Country Background Note: Afghanistan

Version 1.0

December 2020

Preface

Purpose

This note provides a summary of and links to country of origin information (COI) for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) general background to the country concerned, including demography and geography; and (2) issues which may be relevant to protection claims. Unlike country policy and information notes, it does **not** contain an assessment of risk, availability of protection or reasonableness of internal relocation.

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

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), Researching Country Origin Information – Training Manual, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a terms of reference which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

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

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

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 support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

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

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

Contents

Country information

1. History

1.1.1 A chronology of recent historical events can be found in the BBC News Afghanistan profile – Timeline[1] and the Associated Press (AP) timeline of key events[2]. The European Asylum Support Office (EASO) report on Afghanistan – State Structure and Security Forces, in section 1.1, provides a historical overview of the Afghan state[3].

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2. Geography and demography

2.1 Country snapshot

Full country name	Islamic Republic of Afghanistan[4]
Area	Total: 652,230 sq km[5] Over 2.5 times the area of the UK[6]
Flag	[7]
Population	Estimates varied: CIA World Factbook estimated 36,643,815 (male: 18,557,871; female: 18,085,944 – July 2020)[8]. National Statistics and Information Authority (NSIA) estimated: 32,225,560 (male: 16,421,751; female 15,803,809 – 2019-2020)[9]. Approximately 23 million (71.4%) live in rural areas; 7.7 million (23.9%) in urban areas and 1.5 million (4.7%) people are considered 'nomadic'[10].

[1] BBC News, 'Afghanistan Profile – Timeline', 9 September 2019
[2] AP, 'A timeline of key events in Afghanistan's 40 years of wars', 29 February 2020
[3] EASO, 'Afghanistan – State Structure and Security Forces' (section 1.1), August 2020
[4] FCDO, 'Country names', 5 June 2019
[5] CIA World Factbook, 'Afghanistan' (Geography), 27 October 2020
[6] CIA World Factbook, 'United Kingdom' (Geography), 27 October 2020
[7] CIA World Factbook, 'Afghanistan', 27 October 2020
[8] CIA World Factbook, 'Afghanistan' (People and society), 27 October 2020
[9] NSIA, 'Afghanistan population estimates' (page 1), June 2019
[10] NSIA, 'Afghanistan population estimates' (page III), June 2019

Capital city	Kabul[11]
Other key places	See Main population centres.
Position	Landlocked in Southern Asia, north and west of Pakistan, east of Iran[12]
Languages	Afghan Persian or Dari (official) 77% (Dari functions as the lingua franca), Pashto (official) 48%, Uzbek 11%, English 6%, Turkmen 3%, Urdu 3%, Pashayi 1%, Nuristani 1%, Arabic 1%, Balochi 1% (2017 estimate)[13]
Ethnic groups	Afghanistan's 2004 constitution recognizes the following ethnic groups: Pashtun, Tajik, Hazara, Uzbek, Turkman, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qizilbash, Gujur, Brahwui and other tribes[14]. Although no reliable current data on ethnicity in Afghanistan exists, previous estimates have put the population at Pashtun 42%, Tajik 27%, Hazara 9%, Uzbek 9%, Turkmen 3%, Baluchi 2% and other groups 8%[15].
Religion	Muslim 99.7% (Sunni 84.7-89.7%, Shia 10-15%) (2009 estimate)[16] Hindus, Sikhs, Baha'is, and Christians less than 0.3%[17]

2.2   Map

2.2.1   The CIA World Factbook published a map of Afghanistan[18]:

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[11] CIA World Factbook, 'Afghanistan' (Government), 27 October 2020
[12] CIA World Factbook, 'Afghanistan' (Geography), 27 October 2020
[13] CIA World Factbook, 'Afghanistan' (People and society), 27 October 2020
[14] Constitution (Article 4), 2004
[15] MRGI, 'Aghanistan', June 2019
[16] CIA World Factbook, 'Afghanistan' (People and society), 27 October 2020
[17] USSD, '2019 Report on International Religious Freedom: Afghanistan' (section I), 10 June 2020
[18] CIA World Factbook, 'Afghanistan', 27 October 2020

2.2.2 Other maps available at the University of Texas' Perry-Castañeda Library Map Collection, Afghanistan Maps[19]. The World Bank provided an interactive map of Afghanistan's provinces and districts showing population data (2016 estimates)[20].

2.2.3 Relevant maps on the humanitarian situation in Afghanistan can be accessed through Reliefweb's Afghanistan country-specific page.

