



Home Office

# Country Policy and Information Note

## Afghanistan: Hindus and Sikhs

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ARCHIVE

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained within this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office's research guidelines, Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## 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 make recommendations to him about the content of the Home Office's COI material. 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. IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Policy guidance

Updated: 7 February 2017

## 1. Introduction

### 1.1 Basis of Claim

- 1.1.1 Fear of persecution or serious harm by the state or non-state actors because the person is Sikh or Hindu.

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## 2. Consideration of Issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 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](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Assessment of risk

- 2.2.1 Sikhs and Hindus living in Afghanistan are a very small minority, estimated at 1,350 to 3,000 people (out of a total population of around 30 million). They live in small, tight-knit communities scattered across the provinces of Kabul, Nangarhar and Ghazni (see [Sikh and Hindu communities in Afghanistan](#)).
  - a. **Treatment by the state**
- 2.2.2 The constitution expressly protects freedom of religion for non-Muslims within the limits of the law, though these freedoms are limited in practice. The Penal Code provides punishments for anyone who prevents a person conducting their religious rituals or rites; damages places of worship; and for attacking followers of any religion (see [Legal rights](#)).
- 2.2.3 Sikhs and Hindus are represented in the parliament through Presidential appointments. In September 2016, the National Unity Government approved the reservation of a seat for Sikhs and Hindus in the Afghan parliament. The government has taken steps to introduce awareness programmes across mosques to promote religious tolerance with Sikhs and other minority groups and relevant ministries report that they are working to improve conditions for Sikhs and Hindus (see [State treatment and attitudes](#)).
- 2.2.4 There are no legal restrictions on building places of worship, and the government allocated land to Sikhs and Hindus for cremation sites. Police support is provided to protect these communities while they perform their cremation rituals.

- 2.2.5 The Afghan government has provided a large area for Sikhs and Hindus at Police District 21 area of Kabul city where they can build residential units and their Shamshan (cremation ground). District 21 is freshly annexed to the Kabul Municipality though is not developed yet. The new area will take time to be developed into a residential area as it lacks basic infrastructure such as electricity, water, sanitation, roads, etc. (see [District 21, Kabul](#)).
- 2.2.6 In general Sikhs and Hindus are not at risk of persecution or serious harm from the state but each case should be considered on its individual merits.

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**b. Societal treatment**

- 2.2.7 There are reports that the Sikh and Hindu communities face societal intolerance, which some commentators have attributed to “extremist elements” who have moved from the provinces to Kabul and other cities. The Hindu population face less difficulties than the more visibly distinguishable Sikh population (whose men wear a distinctive headdress). (see [Societal treatment and attitudes](#)).
- 2.2.8 Some Sikhs and Hindus have reportedly been victims of illegal occupation and seizure of their land. Some community members choose not to pursue restitution through the courts due to fear of retaliation. Some Sikh families live in Gurdwaras as they lack housing (see [Gurdwaras and Mandirs](#) and [Housing and land](#)).
- 2.2.9 Some Sikhs and Hindus are reported to face discrimination in the labour market, and lack of access to it (see [Employment](#)). Members of the Sikh and Hindu communities avoid sending their children to public schools, reportedly because of harassment by other students. There were few government-funded schools for Sikh children; some went to private schools or studied in their temples (see [Education](#)). There is evidence that some Sikhs suffer societal harassment when cremating their dead (see [Cremations](#)).
- 2.2.10 In the country guidance case of [TG and others \(Afghan Sikhs persecuted\) \(CG\) \[2015\] UKUT 595 \(IAC\) \(3 November 2015\)](#), heard on 31 March 2014 and 17 August 2015, the Upper Tribunal found (at paragraph 119) that:
- (i) Some members of the Sikh and Hindu communities in Afghanistan continue to suffer harassment at the hands of Muslim zealots.
  - (ii) Members of the Sikh and Hindu communities in Afghanistan do not face a real risk of persecution or ill-treatment such as to entitle them to a grant of international protection on the basis of their ethnic or religious identity, per se. Neither can it be said that the cumulative impact of discrimination suffered by the Sikh and Hindu communities in general reaches the threshold of persecution.
  - (iii) A consideration of whether an individual member of the Sikh and Hindu communities is at risk real of persecution upon return to Afghanistan is fact-sensitive. All the relevant circumstances must be considered but careful attention should be paid to the following:
    - a. women are particularly vulnerable in the absence of appropriate protection from a male member of the family;

- b. likely financial circumstances and ability to access basic accommodation bearing in mind
    - Muslims are generally unlikely to employ a member of the Sikh and Hindu communities
    - such individuals may face difficulties (including threats, extortion, seizure of land and acts of violence) in retaining property and / or pursuing their remaining traditional pursuit, that of a shopkeeper / trader
    - the traditional source of support for such individuals, the Gurdwara is much less able to provide adequate support;
  - c. the level of religious devotion and the practical accessibility to a suitable place of religious worship in light of declining numbers and the evidence that some have been subjected to harm and threats to harm whilst accessing the Gurdwara;
  - d. access to appropriate education for children in light of discrimination against Sikh and Hindu children and the shortage of adequate education facilities for them.
- 2.2.11 Where decision makers consider that the person is not at risk on return, the reasons must be fully set out in the decision letter, including consideration of the person's financial position; access to resources and support; and, where children are involved, access to education.
- 2.2.12 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.3 Protection

- 2.3.1 If the person's fear is of persecution/serious harm at the hands of the state, they will not be able to avail themselves of the protection of the authorities.
- 2.3.2 Where the person's fear is of persecution and/or serious harm from non-state actors, decision makers must assess whether the state can provide effective protection.
- 2.3.3 In areas controlled by anti-government elements (AGEs), the state will be unable to provide effective protection.
- 2.3.4 In Kabul, and other districts, cities and towns controlled by the government, the authorities may be willing but will usually be unable to offer effective protection against persecution or serious harm. This is due to the structural weaknesses in the security forces and the justice system. It is reported that the government often does not provide effective protection for minorities from societal harassment or societal violence. In contrast, there are reports of the police providing protection during cremations and Sikh religious processions (see [Cremations](#)).
- 2.3.5 In the country guidance case of [TG and others](#), the Upper Tribunal found that "Although it appears there is a willingness at governmental level to provide protection, it is not established on the evidence that at a local level the police are willing, even if able, to provide the necessary level of protection required in Refugee Convention/Qualification Directive terms, to

those members of the Sikh and Hindu communities who experience serious harm or harassment amounting to persecution” (para 119 iv).

2.3.6 For further information about state protection see the country policy and information notes on [Afghanistan: Security and humanitarian situation](#) and [Afghanistan: Fear of Anti-government elements \(AGEs\)](#).

2.3.7 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Internal relocation

2.4.1 If the person’s fear is of persecution/serious harm at the hands of the state, they will not be able to relocate to escape that risk.

2.4.1 The country guidance case of [TG and others](#) found that whether it is reasonable to expect a member of the Sikh or Hindu communities to relocate is a fact sensitive assessment. The relevant factors to be considered include those set out at paragraph 119 (iii) of the determination [see above]. Given their particular circumstances and declining number, the practicability of settling elsewhere for members of the Sikh and Hindu communities must be carefully considered. Those without access to an independent income are unlikely to be able to reasonably relocate because of depleted support mechanisms (paragraph 119 v).

2.4.2 However, in all cases, careful consideration must be given to the relevance and reasonableness of internal relocation on a case by case basis taking full account of the individual circumstances of the particular person.

2.4.3 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

2.5.1 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.

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

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### 3. Policy summary

- 3.1.1 Caselaw has established that, in general, members of the Sikh and Hindu communities in Afghanistan do not face a real risk of persecution or ill-treatment such as to entitle them to a grant of international protection on the basis of their ethnic or religious identity, per se.
- 3.1.2 Neither can it be said that the cumulative impact of discrimination suffered by the Sikh and Hindu communities in general reaches the threshold of persecution.
- 3.1.3 Personal circumstances may, however, put an individual member of the Sikh and Hindu communities at a real risk of persecution upon return to Afghanistan.
- 3.1.4 Where a person is not at risk of persecution on return, careful consideration must be given to the person's financial position; access to resources and support; and, where children are involved, access to education to establish whether the threshold of Article 3 ECHR will be breached.
- 3.1.5 Although there is a willingness at governmental level to provide protection, at a local level the police are not always willing, even if able, to provide effective protection to those members of the Sikh and Hindu communities who experience serious harm or harassment amounting to persecution.
- 3.1.6 Whether it is reasonable to expect a member of the Sikh or Hindu communities to internally relocate to escape any risk will depend on the persons particular circumstances.
- 3.1.7 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded'.

