanistan: Afghan, Pak Sikhs to celebrate 'Parkash Purb', 5 January 2024. Accessed: 25 July 2024

Braving threats, Afghan Sikhs and Hindus uphold daily religious practices, 17 December 2023. Accessed: 25 July 2024

UN Assistance Mission in Afghanistan (UNAMA),

A barrier to securing peace: Human rights violations against former government officials and former armed force members in Afghanistan: 15 August 2021 – 30 June 2023, August 2023. Accessed: 26 February 2024

Corporal Punishment and the Death Penalty in Afghanistan, May 2023. Accessed: 8 March 2024

Human Rights Situation in Afghanistan: October - December 2023 Update,

January 2024. Accessed: 27 February 2024

UN General Assembly (UNGA), UN Security Council (UNSC),

The situation in Afghanistan and its implications for international peace and security; Report of the Secretary-General [A/78/361-S/2023/678], 18 September 2023. Accessed: 8 March 2024

The situation in Afghanistan and its implications for international peace and security; Report of the Secretary-General [A/78/628-S/2023/941], 1 December 2023. Accessed: 27 February 2024

UN High Commissioner for Refugees (UNHCR),

Operational Data Portal: Afghanistan situation, January 2024. Accessed: 24 May 2024

UNHCR Afghanistan Voluntary Repatriation update 2022, 22 March 2023. Accessed: 24 May 2024

UNHCR RBAP Afghanistan Situation - Voluntary Repatriation of Afghan Refugees | Quarterly Update July – September 2023 - Afghanistan, 18 October 2023. Accessed: 25 July 2024

UNHCR RBAP Afghanistan Situation - Voluntary Repatriation of Afghan Refugees | Quarterly Update October to December 2023 - Afghanistan, 19 March 2024. Accessed: 25 July 2024

UN Human Rights Council (UNHRC),

Situation of human rights in Afghanistan; Report of the Office of the High Commissioner for Human Rights [A/HRC/54/21], 11 September 2023. Accessed: 8 March 2024

Situation of human rights in Afghanistan; Report of the Special Rapporteur on the situation of human rights in Afghanistan [A/HRC/55/80], 22 February 2024. Accessed: 8 March 2024

Situation of women and girls in Afghanistan; Report of the Special Rapporteur on the situation of human rights in Afghanistan and the Working Group on discrimination against women and girls [A/HRC/53/21], 15 June 2023. Accessed: 12 March 2024

UN Office of the High Commissioner for Human Rights (OHCHR),

Afghanistan: Taliban's arbitrary arrests and detention of women and girls over dress code must end immediately, UN experts say, 2 February 2024. Accessed: 8 March 2024

Afghanistan: UN experts call on the Taliban to immediately halt public floggings and executions, 16 December 2022. Accessed: 8 March 2024

United States Commission on International Religious Freedom (USCIRF), 2024 Annual Report, 5 May 2024. Accessed: 6 May 2024

United States Department of State (USSD), '2023 Country Report on Human Rights Practices: Afghanistan', 22 April 2024. Accessed: 25 July 2024

United States Institute of Peace (USIP), Taliban's Ban on Girls' Education in Afghanistan, 1 April 2022. Accessed: 6 May 2024

Uppsala Conflict Data Program (UCDP),

[Profile of the] AFF, no date. Accessed: 17 May 2024

[Profile of the] NRF, no date. Accessed: 17 May 2024

Voice of America (VOA),

Taliban Say No Christians Live in Afghanistan; US Groups Concerned, 16 May 2022. Accessed: 6 May 2024

Taliban Undertake Speedy Overhaul of Afghanistan's Justice System, 28 September 2023. Accessed: 8 May 2024

Taliban: Iran Deports Almost 350,000 Afghans Within 3 Months, 11 December 2023. Accessed: 6 May 2024

Back to Contents

Sources consulted but not cited

The Assessment Capacities Project (ACAPS), Key risk areas to watch: January – June 2024 and beyond, 25 January 2024. Accessed: 6 May 2024

Bertelsmann Stiftung's Transformation Index (BTI), 2024 Afghanistan Country Report, March 2024. Accessed: 6 May 2024

The Diplomat, Afghan Opposition Struggles Against Taliban Rule, 31 May 2023. Accessed: 12 May 2024

Human Rights Watch (HRW), World Report 2024: Afghanistan, 11 January 2024. . Accessed: 16 May 2024

The Law Society, Collapse of justice system in Afghanistan leaves countless at the mercy of the Taliban, 16 October 2023. Accessed: 7 March 2024

Tolo News, Supreme Court Appoints 69 Provincial Judges, 16 December 2021. Accessed: 8 May 2024

Voice of America (VOA, Afghan Insurgent Groups Step Up Attacks, Political Campaign Against Taliban, 5 December 2023. Accessed: 16 May 2024

Back to Contents

Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **12 August 2024**

Official – sensitive: Not for disclosure – Start of section

this version The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

Back to Contents

Changes from last version of this note

Updated country information. Revision of assessment in line with that.

Back to Contents

Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

Back to Contents

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information
Independent Chief Inspector of Borders and Immigration
1st Floor
Clive House
70 Petty France
London
SW1H 9EX
Email: chiefinspector@icibi.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the gov.uk website.

Back to Contents