

AFGHANISTAN

USCIRF—RECOMMENDED FOR SPECIAL WATCH LIST

KEY FINDINGS

In 2019, religious freedom conditions in Afghanistan continued to trend negatively amid the country's ongoing political instability and civil war. Lack of security remains the primary challenge to protecting the freedom of religion or belief in the country. Despite peace talks between the U.S. government and the Taliban, ongoing attacks by extremist groups, most notably the Taliban and Islamic State in Khorasan Province (ISKP), not only threatened Afghanistan's overall stability but also endangered Shi'a Muslims in particular. Terrorist attacks against the Shi'a community, targeting its leadership, neighborhoods, festivals, and houses of worship, have intensified in recent years, with this trend continuing in 2019. These terrorist attacks against religious minority communities mirror broader concerns with the ongoing problem of terrorism directed against Afghan civilian, government, and military targets. In October 2019, the United Nations Assistance Mission in Afghanistan (UNAMA) [reported](#) comparable levels of civilian casualties in 2019 as in the previous year (8,239), the majority of which were a result of attacks by nonstate actors. Throughout the year, terrorist attacks in Afghanistan intensified due to opposition to the U.S.-Taliban peace negotiations and violence linked to the September 2019 presidential election, a flashpoint for conflict within Afghan society.

In recent years, Afghanistan has made efforts to address inequalities facing religious minority communities. Since the fall of the Taliban government, Shi'a Muslims' sociopolitical standing has

improved, with members of the community holding key positions in government, media, and private industry. Hindus and Sikhs have been represented in parliament since 2016 with a [reserved seat](#) and some have been employed in government service. In November 2019, the Afghan government also [instituted](#) visa-free travel for Afghan-origin Sikhs and Hindus currently residing in India. Despite such efforts, the small communities of religious minorities—including Hindus, Sikhs, Christians, Ahmadi Muslims, and Baha'is, who experienced egregious human rights violations under Taliban rule—remained endangered, without the ability to observe their faith publicly for fear of violent reprisal by terrorist groups or society at large.

The Afghan government has taken some steps to improve security for religious minorities in recent years, such as increasing the presence of security forces in Shi'a neighborhoods and authorizing the arming of Shi'a civilians under police authority during festivals such as Ashura. In part due to these efforts, there has been a decline in terrorist attacks against Shi'a religious festivals. However, the government's lack of control over the entirety of the country's territory, ongoing problems with [corruption](#), and security forces' lack of capacity in the areas the government does control hampered the overall effectiveness of these efforts. According to a January 2019 [special report](#) by the Special Inspector General for Afghanistan Reconstruction, the government had direct control over territory representing only 63.5 percent of the total Afghan population.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Afghanistan on the State Department's Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA), and continue to designate the Taliban and ISKP as "entities of particular concern" for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by IRFA;
- Ensure that protections for freedom of religion or belief are integrated into any future negotiations between the Taliban and Afghan government, emphasizing to Afghan political leadership the close

relationship between religious freedom and overall security;

- Integrate religious freedom concerns, including the protection of houses of worship, into assistance and training programs focused on countering terrorism, resolving sectarian conflict, and bolstering law and order funded by the State Department, the U.S. Agency for International Development (USAID), the Millennium Challenge Corporation, and the U.S. Department of Defense; and
- Encourage the Afghan Ministries of Education, Information and Culture, and Hajj and Religious Affairs to ensure that

textbooks and curricula do not propagate intolerant teachings that denigrate religious minorities and work to facilitate cooperation between faith leaders and scholars of all religions in Afghanistan to foster societal religious tolerance.

The U.S. Congress should:

- Appropriate funding specifically for the protection of freedom of religion or belief in Afghanistan and continue oversight activities of these expenditures and related programs in conjunction with the Special Inspector General for Afghanistan Reconstruction.

KEY USCIRF RESOURCES & ACTIVITIES

- **Hearing:** [Protecting Houses of Worship and Holy Sites](#)
- **Country Update:** [Promoting Religious Freedom in Afghanistan](#)

Background

Afghanistan has a diverse array of ethnic groups, including Pashtuns (42 percent), Tajiks (27 percent), Hazaras (9 percent), Uzbeks (9 percent), Turkmen (3 percent), and Baloch (2 percent). Historically, the nation also had a religiously diverse population; however, the vast majority of non-Muslims fled the country after the Taliban consolidated control of the government in 1996. The Hindu and Sikh population, for example, dropped from 220,000 in the early 1990s to just around 1,000 today. Afghanistan's current [population](#) is approximately 99.7 percent Muslim (84.7–89.7 percent Sunni and 10–15 percent Shi'a, including Ismailis), with non-Muslims (Hindus, Sikhs, Baha'is, Christians, Buddhists, Zoroastrians, and others) comprising the remaining 0.3 percent.