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2.3 Administrative divisions

2.3.1 Afghanistan has 34 provinces: Badakhshan, Badghis, Baghlan, Balkh, Bamyan, Daykundi, Farah, Faryab, Ghazni, Ghor, Helmand, Herat, Jowzjan, Kabul, Kandahar, Kapisa, Khost, Kunar, Kunduz, Laghman, Logar, Nangarhar, Nimroz, Nuristan, Paktika, Paktiya, Panjshir, Parwan, Samangan, Sar-e Pul, Takhar, Uruzgan, Wardak, and Zabul[21].

2.3.2 There are different counts on the number of districts, ranging from 379 to 421[22][23]. The 421 administrative units include 34 provincial centres and 24 temporary districts[24].

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2.4 Main population centres

2.4.1 No official national population census has been conducted since 1979[25]. Afghanistan's National Statistics and Information Authority (NSIA) provided

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[19] University of Texas, Perry-Castañeda Library Map Collection, 'Afghanistan Maps', various dates
[20] World Bank, 'Afghanistan: District Dashboard', 1 August 2019
[21] CIA World Factbook, 'Afghanistan' (Government), 27 October 2020
[22] AAN, 'The Afghanistan Election Conundrum (12)…', 16 August 2018
[23] NSIA, 'Afghanistan population estimates' (page III), June 2019
[24] NSIA, 'Afghanistan population estimates' (page III), June 2019
[25] NSIA, 'Afghanistan population estimates' (page III), June 2019

population estimates for all provinces and administrative units for the year 2019-2020[26]. The largest 5 provinces and their estimated population were:

- Kabul (5,029,850)
- Herat (2,095,117)
- Nangahar (1,668,481)
- Balkh (1,475,659)
- Helmand (1,420,682)[27].

2.4.2 Kabul city was estimated by NSIA to have a population of 4,273,156[28]. For a more detailed description of Kabul city see the Belgian COI unit (Cedoca) COI focus on the [Security Situation in Kabul City](link), April 2020[29] and the AAN report [Kabul Unpacked: A geographical guide to a metropolis in the making](link), 2019[30]. Other large cities include Kandahar (Kandahar province) 614,254[31]; Herat (Herat province) 556,205[32]; Mazar-e-Sharif (Balkh province) 469,247[33]; Kunduz (Kunduz province) 356,536[34]; and Jalalabad (Nangarhar province) 263,312[35].

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2.5 Transportation

2.5.1 A scoping study on Afghanistan's transport and road infrastructure, published August 2017, noted:

'Afghanistan's transportation system is comprised of inland waterways, air, rail, and road transport modes… roads are the principal means of transport. Afghanistan's road network comprises about 3,300 km of regional highways, 4,900 km of national highways, 9,700 km of provincial roads, 17,000–23,000 km of rural roads, and about 3,000 km of urban roads, including 1,060 km in Kabul. The regional highway network consists of the 2,300 km Ring Road that connects Afghanistan's major regional centers (Herat, Kandahar, Mazar-e-Sharif, Maimana, and Sheberghan) with Kabul, and about 700 km of cross-border roads linking the Ring Road to neighboring countries.'[36]

2.5.2 EASO noted, in its COI Report on Afghanistan – Key socio-economic indicators, which was compiled using a range of sources, published August 2020, that 'Kabul International Airport, officially named as Hamid Karzai International Airport in 2014 and locally also known as Khwaja Rawash Airport, is Afghanistan's main international airport.'[37] The report added:

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[26] NSIA, '[Afghanistan population estimates](link)', June 2019

[27] NSIA, '[Afghanistan population estimates](link)' (pages 2-3), June 2019

[28] NSIA, '[Afghanistan population estimates](link)' (page 4), June 2019

[29] Cedoca, '[Security Situation in Kabul City](link)' (section 1), 8 April 2020

[30] AAN, '[Kabul Unpacked](link)', 2019

[31] NSIA, '[Afghanistan population estimates](link)' (page 33), June 2019

[32] NSIA, '[Afghanistan population estimates](link)' (page 38), June 2019

[33] NSIA, '[Afghanistan population estimates](link)' (page 27), June 2019

[34] NSIA, '[Afghanistan population estimates](link)' (page 25), June 2019

[35] NSIA, '[Afghanistan population estimates](link)' (page 10), June 2019

[36] Barrett, K., et al, '[Scoping Study for Afghanistan](link)' (page 12), 12 August 2017

[37] EASO, '[Afghanistan – Key socio-economic indicators](link)' (page 66), August 2020