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# Country information

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## 4. Demography

### 4.1 Population

- 4.1.1 The US government estimated Afghanistan's total population at 32.6 million as of July 2015. Sunni Muslims comprised 85-90 % of the population, and Shia Muslims 10-15 %, including Ismailis and a majority of ethnic Hazaras. Hindus, Sikhs, Bahais and Christians comprised an estimated 0.3 % of the population.<sup>1</sup>

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### 4.2 Sikh and Hindu communities in Afghanistan

- 4.2.1 Estimates varied on the number of Sikhs and Hindus living in Afghanistan. The US Commission on International Religious Freedom cited 'Decades of conflict and official and societal discrimination have diminished significantly these communities' numbers in Afghanistan.'<sup>2</sup>
- 4.2.2 The US Department of State noted, in its International Religious Freedom Report for 2015 (USSD IRF 2015 Report), that, according to Sikh and Hindu leaders '[T]here are 343 Sikh and Hindu families totaling 2,000 individuals [in Afghanistan], although the number is declining because of emigration.'<sup>3</sup>
- 4.2.3 An investigation by Tolo News, published June 2016, reported that 99 % of Afghanistan's Hindu and Sikh citizens had left the country in the last 3 decades. The report stated that the population of Hindus and Sikhs in the 1980's reached 220,000, but numbers dwindled to 15,000 during the mujahideen rule in the 1990's, and have now dropped to an estimated 1,350.<sup>4</sup>
- 4.2.4 As reported by Al Jazeera in January 2016, Rawali Singh, deputy head of the Afghanistan Sikh and Hindu Community Council, indicated that around 363 families, the vast majority of whom were Sikhs, resided in Afghanistan, adding that 102 Sikh families lived in Kabul, and a "few dozen" families lived in Jalalabad and Kandahar.<sup>5</sup> Speaking to Al Jazeera in January 2017, Ehsan

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<sup>1</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section I), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>2</sup> United States Commission on International Religious Freedom, USCIRF Annual Report 2016 - Tier 2 countries - Afghanistan, 2 May 2016, available at: <http://www.refworld.org/docid/57307ce915.html>, date accessed 12 January 2017.

<sup>3</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section I), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>4</sup> TOLONews, 'Nearly 99% Of Hindus, Sikhs Left Afghanistan in Last Three decades', 20 June 2016, <http://www.tolonews.com/afghanistan/nearly-99-hindus-sikhs-left-afghanistan-last-three-decades>, date accessed 6 January 2017.

<sup>5</sup> Al Jazeera, 'Inside the little-known kitchen of Afghanistan's Sikhs', 9 January 2016, <http://www.aljazeera.com/programmes/ajeats/2016/01/afghanistan-sikhs-160104170656660.html>, date accessed 6 January 2017.

Shayegan, an Afghan researcher with the Porsesh Research and Studies Organization, said there were estimated to be “less than 7,000” Hindus and Sikhs left in Afghanistan. Rawali Singh stated that ‘Hindus and Sikhs make up around 3,000 Afghans scattered across provinces of Kabul, Nangarhar and Ghazni.’<sup>6</sup>

- 4.2.5 The Wall Street Journal noted the following in an article dated January 2015 ‘Afghanistan’s Sikhs and Hindus stay in small, tight-knit communities and participate in many of the same religious rituals held in a temple both faiths use. At home they speak mainly Punjabi, the language of Sikhism’s religious texts that is native to the Indian subcontinent... These days, they [Sikhs and Hindus] are known for the medicinal herb shops that many of them own.’<sup>7</sup>

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### 4.3 Location of communities

- 4.3.1 The majority of Afghan Sikhs and Hindus were reported to be based in Kabul, with a large number also residing in Nangarhar and Ghazni provinces.<sup>8 9</sup> Whilst a number of Sikhs used to live in Helmand, recent conflict, and financial demands by the Taliban, have forced them to flee.<sup>10</sup>
- 4.3.2 A Congressional Research Service report of January 2015 stated that ‘An estimated 350 Sikh families and 30 Hindu families are present [in Afghanistan], concentrated in the area of Jalalabad in Nangarhar Province.’<sup>11</sup> According to the Tolo News, as of December 2016, 3 Sikh families lived in Kunduz.<sup>12</sup> In January 2017, Al Jazeera cited Afghan Hindu, Ramnath, who stated that there used to be around 100 Hindu families living in Khost until the conflict forced them to move to either to India or Kabul. He added that Jalalabad continues to have a substantial Sikh population.<sup>13</sup>

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<sup>6</sup> Al Jazeera, ‘The decline of Afghanistan’s Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

<sup>7</sup> The Wall Street Journal, Facing Intolerance, many Sikhs and Hindus leave Afghanistan, dated 12 January 2015, <http://www.wsj.com/articles/facing-intolerance-many-sikhs-and-hindus-leave-afghanistan-1421124144>, date accessed 20 January 2015.

<sup>8</sup> Al Jazeera, ‘The decline of Afghanistan’s Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

<sup>9</sup> The Wire, ‘Afghan Government Approves Reservation for Sikhs/Hindus in Parliament’, 20 September 2016, <https://thewire.in/67265/afghan-government-approves-reservation-for-sikhshindus-in-parliament/>, date accessed 6 January 2017.

<sup>10</sup> Reuters, ‘Afghanistan’s dwindling Sikh, Hindu communities flee new abuses’, 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

<sup>11</sup> Congressional Research Service, ‘Afghanistan: Politics, Elections and Government Performance’, (page 4), 12 January 2015, <https://fas.org/sqp/crs/row/RS21922.pdf>, date accessed 10 January 2017.

<sup>12</sup> Tolo News, ‘Unknown Gunmen Kill Head Of Sikh Community In Kunduz’, 29 December 2016, <http://www.tolonews.com/afghanistan/head-sikh-community-kunduz-killed-unknown-gunmen>, date accessed 10 January 2017.

<sup>13</sup> Al Jazeera, ‘The decline of Afghanistan’s Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

- 4.3.3 An article published by Sikh24.com in August 2014 stated that, 'There was a sizable number of Sikhs in Ghazni but many of them had migrated to Pakistan or India.'<sup>14</sup>

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#### 4.4 Gurdwaras and Mandirs

- 4.4.1 The USSD IRF 2015 Report indicated there were 11 gurdwaras in Afghanistan, and added that 'Hindu and Sikh sources said the law did not hinder their communities from building places of worship, nor did the law restrict clergy from training other Hindus and Sikhs to become clergy.'<sup>15</sup> See also [State treatment and attitudes](#)).
- 4.4.2 Information obtained by the British Embassy in Kabul in February 2015 stated that there were 7 Sikh Gurdwaras and 4 Hindu Mandirs open in Kabul.<sup>16</sup> On 5 February 2017, information obtained by the British Embassy, from Senator Anarkali Hunaryar, confirmed that all 7 Gurdwaras listed in the February 2015 letter were operational. The presence of Baba Har Shri Nath Mandir and Asmayee (Asmaii) Darga was also confirmed. It was unclear if Bhairo Mandir and Baba Jothi Sorup Mandir remained open.<sup>17</sup> The names and further details of these temples, including whether people may be housed within the temples, can be found at [Annex B](#).
- 4.4.3 According to a Congressional Research Service report of November 2016, in Afghanistan 'There are three active gurdwaras (Sikh places of worship) and five Hindu mandirs (temples).'<sup>18</sup>
- 4.4.4 In January 2016, Al Jazeera reported that the Karte Parwan Gurdwara was the main place of worship for Kabul's Sikh community. The report noted that in the past food was prepared at the temple for hundreds of worshippers and visitors but more recently only "a few dozen" attended. Members of the community gathered together every month to share a communal meal. The report added that the gurdwara's rooms, which used to store food, were now used as bedrooms for dozens of Sikhs who had no where to live.<sup>19</sup>
- 4.4.5 Reporting in January 2017, Al Jazeera described the activities in the Asmayee Hindu temple in Kabul, where worshippers continued to go and offer prayers and share meals. The article noted that, whilst the exterior of the building was plain and old, inside there were '... seven rooms built in a

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<sup>14</sup> Sikh24.com, 'Sikh volunteers ready to perform sewa in Afghan gurdwaras', dated 26 August 2014, <http://www.sikh24.com/2014/08/26/sikh-volunteers-ready-to-perform-sewa-in-afghan-gurdwaras/#.VAyDyPldXRE> date accessed 20 January 2017.

<sup>15</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Sections II and III), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>16</sup> British Embassy letter, 8 February 2015, [Annex B](#).

<sup>17</sup> British Embassy letter, 5 February 2017, [Annex A](#).

<sup>18</sup> Congressional Research Service, 'Afghanistan: Post-Taliban Governance, Security, and U.S. Policy', (page 17), 8 November 2016, <https://fas.org/sqp/crs/row/RL30588.pdf>, date accessed 10 January 2017.