Afghanistan's 2004 constitution recognizes Islam as the official state religion and requires all parliamentary laws to respect Islamic principles and educational curricula to be based on the Islamic faith. Moreover, the constitution requires the courts to rely on Hanafi Shari'a jurisprudence in the absence of governing constitutional or legal provisions, which has the effect of criminalizing blasphemy (subject to the death penalty), apostasy, and proselytizing by non-Muslims. A vaguely worded media law also criminalizes "anti-Islamic content" with its enforcement delegated to a commission of government officials and journalists. The constitution does provide that non-Muslims are free to perform their "religious rituals" but "within the bounds of law," which allows for laws limiting their religious practices in violation of international human rights standards.

Violence by Nonstate Actors

Terrorist groups continued to operate in the country following the 2001 U.S. military invasion, launching attacks against a wide range of U.S., Afghan government, and civilian targets, including religious minorities. In 2019, amid the ongoing antigovernment insurgency, the Taliban and ISKP, which emerged in 2015, continued attacks against religious minority communities, in particular Shi'a Hazara who were denounced as infidels and violently [persecuted](#) under Taliban rule. Recent attacks included an August 17, 2019, [suicide bombing](#) of a wedding reception of a Shi'a Hazara couple in Kabul, killing 63 people and wounding 182; the July 6, 2019, [bombing](#) of a Shi'a mosque in Ghazni, killing two people and wounding 20; a March 31, 2019, [attack](#) against a Shi'a shrine and cemetery in Kabul during Nowruz celebrations, killing six people and wounding 20; and a March 7, 2019, [attack](#) on a memorial service—held for a Hazara leader, Abdul Ali Mazari, who was killed by the Taliban in 1995—in a Shi'a Hazara neighborhood in Kabul, killing 11 people and wounding 95.

The Afghan government's ability to provide security for its citizens has been hampered by its limited control over the entirety of its sovereign territory. The government also possesses limited capacity within the territory it does control. This includes lack of government oversight over religious educational institutions, with nearly 100,000 of 160,000 madrassas across the country remaining unregistered, according to the State Department's 2018 [Country Reports on Terrorism](#). The Ministry of Hajj and Religious Affairs [reports](#) that this lack of oversight has resulted

in these institutions being used to propagate teachings in line with the Taliban's extremist ideology and [to serve](#) as a key recruiting ground for extremist groups among vulnerable populations.

Other Concerns for Religious Minorities

Despite an expressed commitment to their homeland, many members of the dwindling non-Muslim communities have felt pressured to leave Afghanistan due to social, political, and economic discrimination, ongoing attacks by extremist groups, and the government's perceived unwillingness to provide adequate security. A number of Sikh families have resorted to living in gurdwaras due to lack of available housing and faced restrictions on practicing Sikh funeral rites requiring cremation, an act opposed by local Muslim communities. Despite the government not restricting religious minorities from constructing houses of worship, Hindu—as well as Christians—have also abandoned visually distinctive houses of worship in favor of plain, nondescript buildings to avoid potential reprisals from extremist groups. In 2007, the General Directorate of Fatwas and Accounts of the Supreme Court declared the Baha'i faith to be blasphemous. The Baha'i community has lived in secret since this ruling.

Key U.S. Policy

The U.S. government has been heavily engaged with Afghanistan since 2001 through varying military, counterterrorism, economic, and humanitarian assistance programs. While Afghanistan has remained a central focus of U.S. policy in South Asia, the Trump administration has expressed its desire to withdraw the remaining 14,000 U.S. troops in the country. In pursuit of this goal, the United States' priority in 2019 was the difficult peace negotiations with Taliban leadership in Doha, Qatar, resulting in a peace agreement signed in late February 2020. The Afghan government, however, was not invited to any of the numerous rounds of talks during 2019 as the Taliban refused to negotiate with Afghan political leadership until a U.S. withdrawal deal has been reached. During the talks between U.S. and Taliban representatives, U.S. negotiators, led by U.S. Special Representative for Afghanistan Zalmay Khalilzad, focused their efforts on U.S. counterterrorism interests. They sought to ensure that the Taliban severs ties with al Qaeda and that Afghanistan does not again become a base of operations for international terrorist groups. Little had been said publicly about any discussion of guarantees for the protection of religious freedom in these negotiations. In December 2019, the State Department designated both the Taliban and ISKP as "entities of particular concern" for engaging in particularly severe religious freedom violations.