'Lifos [the Swedish Migration Agency's COI service] writes that according to an overview of Afghan air traffic, there are an estimated 25 active airports in the country, while only a number of those were open for domestic commercial air traffic as of 2019. Afghanistan's four international airports are located in Kabul, Herat, Mazar-e Sharif and Kandahar. Lifos noted that flight schedules can change often and information about destinations and departures is not always updated on the websites of airlines. Delays or cancellations at short notice are common and may be caused by weather conditions, natural disasters, technical problems or security-related incidents, while for some destinations, flights are even suspended for months. However, from Kabul to Herat, Mazar-e Sharif and Kandahar regular flights have "more or less consistently existed over a longer period of time, whereas departures to smaller destinations, such as Bamyan, has varied over time".'[38]

2.5.3 The same report also noted 'As of 2019, Kam Air, a privately owned airline and Ariana Afghan Airlines are the two commercial Afghan companies operating flights within Afghanistan.'[39] There was some disruption to flights, both domestic and international, due to Covid-19[40].

See also [Freedom of movement](#).

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3. Socio-economic indicators

3.1 Economy snapshot

Currency	Afghani (denominations of 1, 2, 5, 10, 20, 50, 100, 500 and 1000)[41]
Exchange Rate	1 GBP = 99.6325 AFN[42]
GDP per capita	USD 2,293 (2019)[43]
Labour force by occupation	Labour force estimated at 8.478 million in 2017: • agriculture: 44% • industry: 18.1% • services: 37.6%[44]
Unemployment rate	23.9% (2017 estimate)[45]
Poverty rate	54.5% (2017 estimate)[46]

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[38] EASO, '[Afghanistan – Key socio-economic indicators](#)' (page 66), August 2020
[39] EASO, '[Afghanistan – Key socio-economic indicators](#)' (page 66), August 2020
[40] EASO, '[Afghanistan – Key socio-economic indicators](#)' (page 66), August 2020
[41] Banknote World, '[Afghanistan](#)', no date
[42] XE currency converter, [GBP to AFN live rates](#), 6 October 2020
[43] World Bank, '[GDP per capita, PPP (current international $) – Afghanistan](#)', 2019
[44] CIA World Factbook, '[Afghanistan](#)' (Economy), 27 October 2020
[45] CIA World Factbook, '[Afghanistan](#)' (Economy), 27 October 2020
[46] CIA World Factbook, '[Afghanistan](#)' (Economy), 27 October 2020

3.2 Economy and employment

3.2.1 The World Bank noted 'Afghanistan's economy grew by 3.9 percent in 2019 driven by easing of drought conditions and rapid agricultural growth. Inflation remained modest at 2.3 percent… Political uncertainties, however, dampened private sector confidence and non-agriculture growth.'[47] However, 'The COVID-19 crisis will have a serious and sustained impact on Afghanistan's economy. Recovery is expected to take several years, with new investment constrained by political uncertainties, continued insecurity, and questions around ongoing international support.'[48]

3.2.2 As noted in the Afghanistan Country Information Report by the Australian Government's Department of Foreign Affairs and Trade (DFAT), which was based on a range of sources, published June 2019:

'The poor security situation and limited development of resources mean that job creation has been unable to keep up with population growth, and few Afghans have access to productive or remunerative employment. A quarter of the labour force is unemployed, and 80 per cent of employment is vulnerable and insecure, comprising self- employment, day labour, or unpaid work. The Afghan economy struggles to absorb the high numbers of people entering the workforce each year – estimated at up to 400,000 annually – in addition to the high numbers of Afghans returning from neighbouring countries … Labour force participation rates are particularly low for young Afghan women.'[49]

3.2.3 More than half the population were estimated to be living below the poverty line[50] [51]. For further information on the economic climate, employment (including employment opportunities for returnees) and poverty rates, see the EASO report on key socio-economic indicators[52]. See also the EASO report on networks for information on the role networks (extended family, tribes, clans, ethnic and other networks) play in accessing employment[53].

3.2.4 See also statistics provided by the International Labour Organization.

3.3 Housing and living conditions

3.3.1 The EASO report on key socio-economic indicators provided information on housing and living conditions, including in Kabul and for returnees[54]. Citing a brief extract, the EASO report noted:

'According to the deputy minister of municipalities [speaking in October 2019], hundreds of thousands of Afghan refugees returning to the country struggled to find housing in the cities where they settled.