<sup>19</sup> Al Jazeera, 'Inside the little-known kitchen of Afghanistan's Sikhs', 9 January 2016, <http://www.aljazeera.com/programmes/ajeats/2016/01/afghanistan-sikhs-160104170656660.html>, date accessed 6 January 2017.

circle that serve as the temple for the various Hindu goddesses and gods, and one expansive hall, colourfully decorated and covered in Persian carpets, that serves as the community prayer room.’<sup>20</sup>

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## 5. Legal rights

- 5.1.1 Whilst the official religion of Afghanistan is Islam, Chapter 1, Article 2 of the Constitution states that followers of other religions are “free to exercise their faith and perform their religious rites within the limits of the provisions of law”.<sup>21</sup> Hindus and Sikhs have no personal status law.<sup>22</sup>
- 5.1.2 The Porsesh Research and Studies Organization (PRSO), an independent non-profit research organisation based in Kabul, stated in a paper dated November 2016, on the status of Sikhs and Hindus in Afghanistan’s legal system, that:
- ‘The current Constitution is excessively dependent upon Islamic interpretations... [and] contains many articles that are discriminatory towards Hindus and Sikhs. Article 3 states that no law can be contrary to the beliefs and provisions of the sacred religion of Islam, while Article 35 states that the manifesto and charter of political parties should be consistent with the principles of Islam. Further, article 62 restricts the political participation of non-Muslim Afghan citizens, stipulating that any head of state must be Muslim.’<sup>23</sup>
- 5.1.3 The PRSO paper also noted that ‘[U]nder the penal code, religious minorities are subject to Islamic law in situations where there is no specific provision in the Constitution or penal code.’<sup>24</sup> The US IRF Report 2015 noted ‘According to representatives of minority religions, the courts did not accord non-Muslims the same rights as Muslims and often subjected non-Muslims to Hanafi Sunni jurisprudence.’<sup>25</sup>

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<sup>20</sup> Al Jazeera, ‘The decline of Afghanistan’s Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

<sup>21</sup> The Constitution of Afghanistan (unofficial translation), Year 1392, [http://www.afghan-web.com/politics/current\\_constitution.html](http://www.afghan-web.com/politics/current_constitution.html), date accessed 10 January 2017.

<sup>22</sup> Porsesh Research and Studies Organization, ‘Ignored Identities: The Status of Hindus and Sikhs in Afghanistan’s Legal System’, (page 8), 19 November 2016, <http://www.porseshresearch.org/porseshv2/wp-content/uploads/2016/11/Ignored-Identities-Status-of-Hindus-and-Sikhs-in-Afghanistans-Legal-System.pdf>, date accessed 10 January 2017.

<sup>23</sup> Porsesh Research and Studies Organization, ‘Ignored Identities: The Status of Hindus and Sikhs in Afghanistan’s Legal System’, (pages 6 and 8), 19 November 2016, <http://www.porseshresearch.org/porseshv2/wp-content/uploads/2016/11/Ignored-Identities-Status-of-Hindus-and-Sikhs-in-Afghanistans-Legal-System.pdf>, date accessed 10 January 2017.

<sup>24</sup> Porsesh Research and Studies Organization, ‘Ignored Identities: The Status of Hindus and Sikhs in Afghanistan’s Legal System’, (page 9), 19 November 2016, <http://www.porseshresearch.org/porseshv2/wp-content/uploads/2016/11/Ignored-Identities-Status-of-Hindus-and-Sikhs-in-Afghanistans-Legal-System.pdf>, date accessed 10 January 2017.

<sup>25</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.



- 5.1.4 Chapter 18 of the Penal Code addresses “Crimes against Religion”, and proscribes the punishments (terms of imprisonment and fines) for: forcefully preventing a person of any religion conducting their rituals or rites; damaging signs, symbols or places of worship of any religion; and attacking a follower of any religion who performs their religious rituals “publicly”.<sup>26</sup>

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## 5.2 Apostasy

- 5.2.1 The USSD IRF Report for 2015 stated that there were no reports of prosecutions for apostasy during the year, although individuals who converted from Islam stated they feared repercussions. The report further noted:

‘There is no definition of apostasy in the criminal code. Apostasy falls under the seven offenses making up the hudud as defined by sharia. According to Sunni Hanafi jurisprudence, beheading is appropriate for male apostates, while life imprisonment is appropriate for female apostates unless they repent. A judge may also impose a lesser penalty if doubt about the apostasy exists. This guidance applies to individuals who are of sound mind and have reached the age of maturity. Although civil law states the age of majority for male citizens is 18 and for female citizens 16, Islamic law defines it as the point at which one shows signs of puberty.’<sup>27</sup>

- 5.2.2 According to the US Commission on International Religious Freedom 2016 report ‘The country’s penal code permits the courts to defer to Shari’ah law in cases involving matters that neither the penal code nor the constitution explicitly address, such as blasphemy, apostasy and conversion, resulting in those charges being punishable by death.’<sup>28</sup>

- 5.2.3 The USSD IRF Report for 2015 noted ‘Under the courts’ interpretation of Islamic law, conversion from Islam to another religion is apostasy. If someone converts to another religion from Islam, he or she shall have three days to recant the conversion. If the person does not recant, then he or she shall be subject to the punishment for apostasy.’<sup>29</sup>

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## 5.3 Blasphemy

- 5.3.1 The US IRF Report 2015 stated that there were no reports of prosecutions for blasphemy during the year, adding ‘Blasphemy, which may include anti-

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<sup>26</sup> Government of Afghanistan, ‘Penal Code’, 17 October 1976, available at: <http://www.refworld.org/docid/4c58395a2.html>, date accessed 21 January 2017.

<sup>27</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

<sup>28</sup> United States Commission on International Religious Freedom, ‘Annual Report 2016 - Tier 2 countries – Afghanistan’, 2 May 2016, available at: <http://www.refworld.org/docid/57307ce915.html>, date accessed 12 January 2017.

<sup>29</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

Islamic writings or speech, is a capital crime under the courts' interpretation of Islamic law. Similar to apostates, the courts give blasphemers three days to recant or face death.<sup>30</sup>

- 5.3.2 In March 2015 an allegation of blasphemy resulted in the death of a young Muslim woman, Farkhunda Malikzada, after she was attacked and murdered by a mob in Kabul. The US Commission on International Religious Freedom 2016 report described the incident and subsequent events:

'Graphic video of the incident, which made worldwide headlines, showed some police attempting to help [Farkhunda], while others stood by as the crowd beat and kicked her, ran a car over her, and set her on fire. Although several religious leaders and government officials initially lauded the murder of an alleged blasphemer, within two days of her murder and following public protests demanding prosecutions, the Ministry of Hajj and Religious Affairs announced she was innocent. Nearly 50 people, including 19 police officers, stood trial in May 2015. Of the civilians charged, four were sentenced to death, eight were sentenced to 16 years in prison, and 18 were found not guilty. Of the police officers, 11 were sentenced to one year in prison and eight were acquitted. In July 2015, an appeals court overturned the four death sentences, instead sentencing three of the men to 20 years in prison and one, who was under 18 years of age, to 10 years.'<sup>31</sup>

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#### 5.4 Citizenship and marriage

- 5.4.1 The US IRF 2015 Report stated that national identity cards indicate the person's religion. A person does not have to declare belief in Islam to receive Afghan citizenship. On marriage, the report said 'A Muslim man may marry a non-Muslim woman, but the woman must first convert if she is not an adherent of one of the other two Abrahamic faiths – Christianity or Judaism. It is illegal for a Muslim woman to marry a non-Muslim man. Marriages between non-Muslims are legal, as long as the couple does not publicly declare their non-Muslim beliefs.'<sup>32</sup>

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## 6. State treatment and attitudes

- 6.1.1 A report produced by Minority Rights Group International in July 2014 stated:

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<sup>30</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

<sup>31</sup> United States Commission on International Religious Freedom, 'Annual Report 2016 - Tier 2 countries – Afghanistan', 2 May 2016, available at: <http://www.refworld.org/docid/57307ce915.html>, date accessed 12 January 2017.

<sup>32</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

'While Afghanistan's ongoing insecurity exposes civilians from all groups to the threat of indiscriminate violence, religious minorities remain vulnerable to targeted attacks...

'The apparent failure of the state to curb incitement and violence against minorities has troubling implications for the future stability of the country as a whole, given their potential to provoke wider sectarian tensions. While conflict resolution efforts are focused on peace negotiations between the government and insurgents, there is also a need to examine the status of minorities within the country and to promote positive measures such as community reconciliation to create the foundation for a sustainable peace in Afghanistan.'<sup>33</sup>

- 6.1.2 For further information on the general security situation see the country policy and information on [Afghanistan: Security and humanitarian situation](#).

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## 6.2 Land, places of worship, and cremation sites

- 6.2.1 Although there were no legal restrictions on building places of worship, or clergy training Sikhs and Hindus to become clergy, the US IRF Report 2015 noted that Sikhs and Hindus could not propagate their faith. They were free to practice their faith publicly<sup>34</sup>, and in their places of worship.<sup>35</sup> See also [Gurdwaras and Mandirs](#). The US IRF Report 2015 also noted that 'President Ghani met with Hindus and Sikhs in September [2015] to celebrate Eid.'<sup>36</sup>

- 6.2.2 According to the US IRF Report 2015, the government allocated land to Hindus and Sikhs for cremation sites and provided police support to protect those communities while they performed their cremation rituals. See also [Cremations](#). However, the same report noted, as regards land rights, that: 'Although Sikhs and Hindus had recourse to dispute resolution mechanisms such as a Special Land and Property Court, members of the two communities stated they felt unprotected by these mechanisms. They stated their community members generally did not take civil cases to court; rather, they preferred to settle disputes within their communities... Leaders of both

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<sup>33</sup> Minority Rights Group International, 'State of the World's Minorities and Indigenous Peoples 2014: Asia and Oceania, Afghanistan', (page 116), dated 3 July 2014, [http://www.ecoi.net/file\\_upload/4232\\_1404983162\\_mrg-state-of-the-worlds-minorities-2014-asia-oceania.pdf](http://www.ecoi.net/file_upload/4232_1404983162_mrg-state-of-the-worlds-minorities-2014-asia-oceania.pdf), date accessed: 20 January 2015

<sup>34</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

<sup>35</sup> United States Commission on International Religious Freedom, 'Annual Report 2016 - Tier 2 countries – Afghanistan', 2 May 2016, available at: <http://www.refworld.org/docid/57307ce915.html>, date accessed 12 January 2017.

<sup>36</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.



Hindu and Sikh communities said they continued to face discrimination, such as long delays to resolve cases in the judicial system.<sup>37</sup>

See also [Housing and land](#).

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### 6.3 Employment in government

- 6.3.1 The US Department of State's Country Report on Human Rights for 2015 (USSD HR Report 2015) stated that Hindus and Sikhs reported unequal access to government jobs.<sup>38</sup> As cited by the US IRF Report 2015 'A small number of Sikhs and Hindus continued to serve in government positions, including one at the municipal level, one at the Afghanistan Chamber of Commerce and Industries, and one as a presidentially appointed member of the upper house of parliament.'<sup>39</sup>

See also [Employment](#) and [Political representation](#).

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### 6.4 Community relations

- 6.4.1 Information obtained by the British Embassy, Kabul, following an interview with an Afghan senator and dated December 2013 stated, 'The Ministry of Hajj and Religious Affairs has taken steps and introduced awareness programmes across mosques to promote religious tolerance with Sikhs and other minority groups which have been effective and welcomed by the Sikhs and Hindus.'<sup>40</sup>

- 6.4.2 The Wall Street Journal published the following in January 2015:

'In a meeting with representatives of the Sikh and Hindu community in November [2014], Mr. Ghani [President of Afghanistan] promised to address their concerns and reiterated that they're entitled to the same rights as other Afghans, according to a statement from his office. He also vowed to allocate funds for the building of a temple in a district in the volatile eastern province of Nangarhar.

'Members of the community say they hope Mr. Ghani's stated commitment to defend their rights may slow the departure [of Sikhs and Hindus from Afghanistan]. Since last spring [2014], around 400 more Sikhs and Hindus have left, according to community leaders. Most joined the swelling Afghan

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<sup>37</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>38</sup> US Department of State, Country Report on Human Rights Practices for 2015, (Section 6), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252957>, date accessed 12 January 2016.

<sup>39</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>40</sup> British Embassy letter, 29 December 2013, [Annex C](#).

community in India, their spiritual home, while some turned to people-smugglers in a bid to reach the West.’<sup>41</sup>

- 6.4.3 Reuters reported in June 2016 ‘Dahi-ul Haq Abid, deputy minister for Haj and religious affairs, said the government had done what it could to improve the livelihood of Hindus and Sikhs. “We agree that conflicts pushed them out of the country, but their condition is not as bad as they claim,” Abid said.’<sup>42</sup>

- 6.4.4 Reporting on the position of Sikhs and Hindus in Afghanistan, Al Jazeera noted in January 2017 that:

‘Kamal Sadat, Afghanistan's minister of culture and information, agrees that the treatment of the minority groups hasn't been fair, but says the government is taking necessary steps to address the matter. “It is indeed tragic how our Hindu and Sikh brothers have been treated over the years. They're an integral part of our history and community, and we are working to improve their conditions,” he told Al Jazeera, adding that the government was looking into all allegations of land grabbing made by Sikhs and Hindus.’<sup>43</sup>

See also [Societal treatment and attitudes](#).

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## 6.5 Political representation

- 6.5.1 The PRSO paper noted that ‘[A]rticle 62 of the constitution restricts the political participation of non-Muslim Afghan citizens, stipulating that any head of state must be Muslim. The oath of allegiance to God and Islam taken by the president, vice-presidents, ministers, and Supreme Court judges has a clear marginalizing effect.’<sup>44</sup> The US Department of State’s International Religious Freedom Report for 2013 said that, ‘Sikh leaders complained they lacked political representation, stating that most Afghans fail to distinguish between Hindus and Sikhs despite significant religious differences...’<sup>45</sup> Minority Rights Group International’s report of July 2014 stated, ‘Political marginalization ...remains an ongoing challenge.’<sup>46</sup>

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<sup>41</sup> The Wall Street Journal, ‘Facing Intolerance, many Sikhs and Hindus leave Afghanistan’, dated 12 January 2015, <http://www.wsj.com/articles/facing-intolerance-many-sikhs-and-hindus-leave-afghanistan-1421124144>, date accessed: 20 January 2015.

<sup>42</sup> Reuters, ‘Afghanistan's dwindling Sikh, Hindu communities flee new abuses’, 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

<sup>43</sup> Al Jazeera, ‘The decline of Afghanistan's Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

<sup>44</sup> Porsesh Research and Studies Organization, ‘Ignored Identities: The Status of Hindus and Sikhs in Afghanistan’s Legal System’, (page 6), 19 November 2016, <http://www.porseshresearch.org/porseshv2/wp-content/uploads/2016/11/Ignored-Identities-Status-of-Hindus-and-Sikhs-in-Afghanistans-Legal-System.pdf>, date accessed 10 January 2017.

<sup>45</sup> US Department of State ‘International Religious Freedom Report for 2013,’ Afghanistan, (Section II), 28 July 2014. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222323>, date accessed 19 January 2015

<sup>46</sup> Minority Rights Group International, ‘State of the World’s Minorities and Indigenous Peoples 2014: Asia and Oceania, Afghanistan’, (page 116), dated 3 July 2014, [http://www.ecoi.net/file\\_upload/4232\\_1404983162\\_mrg-state-of-the-worlds-minorities-2014-asia-](http://www.ecoi.net/file_upload/4232_1404983162_mrg-state-of-the-worlds-minorities-2014-asia-)

- 6.5.2 A report by the United States Congressional Research Service, dated January 2015, noted that, 'Members of minority religions, including Christians, Sikhs, Hindus, and Baha'is, often face discrimination, but members of these communities sometimes serve at high levels. Karzai has had a Hindu as an economic advisor and one member of the Sikh community serves in the Meshrano Jirga [Upper House].'<sup>47</sup>
- 6.5.3 In September 2016 Afghanistan's National Unity Government approved the reservation of a seat for Sikhs and Hindus in the Afghan parliament.<sup>48</sup>
- 6.5.4 The British and Irish Agencies Afghanistan Group published a monthly update for May 2014, which noted, 'Sham Lall Bathija made history on the 8<sup>th</sup> [May 2014] when he was sworn in as Afghanistan's first Hindu special envoy, taking his position as Ambassador to Canada.'<sup>49</sup>

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## 7. Societal treatment and attitudes

### 7.1 Violence and discrimination

- 7.1.1 The Foreign and Commonwealth Office's Human Rights and Democracy Report 2014-15 published on 15 March 2015 noted that, although Article 2 of the Afghan constitution allows citizens the right to follow their own religion, religious minorities faced violence and discrimination.<sup>50</sup>
- 7.1.2 The Los Angeles Times published an article in June 2013 which stated: 'Sikhs, Jews and other minorities enjoyed tolerance and relative prosperity until the late 1970s when decades of war, oppression and infighting set in. Although many Muslim families have also suffered hugely, Sikhs say they've faced worse pressures as a minority subject to forced religious conversions and frequent kidnapping, given their limited political protection and reputation for being prosperous.'<sup>51</sup>
- 7.1.3 The US IRF Report 2015 stated that Hindus and Sikhs faced societal discrimination, harassment and at times violence. The report added that

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[oceania.pdf](#), date accessed: 20 January 2015

<sup>47</sup> United States Congressional Research Service, 'Afghanistan: Politics, Elections, and Government Performance', (Religious Freedom p.48), 12 January 2015, <http://fas.org/sqp/crs/row/RS21922.pdf>, date accessed 11 February 2015

<sup>48</sup> The Wire, 'Afghan Government Approves Reservation for Sikhs/Hindus in Parliament', 20 September 2016, <https://thewire.in/67265/afghan-government-approves-reservation-for-sikhshindus-in-parliament/>, date accessed 6 January 2017.