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[47] World Bank, 'Afghanistan – Overview', 1 October 2020
[48] World Bank, 'Afghanistan – Overview', 1 October 2020
[49] DFAT, 'Country Information Report – Afghanistan' (paragraph 2.18), 27 June 2019
[50] World Bank, 'Afghanistan' (Poverty headcount ration…), 2016
[51] New York Times, 'Afghanistan Needs Billions in Aid Even After a Peace Deal…', 5 December 2019
[52] EASO, 'Afghanistan – Key socio-economic indicators' (sections 2.1-2.3), August 2020
[53] EASO, 'Afghanistan – Networks', February 2018
[54] EASO, 'Afghanistan – Key socio-economic indicators' (section 2.7), September 2020

'According to ALCS [Afghanistan Living Conditions Survey] figures for 2016-17, the large majority (72 %) of Afghanistan's urban population lives in slums or inadequate housing; an average urban household size was estimated at 7.3 persons. The survey described housing conditions as 'overall poor' with almost 44 % of the population living in overcrowded housing with an average of 3.2 persons per room. The slum population living in the cities was estimated at five million people or 72.4 % of the total urban population. Most housing in Afghanistan consists of irregular, detached, or semi-detached houses or regular detached houses. A large proportion consists of hillside dwellings. Blocks of flats or apartments are almost entirely situated in Kabul City. The majority of Afghans generally live in very poor housing conditions and have minimal access to housing financing. The formal housing sector is unable to supply affordable housing to meet the need of the growing number of urban low-income and poor households.'[55]

3.3.2   See also the EASO report on networks for information on the role networks (extended family, tribes, clans, ethnic and other networks) play in accessing accommodation[56].

3.3.3   Bertelsmann Stiftung's Transformation Index (BTI) 2020, covering the period from February 1, 2017 to January 31, 2019, which assesses the transformation toward democracy and a market economy as well as the quality of governance in 137 countries, noted in its Afghanistan report:

'Most Afghans lack a safe water supply, and adequate sanitation and hygiene. The U.N. Mission in Afghanistan reported that approximately 27% of the population has access to safe drinking water, with limited access to safe drinking water even affecting Kabul. In addition, municipal waste management is underdeveloped or simply does not exist. The vast majority of the population, especially in rural areas, has limited access to electricity.'[57]

3.3.4   For more on access to housing, water, sanitation and electricity, see the EASO report on key socio-economic indicators[58], and UNOCHA's December 2019 Humanitarian Needs Overview Afghanistan 2020[59].

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3.4   Food security

3.4.1   The UN World Food Programme (WFP) noted '[F]ood insecurity is on the rise, largely due to conflict and insecurity cutting off whole communities from livelihood opportunities. This particularly affects a predominantly young population, more than two-thirds of which are under the age of 25.'[60] Hunger and malnutrition remained at dangerously high levels, according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), with 14.28 million people estimated to be food insecure[61]. The EASO report on key socio-economic indicators also provided an overview on food security[62], as

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[55] EASO, 'Afghanistan – Key socio-economic indicators' (page 60), September 2020
[56] EASO, 'Afghanistan – Networks', February 2018
[57] BTI, '2020 Country Report' (page 9), 2020
[58] EASO, 'Afghanistan – Key socio-economic indicators' (pages 63-64), September 2020
[59] UNOCHA, 'Humanitarian Needs Overview Afghanistan', December 2019
[60] WFP, 'Afghanistan', no date
[61] UNOCHA, 'Humanitarian Needs Overview 2020' (page 22), December 2019
[62] EASO, 'Afghanistan – Key socio-economic indicators' (pages 39-40), September 2020

does the UNOCHA [Humanitarian Needs Overview Afghanistan 2020](#), issued in December 2019, and the Food and Agriculture Organization (FAO) of the United Nations country-specific profile on [Afghanistan](#).

3.5 Social welfare and support

3.5.1 The February 2018 EASO COI Report on Afghanistan Networks noted:

'The Afghan state is weak, and Afghans in general can expect little or no aid or assistance from public authorities, including when it comes to displacement and re-establishment of livelihoods upon return. Afghanistan is far from being a welfare state and Afghans generally do not count on public authorities for support. Various networks substitute and compensate for the weak state apparatus. This is especially true in rural areas, where, in some areas, the government is completely absent. For example, it is the networks, and not the state, which are critical for the security, protection, support and care of vulnerable people.'[63]

3.5.2 See also the [EASO report on networks](#) for information on the role networks (extended family, tribes, clans, ethnic and other networks) play in obtaining and accessing support in general[64].