<sup>49</sup> British and Irish Agencies Afghanistan Group, 'Monthly Report: Afghanistan in May 2014' available at [http://www.ecoi.net/file\\_upload/1226\\_1401785592\\_afghanistan-20in-20may-202014.pdf](http://www.ecoi.net/file_upload/1226_1401785592_afghanistan-20in-20may-202014.pdf), date accessed 11 February 2015

<sup>50</sup> Foreign and Commonwealth Office, 'Human Rights and Democracy Report 2014-15, Afghanistan: Country of Concern. 15 March 2015. Freedom of Religion or Belief', <https://www.gov.uk/government/publications/afghanistan-country-of-concern--2/afghanistan-country-of-concern#freedom-of-religion-or-belief>, date accessed 22 April 2015.

<sup>51</sup> Los Angeles Times, 'Sikhs, already marginalised, are pushed to the brink', dated 10 June 2013, <http://articles.latimes.com/2013/jun/10/world/la-fg-afghanistan-sikhs-20130611>, date accessed: 11 February 2015

Hindus and Sikhs ‘.. continued to express fear of retaliation if they availed themselves of legal protection in disputes with neighbors.’<sup>52</sup>

7.1.4 The same report further stated:

‘Individual Hindus and Sikhs said they continued to be able to practice their religions publicly but reported harassment from their neighbors. Members of the Hindu community said they faced fewer incidents of harassment than Sikhs, ascribing the difference to their lack of a distinctive male headdress. Despite the differences between the groups, many Afghans reportedly tended to use the terms Sikh and Hindu interchangeably.’<sup>53</sup>

7.1.5 According to the USSD HR Report 2015 ‘Sikhs and Hindus continued to face... verbal and physical abuse in public places.’<sup>54</sup> According to Anarkali Honaryar, a Sikh lawmaker and activist cited in an August 2014 article, ‘there have been incidents where people threw stones at Sikh funeral processions and verbally attacked them.’<sup>55</sup>

See also [Cremations](#).

7.1.6 On 1 October 2016 members of the Sikh community staged a protest in Jalalabad, capital of Nangahar Province, following the death of a Sikh man, Royal Singh, who was reportedly abducted from his home before being shot dead. According to one of the protesters, Singh had a dispute with his neighbour the night before he was killed, and blamed the neighbour and some gunmen for his death. Protesters demanded the security forces arrest the culprits and bring them to justice. Pajhwok Afghan News stated that deputy governor, Mohammad Hanif Gardiwal, met the protesting Sikhs and told them that the murder was being investigated.<sup>56</sup>

7.1.7 On 29 December 2016 it was reported that Lala Del Souz, head of the Sikh community in Kunduz city, was shot and killed by unknown gunmen. According to the Kunduz security chief, police had arrested 3 suspects over the incident and investigations were ongoing.<sup>57</sup>

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<sup>52</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Executive summary), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>53</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section III), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>54</sup> US Department of State, Country Report on Human Rights Practices for 2015, (Section 6), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252957>, date accessed 12 January 2016.

<sup>55</sup> Radio Free Europe/Radio Liberty ‘When are you going back?’ Afghanistan’s Sikhs, strangers in their own land’, 19 August 2014, <http://www.rferl.org/content/afghanistan-sikh-minority/26539541.html>, date accessed: 11 May 2015

<sup>56</sup> Pajhwok Afghan News, ‘Sikh man’s killing sparks protest in Jalalabad’, 1 October 2016, <http://www.pajhwok.com/en/2016/10/01/sikh-man%E2%80%99s-killing-sparks-protest-jalalabad>, date accessed 24 January 2017

<sup>57</sup> Tolo News, ‘Unknown Gunmen Kill Head Of Sikh Community In Kunduz’, 29 December 2016, <http://www.tolonews.com/afghanistan/head-sikh-community-kunduz-killed-unknown-gunmen>, date accessed 10 January 2017.

- 7.1.8 Speaking to Al Jazeera in January 2017, Ehsan Shayegan, an Afghan researcher with the Porsesh Research and Studies Organization, said:

‘Hindus in Afghanistan are leaving because of religious discrimination and social exclusion... Incidents of systematic and institutional discrimination have even made local headlines, although many more go unreported, he says.’ Rawail Singh, an Afghan Sikh civil rights activist, was quoted as saying “There is only so much a community can tolerate. We can't practise our faith openly; our children can't go to school because of harassment; we can't even cremate our dead without being stoned by the public,” ... referring to the 2012 incident when civilians and security forces prevented them from performing funeral rites at their ancient cremation grounds, parts of which had been taken over by armed locals.’<sup>58</sup>

See also [Cremations](#).

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## 7.2 Urban/regional differences

- 7.2.1 Radio Free Europe/Radio Liberty published an article dated August 2014 which noted ‘Some blame the increasing intolerance toward Sikhs and Hindus on “extremist elements” who have moved from the provinces to Kabul and other cities in recent years. Ahmad Saeedi, a former professor of political science at Kabul University, says the original city dwellers have always been tolerant as they grew up in an ethnically diverse place.’<sup>59</sup>

- 7.2.2 The Wall Street Journal stated the following in January 2015:

‘Most [Sikhs] live in Kabul. Sikhs living elsewhere in the country say the intolerance they face is particularly open. “We can't live our life with people telling us: ‘Hindu, Hindu! You are an infidel!’ said Wisak Singh, an Afghan Sikh who lives in the city of Lashkar Gah, in the southern province of Helmand. “It doesn't just happen occasionally. It happens to us every day.” Of the 35 Sikh families who still live in Helmand, many are thinking of leaving, he said.’<sup>60</sup>

See also [Demography](#)

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## 7.3 Cremations

- 7.3.1 The US IRF Report 2015 noted that:

‘As in past years, Hindus and Sikhs stated individuals who lived near cremation sites continued to interfere in their efforts to cremate the remains of their dead in accordance with their customs. Although the government had

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<sup>58</sup> Al Jazeera, ‘The decline of Afghanistan's Hindu and Sikh communities’, 1 January 2017, <http://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html>, date accessed 6 January 2017.

<sup>59</sup> Radio Free Europe/Radio Liberty ‘When Are You Going Back?’ Afghanistan's Sikhs, Strangers In Their Own Land, dated 19 August 2014, <http://www.rferl.org/content/afghanistan-sikh-minority/26539541.html>, date accessed 11 February 2015

<sup>60</sup> The Wall Street Journal, Facing Intolerance, many Sikhs and Hindus leave Afghanistan, dated 12 January 2015, <http://www.wsj.com/articles/facing-intolerance-many-sikhs-and-hindus-leave-afghanistan-1421124144>, date accessed 20 January 2015.



previously provided land for this purpose, Sikhs continued to express concern over the distance of the land from any major urban area and the lack of security in the region, which rendered the land unusable in their view. The government continued to provide police support to protect the Sikh and Hindu communities while they performed their cremation rituals.<sup>61</sup>

7.3.2 Reuters reported in June 2016 on the difficulties faced by Hindus and Sikhs in cremating their dead. According to the report:

'Tensions have surfaced in Qalacha, an area on the outskirts of Kabul where the Sikh and Hindu community owns a high-walled crematorium. As the capital has expanded in recent years, the neighborhood has become densely populated and some newer residents oppose Hindu and Sikh cremations, a practice foreign to Muslims, who bury their dead. "When they burn the body the smell makes our family sick and we don't want this to happen here," said Ahmad Timor, a Muslim resident in Qalacha.

'The Sikhs say local Muslim hardliners have stirred up hostility against them, and the community now requires police protection for their funeral rituals. "They throw stones and bricks at us, at the bodies of the dead, whenever there is a funeral," said Avtar Singh [chairman of the national council of Hindus and Sikhs].'<sup>62</sup>

7.3.3 Information obtained by the British Embassy, Kabul, in an interview with an Afghan senator in December 2013, stated:

'Sikhs and Hindus have had problems regarding their cremation venue (Shamshan) in Kabul and Ghazni provinces. Although the Ghazni issue has been resolved, problems persist in Kabul. A cremation venue has been allotted for Hindus and Sikhs (at Qalacha area) who have been using it for the past 120 years. However, due to the expansion of residential areas and urbanisation, residential buildings have been built around the Shamshan, no longer letting Hindus and Sikhs use that particular venue as the smell of the burnt bodies contaminates their environment. As a result the residents around the Shamshan stone their dead bodies and don't let them observe their funerals. They have had to ask Police to protect them during many funerals, the Police have obliged and held security for their processions. Kabul Municipality has allotted a large area for Hindus and Sikhs at Police District 21 area of Kabul city where they can build residential units and their Shamshan. District 21 is freshly annexed to the Kabul Municipality though is not developed yet.'<sup>63</sup>

7.3.4 The same letter added, 'The Ministry of Hajj and Religious Affairs has resolved the problems with the residents around the Shamshan at Qalacha

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<sup>61</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Executive summary), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256299>, date accessed 6 January 2017.

<sup>62</sup> Reuters, 'Afghanistan's dwindling Sikh, Hindu communities flee new abuses', 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

<sup>63</sup> British Embassy letter, 29 December 2013, [Annex C](#).

and the residents will let Sikhs undertake cremations for the next 2-3 years until the Shamshan at PD 21 [Police District 21] is developed.’<sup>64</sup>

7.3.5 On 5 February 2017, the British Embassy provided information obtained from Senator Anarkali Hunaryar, which confirmed that Sikhs ‘... were still using the Shamshan Ghaat in Qalacha area for ... cremation but had to inform the police prior to conducting the services. [The] Government has ordered some modern machines to be used for cremation purposes which would arrive within a month or two. Hindus and Sikh were happy with the idea and would solve their problems with regard to the cremation of their dead bodies.’<sup>65</sup>

7.3.6 IWPR published the following in July 2013:

‘... Avtar Singh [Chairman of the National Council of Hindus and Sikhs] said funeral rites remained a major issue, noting public opposition to the use of the 120-year-old crematorium in Qalacha, southeast of Kabul. “When we take our dead bodies to the crematorium, we take the police with us. Even so, local people throw stones at us. They disrespect our dead,” he said, adding that despite appeals to the Afghan parliament, the Independent Human Rights Commission, the United Nations mission and the United States embassy, his community had received little help.

‘Daud Amin, deputy police chief in Kabul city, said that his forces were doing their best to protect the minority. “We have always worked with them,” he said. “We have accompanied them and we haven’t allowed anyone to insult them. Members of the public threw stones at them only once, and we stopped it. We have helped them whenever they’ve asked us for help.”

‘Residents of Qalacha insisted they had no problems with Hindus and Sikhs, only with the cremations. Gholam Habib Fawad, deputy chairman of the community council in Qalacha, said the crematorium used to be located far from residential areas, but that had changed as more homes were built in its vicinity. “When they burn bodies there, the smell goes into the houses,” he said. “Many people react and fall sick. The children are scared. Some families need to leave their houses for several days and go and live with relatives.”

‘Avtar Singh denied that the cremations had any impact on the environment...

‘Anarkali Kaur Honaryar, a Sikh member of the upper house of parliament, says she has raised the cremation issue at the highest levels. “I have pursued [the Qalacha] issue with government officials myself,” said Honaryar, who has been the Senate’s only non-Muslim member since 2010. “They have been cooperative. I believe that certain political elements and foreign meddling are creating problems for the Hindus and Sikhs, since we didn’t use to have problems with our Muslim brothers”...

‘Honaryar acknowledged that Sikhs and Hindus faced some problems, which she attributed to ignorance in the wider community. She said she had asked

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<sup>64</sup> British Embassy letter, 29 December 2013, [Annex C](#).

<sup>65</sup> British Embassy letter, 5 February 2017, [Annex A](#).

the media and the Ministry of Hajj and Religious Affairs to launch a public education campaign. "In my opinion, the low level of public literacy, immigration [of returning Afghan refugees], and lack of information about the Hindu minority are the causes of this problem," she said. "But not everyone is like that. It's just some ignorant people who do these things. I have contacted the police in such cases and they have been wholly cooperative and have punished the individuals involved".<sup>66</sup>

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## 7.4 Employment

- 7.4.1 The US IRF Report 2015 stated that Sikh leaders reported that Sikhs and Hindus faced a lack of access to the labour market and cited it as the main cause for mass emigration. The same source also noted that Sikhs and Hindus had reported unequal access to government jobs.<sup>67</sup>
- 7.4.2 In his report of February 2015, Dr. Antonio Giustozzi stated: 'Nobody apart from a Sikh trader or craftsman would employ any of them [i.e. members of the Sikh community] and even that would be difficult as Sikhs would prioritise their own relatives for hiring.'<sup>68</sup>
- 7.4.3 Information obtained from the FCO's British Embassy in Kabul, following an interview with an Afghan senator and dated December 2013, noted:
- 'Before the war, Sikhs and Hindus had a prominent contribution to society and held key positions, such as Dr. Barmokhandas who was the pioneer of forensic medicine in Afghanistan. Before the war era, they were engaged in businesses such as gold selling, herbal medicine homeopathy and cloth selling... Sikhs and Hindus are not as wealthy as they used to be before the war and they live based on a daily wage or are engaged in small scale businesses such as herbal medicine, homeopathy and cloth selling. The tradition of gold selling is no longer seen among Sikhs and Hindus which is due to their lower economic social status.'<sup>69</sup>
- 7.4.4 An article published by Afghanistan Today in August 2013 stated:
- "Different people come to my shop and take money from me under many different pretexts," says Singh [Amit Singh, a Sikh shopowner], who owns a herbal medicine store in the Kotay Sangee area of Kabul.
- "One day, they introduce themselves as officials from the municipality. Another day, someone comes from the Ministry of Finance and asks me if I have a license. Another day, from another governmental institution. I don't know if they are real officials or ordinary people who go around, harass people and take money from them," says Singh.

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<sup>66</sup> Institute for War and Peace Reporting, 'Tough times for Afghan Hindus and Sikhs', dated 11 July 2013, <https://iwpr.net/global-voices/tough-times-afghan-hindus-and-sikhs>, date accessed 20 January 2015

<sup>67</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Executive summary), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>68</sup> Report by Dr. Antonio Giustozzi, ated 28 February 2015. Hard copy available on request.

<sup>69</sup> British Embassy letter, 29 December 2013, [Annex C](#).



'With such exorbitant and nebulous fees being levied on him, Singh struggles to feed his seven-member family. But there is little he can do. He is the only Sikh storeowner on his street – in a society where ethnicity often has a strong say. "There is no way we can raise our voice and there is no one who would hear our voice," he says somewhat resigned, adding: "If I make 50 Afghanis (\$10) a day, I end up giving at least 20 per cent away".'<sup>70</sup>

See also [Violence and discrimination](#)

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## 7.5 Housing and land

### 7.5.1 The US IRF Report 2015 stated:

'Sikh and Hindu sources reported members of their communities continued to express concern over land disputes and said they often chose not to pursue restitution through the courts for fear of retaliation, particularly when powerful local leaders occupied their property. A Sikh leader reported the community had not been able to use land set aside by the government for burials and housing due to what he said were threats from local residents. The residents argued the land was private property and the government did not have the authority to give the land to the Sikhs. He said the residents were using the land as a dump.'<sup>71</sup>

### 7.5.2 Avtar Singh, chairman of the national council of Hindus and Sikhs, told Reuters in June 2016 "Our lands have been taken by powerful figures in the government, especially by the warlords. We are facing threats, and this small community is getting smaller and smaller every day".'<sup>72</sup>

### 7.5.3 On 5 February 2017, the British Embassy provided information obtained from Senator Anarkali Hunaryar, which stated:

'The recent efforts of the government to provide official land/property deeds to those owning lands and houses in Kabul has [been] highly ... welcomed by the general population. [The] Majority of the properties in Kabul are sold through informal means without the involvement of a registered property dealer or any other governmental entities, which paved the way for land grabbing and other illegal businesses. Issuing the property deeds on one hand would identify the real owners of the properties (grabbed during last 30 years) and would also prevent such practices in the future.

'Hindus and Sikhs may also benefit a lot from this initiative. Likewise [as with] other Afghans, lot[s] of houses belonging to the Hindus and Sikhs (that fled the country during the civil war) were also grabbed in most of the cases by former war lords. They are likely to receive their properties back, if they

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<sup>70</sup> Afghanistan Today, 'Minority Report', dated 16 August 2013, <http://www.afghanistan-today.org/article/?id=534>, date accessed 11 February 2015

<sup>71</sup> US Department of State, 'International Religious Freedom Report for 2015, Afghanistan', (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>72</sup> Reuters, 'Afghanistan's dwindling Sikh, Hindu communities flee new abuses', 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

still posses[s] any such document that could demonstrate their ownership over the property.<sup>73</sup>

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## 7.6 District 21, Kabul

### 7.6.1 IWPR published the following in July 2013:

‘Honaryar [Anarkali Kaur Honaryar, a Sikh member of the upper house of parliament] said she was behind an initiative to build a purpose-built settlement in eastern Kabul complete with schools, a crematorium and other facilities for the Sikhs and Hindus in the city. But so far, the response had not been enthusiastic. “Now that we’ve launched the town, no one is prepared to go there,” she said. “The municipality calls me every day and says construction work needs to get started there.”

‘Hindus and Sikhs living in Kabul said moving to new homes would not solve their problems, and they would face more security threats if they were outside the capital. “We aren’t safe in the heart of Kabul even with all its police and laws,” resident Manpal Singh said. “How are we going to be able to live in a desert 20 kilometres outside from the city? What will the people in [other] villages do to us? Was there nowhere else in Kabul, so that they had to send us to deserts and mountains?”<sup>74</sup>

### 7.6.2 Information obtained by the British Embassy in Kabul in December 2013, stated:

‘Kabul Municipality has allotted a large area for Hindus and Sikhs at Police District 21 area of Kabul city where they can build residential units and their Shamshan [cremation ground]. District 21 is freshly annexed to the Kabul Municipality though is not developed yet. The new area will take long time to be developed into a proper residential area as it lacks basic infrastructure such as electricity, water, sanitation, roads etc.<sup>75</sup>

### 7.6.3 On 5 February 2017, information obtained by the British Embassy, from Senator Anarkali Hunaryar, stated as regard to District 21 that ‘[The] Majority of the people from the Hindu/Sikh community weren’t in favour of residing in the area far away from the main city, citing security issues. The land is allotted to the community and they may think of developing it in the future although the municipality was ready to work with them on the development of the area.’<sup>76</sup>

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## 7.7 Women and Children

### 7.7.1 IWPR published the following in July 2013:

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<sup>73</sup> British Embassy letter, 5 February 2017, [Annex A](#).

<sup>74</sup> Institute for War and Peace Reporting, ‘Tough times for Afghan Hindus and Sikhs’, dated 11 July 2013, <https://iwpr.net/global-voices/tough-times-afghan-hindus-and-sikhs>, date accessed 20 January 2015

<sup>75</sup> British Embassy letter, 29 December 2013, [Annex C](#).

<sup>76</sup> British Embassy letter, 5 February 2017, [Annex A](#).

'Many Hindus and Sikhs ... say they face threats, insults and even physical violence from their neighbours. "Our women can't go out," said Bajan Singh, who has a grocery shop in Kabul. "When our children go to school, they are insulted by their classmates for being Hindu. A number of our Hindu brothers have been beaten and their money stolen. All of our rights have been trampled on. I wish [the government] would move us to some other country."

7.7.2 According to a 2014 report by the Hindustan Times, Afghan Sikh women stated that they do not leave their homes as they "are not safe on the streets", and are "insulted and laughed at". The report also stated that there had been incidents of Muslim children cutting the hair of Sikh children. Some children said "Pathans [Pashtuns] beat us and call us "kachaloo" (a derogatory word that translates to sweet potato)...'<sup>77</sup> Reporting in June 2016, Reuters cited one Sikh boy who told them that at school "... other students were making fun of me. They were removing my turban, hitting me and calling me Hindu and kaffir (infidel)".' Other children agreed such incidents occurred.<sup>78</sup> (See [Education](#)).

7.7.3 In a report of February 2015, Dr. Antonio Giustozzi stated, 'They [the Sikh community] fear that a woman dressed as a Sikh could be harassed because of not meeting Islamic strictures concerning the dress code. It would be unthinkable today for a Sikh man to let a female member of his family travel outside the family home alone.'<sup>79</sup>

See also [Violence and discrimination](#)

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## 7.8 Education

7.8.1 The USSD HR Report 2015 stated that Sikhs and Hindus continued to face harassment in schools.<sup>80</sup> Some children went to private schools or studied inside their temples.<sup>81</sup>

7.8.2 The US IRF Report 2015 stated:

'According to the Office of the United Nations High Commissioner for Refugees, members of the Sikh and Hindu communities continued to avoid sending their children to public schools, reportedly because of harassment by other students. In the past, Hindus and Sikhs had sent their children to private Hindu and Sikh schools. Many of those schools had closed due to the decreasing size of the two communities as well as the declining

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<sup>77</sup> Hindustan Times, 'Dark days continue for Sikhs and Hindus in Afghanistan', 22 August 2014, <http://www.hindustantimes.com/chandigarh/dark-days-continue-for-sikhs-and-hindus-in-afghanistan/story-6SSLOpBTjGbZVCuWaByyIO.html>, date accessed 19 January 2017.

<sup>78</sup> Reuters, 'Afghanistan's dwindling Sikh, Hindu communities flee new abuses', 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

<sup>79</sup> Report by Dr. Antonio Giustozzi, dated 28 February 2015.

<sup>80</sup> US Department of State, Country Report on Human Rights Practices for 2015, (Section 6), 13 April 2016, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252957>, date accessed 12 January 2016.

<sup>81</sup> Reuters, 'Afghanistan's dwindling Sikh, Hindu communities flee new abuses', 22 June 2016, <http://www.reuters.com/article/us-afghanistan-minority-idUSKCN0Z82SL>, date accessed 10 January 2017.

economic circumstances of their members. A Sikh community member stated Hindus and Sikhs largely remained illiterate, which continued to limit their higher education and employment opportunities.<sup>82</sup>

7.8.3 The same source noted:

‘There was one government-sponsored school for Sikh children, located in Kabul. The government previously had shut down the schools in Helmand and Ghazni provinces after enrollment declined. The government provided the same proportionate funding to cover staff salaries, books, and maintenance as it did for other schools. The MOE [Ministry of Education] provided the curriculum for the Sikh school, except for religious studies. The community appointed a teacher for religious studies, and the MOE paid the teacher’s salary.

‘There was also a privately-funded Sikh school in Jalalabad supported by the Swedish Committee for Afghanistan, a Swedish NGO. A few Sikh children also attended private international schools. There also was a Sikh university student studying medicine at Kabul University. Hindus did not have separate schools but sometimes sent their children to Sikh schools.’<sup>83</sup>

7.8.4 Information obtained by the British Embassy in Kabul, following an interview with an Afghan senator, dated December 2013 stated ‘There are very few Sikhs or Hindus educated and they can’t send their children to schools as bullying is high against Sikh/Hindu children. However two schools have been built by the Government of Afghanistan specifically for Sikh and Hindu children in Kabul and Nangarhar provinces, where they can get elementary education.’<sup>84</sup>

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<sup>82</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section III), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>83</sup> US Department of State, ‘International Religious Freedom Report for 2015, Afghanistan’, (Section II), 10 August 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256299>, date accessed 6 January 2017.

<sup>84</sup> British Embassy letter, 29 December 2013, [Annex C](#).

# Annex A: British Embassy letter dated 5 February 2017



British Embassy  
Kabul

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Kabul  
Tel no: +93 (0) 0700102000  
Email: [BritishEmbassy.Kabul@fco.gov.uk](mailto:BritishEmbassy.Kabul@fco.gov.uk)

Date: Sunday 5th February 2017

To whom it may concern,

In response to an official request from the Home Office regarding Afghan Sikhs and Hindus the following information was obtained from Senator Anarkali Hunaryar:

With regard to the Sikh Gurudwaras, all seven listed in the letter from the British Embassy, Kabul, dated 8th February 2015 are operational. Majority of the Hindus and Sikhs reside within these Gurudwaras and very few of them live outside these Gurudwaras.

**Temples:** They could confirm the presence of Baba Har Shri Nath Mandir and Asmayee Darga and weren't sure about the remaining two mandirs. They promised to confirm that soon.

**District 21:** Majority of the people from the Hindu/Sikh community weren't in favour of residing in the area far away from the main city, citing security issues. The land is allotted to the community and they may think of developing it in the future although the municipality was ready to work with them on the development of the area.

- They were still using the Shamshan Ghaat in Qalacha area for the cremation but had to inform the police prior to conducting the services. Government has ordered some modern machines to be used for cremation purposes which would arrive within a month or two. Hindus and Sikh were happy with the idea and would solve their problems with regard to the cremation of their dead bodies.
- The recent efforts of the government to provide official land/property deeds to those owning lands and houses in Kabul has highly been welcomed by the general population. Majority of the properties in Kabul are sold through informal means without the involvement of a registered property dealer or any other governmental entities, which paved the way for land grabbing and other

illegal businesses. Issuing the property deeds on one hand would identify the real owners of the properties (grabbed during last 30 years) and would also prevent such practices in the future.

- Hindus and Sikhs may also benefit a lot from this initiative. Likewise other Afghans, lot of houses belonging to the Hindus and Sikhs (that fled the country during the civil war) were also grabbed in most of the cases by former war lords. They are likely to receive their properties back, if they still possess, any such document that could demonstrate their ownership over the property.

[redacted]

Migration Delivery Officer

British Embassy

Kabul

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## Annex B: British Embassy letter dated 8 February 2015



British Embassy  
Kabul

15th St Roundabout  
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PO Box 334

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<http://ukinafghanistan.fco.gov.uk>

08 Feb 2015

To Whom It May Concern,

We consulted an Afghan Sikh at the Guru Har Rai Gordowara on 15 Nov 2014 to obtain information if it was possible for a family to live in the temple between Sep 2013 and April 2014. The following information was provided by a Sikh teacher named Arwinder Singh, permanently living in the temple.

- The Sikh temple of Guru Har Rai Gordowara was completely destroyed during the decade long civil war and Taliban rule (1991-2001). It was partially rebuilt around 2001 and families were living there.
- It was completely renovated and new quarters built around a year and half ago which expanded the capacity of families living in the Gordowara. It now serves as a big guest house for those Sikh families and individuals visiting Kabul from other provinces.
- Mr. Arwinder Singh said there were many families who lived during Sep 2013 – Apr 2014 and it has been possible to accommodate many families and individuals since it has been renovated a year and half ago.
- The Temple can accommodate temporarily up to 50 individuals at a single time and there are currently around 15 families living permanently in the compound of the Temple, including Mr. Arwinder Singh's family.



We had a visit to Gordowara Singh Sabha in Karte Parwan area of Kabul where we met Mr. Taranjit Singh who is a member of Sikh Community Council in Kabul. He provided the following information regarding Sikh and Hindu Temples in Kabul.

There are 11 Sikh/Hindu worshipping temples in Kabul which are listed below.

### Hindu Temples

- 1- **Baba Har Sri Nath Mandir** in Mandawi area of downtown Kabul currently accommodates a watchman and his family and has the capacity to accommodate 2-3 families at a time.
- 2- **Asmaii Dargaa**, on Asmaii Avenue in Kabul accommodates one family permanently and has the capacity to accommodate 13-14 families at a time.
- 3- **Bhairo Mandir**, in Shor Bazar area of old Kabul city currently accommodates 2 Hindu families and has the capacity to accommodate 12-13 families temporarily.
- 4- **Baba Jothi Sorup Mandir**, in Shor Bazar area of Old Kabul City currently accommodates two families permanently and has the capacity to accommodate 10 families at a time on temporary basis.

### Sikh Temples

- 1- **Gordowara Singh Sabha**, in Karte Parwan area of Kabul is the largest Sikh Temple in Kabul and serves the largest Sikh population of Kabul living in Karte Parwan area. It currently accommodates four families on permanent basis including a watchman's family and has the capacity to accommodate additional 10-12 families. The temple has a big hall and a yard where in emergency or needs situations, can set up tents with capacity to accommodate 30-40 families.
- 2- **Baba Sri Chand Gordowara** is situated in Shor Bazar area of Old Kabul City. It currently houses 5 families on permanent basis and has no capacity to house more families. However, it can accommodate up to 10 individuals for temporary night stays.
- 3- **Guru Har Rai Gordowara**, in Shor Bazar area of Old Kabul City can accommodate temporarily up to 50 individuals at a single time and there are currently around 15 families living permanently in the compound of the Temple. There is a big hall in the temple which can accommodate 30 more individuals; however, the Temple administration has no capacity to serve basic amenities for night stayers.
- 4- **Baba Nanak Gordowara**, on Maiwand Avenue is not fully functional and is not being used since the fall of Taliban as a worshipping temple. However, some families lived temporarily when they couldn't find shelter in other Gordowaras of the city.
- 5- **Khalsa Gordowara**, also situated in Shor Bazar area on Hazrat Haa Street served as Sikh school in the past and now accommodates around 10 families and has further capacity to house up to 5 more families.



- 6- **Mansa Singh Gordowara**, is situated near the Khalsa Gordowara and around 10 families are currently living in the Temple. It has capacity to house 4-5 more families.
- 7- **Pandit Gordowara**, situated in Shor Bazar area of Old Kabul City can accommodate around 10 families at a time.

### Pictures of Gordowara Singh Sabha, Karte Parwan



Gordowara Singh Sabha, Karte Parwan 1



Gordowara Singh Sabha, Karte Parwan 2



Gordowara Singh Sabha, Karte Parwan 3



Gordowara Singh Sabha, Karte Parwan 4

Following is a picture of Guru Har Rai temple taken from outside with permission of the teacher, Mr. Arwinder Singh, who is also in charge of the temple. There is still some renovation going on the fourth floor.



**Gurdawara Guru Har Rai 1**

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## Annex C: British Embassy letter dated 29 December 2013



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To Whom It May Concern,

We consulted an Afghan Senator at the Afghanistan National Parliament on 10<sup>th</sup> November 2013 in order to gather information on the Sikh Community living in Afghanistan. The following information is based on the knowledge of this individual who requested not to be named.

- Sikhs and Hindus living in Afghanistan are originally from this country and are not migrants from India as generally perceived. The number of Sikh and Hindus in Afghanistan reached a number of 100k before the Russian invasion and civil war. During the lengthy 35 year war, a large number of Sikhs and Hindus migrated to different countries, particularly India. Before the war, Sikhs and Hindus had a prominent contribution to society and held key positions, such as Dr. Barmokhandas who was the pioneer of forensic medicine in Afghanistan. Before the war era, they were engaged in businesses such as gold selling, herbal medicine homeopathy and cloth selling.
- Currently the number of Sikhs and Hindus in Afghanistan could reach approximately **7000**. Out of whom **5000** are permanently living in Afghanistan and **2000** are Sikhs who are living here to do business and their families are living elsewhere. Sikhs and Hindus are not as wealthy as they used to be before the war and they live based on a daily wage or are engaged in small scale businesses such as herbal medicine, homeopathy and cloth selling. The tradition of gold selling is no longer seen among Sikhs and Hindus which is due to their lower economic social status.
- There are very few Sikhs or Hindus educated and they can't send their children to schools as bullying is high against Sikh/Hindu children. However two schools

have been built by the Government of Afghanistan specifically for Sikh and Hindu children in Kabul and Nangarhar provinces, where they can get elementary education. They have worshiping places (Gurdwaras/Dharamshalas) and there are no restrictions on worshiping or their religious ceremonies. They have a good relationship with Muslims and they attend inter-faith ceremonies.

- Throughout Afghanistan, Sikhs and Hindus live in small communities in Kabul, Kandahar, Helmand, Khost, Nangarhar, Ghazni, Kunduz, Parwan, Herat and Mazar-e-Sharif provinces. Currently there are 64 worshiping places across the country with 9 in Kabul and the remainder in the provinces mentioned above, with each community having their own worshiping place. There are no Sikh/Hindu media publications in Afghanistan.
- Sikhs and Hindus have had problems regarding their cremation venue (Shamshan) in Kabul and Ghazni provinces. Although the Ghazni issue has been resolved, problems persist in Kabul. A cremation venue has been allotted for Hindus and Sikhs (at Qalacha area) who have been using it for the past 120 years. However, due to the expansion of residential areas and urbanisation, residential buildings have been built around the Shamshan, no longer letting Hindus and Sikhs use that particular venue as the smell of the burnt bodies contaminates their environment. As a result the residents around the Shamshan stone their dead bodies and don't let them observe their funerals. They have had to ask Police to protect them during many funerals, the Police have obliged and held security for their processions. Kabul Municipality has allotted a large area for Hindus and Sikhs at Police District 21 area of Kabul city where they can build residential units and their Shamshan. District 21 is freshly annexed to the Kabul Municipality though is not developed yet.
- The new area will take long time to be developed into a proper residential area as it lacks basic infrastructure such as electricity, water, sanitation, roads etc. Some Sikhs face land grabbing problems. Sikhs and Hindus left their property and fled the country as a result of war. The properties are usually grabbed either by some fellow Sikh community members or other people from the surrounding area. Most of them get the issues resolved through relevant legal systems and regain their land, however, some don't claim their property fearing the party grabbing their land would harm them. Currently there is lack of shelter for some Sikhs who have been living in Gurdwaras (worshiping places) across the country. There are families living in Gurdwaras in Kabul, Jalalabad, Kandahar, Helmand, Ghazni and Kunduz. These families have made rooms inside the premises of the Gurdwara and are living there due to lack of housing.
- The Ministry of Hajj and Religious Affairs has resolved the problems with the residents around the Shamshan at Qalacha and the residents will let Sikhs undertake cremations for the next 2-3 years until the Shamshan at PD 21 is developed. The Ministry of Hajj and Religious Affairs has taken steps and introduced awareness programmes across mosques to promote religious tolerance with Sikhs and other minority groups which have been effective and welcomed by the Sikhs and Hindus.
- Sikhs don't have any complaints against the system and they are happy with what the Government is doing. However, some of the issues they face are

common amongst the Sikh community. Sikhs and Hindus are not the target of any particular persecution or discrimination in any particular part of the country. They have a good relationship with Muslims and attend inter-faith ceremonies. They are not the subject of discrimination by the public. They can set up their businesses as everybody else in the country can do. Hindus and Sikhs return back in small numbers. Lately three families returned back from India. Hindus and Sikhs can participate equally in political processes and the Afghan President has recently issued a decree (#59) through which Sikhs and Hindus are reserved a seat at the Lower House. The decree is currently in the Upper House and is awaiting passage.

- Currently Sikhs and Hindus have to participate in Parliamentary elections through open competition. There are very few prominent Sikhs or Hindus. Though another Sikh ran for parliamentary elections in 2010 but lost. There are opportunities to engage in local and national politics.

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# Version control and contacts

## Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then [email the Country Policy and Information Team](#).

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## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **9 February 2017**

## Changes from last version of this note

Updated country information and corresponding revision of policy guidance.

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