Section 4 updated: 5 November 2020

4. Healthcare

4.1.1 See the country policy and information note on [Afghanistan: Medical and healthcare provision](#).

Section 5 updated: 5 November 2020

5. Political system

5.1 Government

5.1.1 Article 1 of the 2004 Constitution states that Afghanistan is an Islamic Republic[65]. The EASO report on state structure and security forces noted '[T]he state is comprised of three branches: Executive, Legislative and Judiciary. The president is the head of state and exercises his authority in all three branches in line with the Constitution.'[66] The National Assembly consists of two houses: the 250 seat Wolesi Jirga (House of People – lower house) and the 102 seat Meshrano Jirga (House of Elders – upper house)[67] [68]. The Wolesi Jirga is directly elected and members stand for 5-year terms[69] [70]. The Meshrano Jirga is elected by provincial councils and the president –

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[63] EASO, '[Afghanistan – Networks](#)' (page 10), February 2018
[64] EASO, '[Afghanistan – Networks](#)', February 2018
[65] [Constitution](#) (Article 1), 2004
[66] EASO, '[Afghanistan – State Structure and Security Forces](#)' (page 14), August 2020
[67] EASO, '[Afghanistan – State Structure and Security Forces](#)' (page 16), August 2020
[68] Al Jazeera, '[Afghanistan's elections: All you need to know](#)', 19 October 2018
[69] Freedom House, '[Freedom in the World 2020](#)' (section A2), 5 March 2020
[70] Al Jazeera, '[Afghanistan's elections: All you need to know](#)', 19 October 2018

68 members for 3- or 4-year terms and 34 members for 5-year terms, respectively[71] [72].

5.1.2   The Freedom House Freedom in the World Report 2020, covering 2019 events, noted for Afghanistan:

'In 2014, then US secretary of state John Kerry brokered a National Unity Government (NUG) after the 2014 presidential election was disputed between the two leading candidates, former finance minister Ashraf Ghani and former foreign minister Abdullah Abdullah. Under the terms of the NUG, Ghani became president, and Abdullah was installed as chief executive, a new post resembling that of a prime minister, which was not supported by the constitution. Ghani's term expired in May 2019, but he remained in office by order of the Supreme Court, pending the outcome of 2019 presidential election; the poll was delayed a number of times during the year.'[73]

See also Presidential elections 2019.

5.1.3   For more information on the political system, including the Executive and Legislative branches, see the DFAT report on Afghanistan[74] and the EASO report on state structure and security forces[75].

5.2   Political parties

5.2.1   An Afghanistan Analysts Network (AAN) report, dated May 2018, noted,

'Afghanistan's laws regarding political parties and their participation in elections are highly ambivalent. As a result, while Afghanistan's political parties are a political and legal reality today (as well as historically, with the first parties having emerged in the late 1940s) and while this system is constitutionally designed as a multi-party democracy, the parties cannot openly compete for power.

'This is particularly the case in the parliamentary elections, where candidates are free to identify themselves as members of a certain party (although many do not), parties as such are unable to play an official role. Most significantly, in the current electoral system, which is individual-based, parties cannot field lists of their candidates, there are no parliamentary seats reserved for political parties, as in other countries, and parties are not allowed to establish factions in parliament.'[76]

5.2.2   Afghanistan's Ministry of Justice provided a list of registered political parties[77].

5.2.3   For further information, see the 2018 AAN report and the 2015 report by the United States Institute of Peace (USIP) on Political Parties in Afghanistan[78].

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[71] Freedom House, 'Freedom in the World 2020' (section A2), 5 March 2020
[72] Al Jazeera, 'Afghanistan's elections: All you need to know', 19 October 2018
[73] Freedom House, 'Freedom in the World 2020' (section A1), 5 March 2020
[74] DFAT, 'Country Information Report – Afghanistan' (page 16), 27 June 2019
[75] EASO, 'Afghanistan – State Structure and Security Forces' (sections 1.2-1.4), August 2020
[76] AAN, 'Afghanistan's Paradoxical Political Party System: A new AAN report', 6 May 2018
[77] Ministry of Justice, 'Registered Political Parties', no date
[78] USIP, 'Political Parties in Afghanistan', March 2015

5.3   Parliamentary elections 2018

5.3.1   Parliamentary elections scheduled for early 2015 were postponed due to security concerns and took place over 3 days in October 2018[79] [80].

5.3.2   Elections took place in 33 of the 34 provinces; voting in Ghazni did not occur due to disagreements about constituencies[81]. Contested vote counts and accusations of corruption delayed the final election results, which were announced 7 months after the elections[82] [83]. A new parliament was inaugurated on 26 April 2019, although 38 seats were vacant due to ongoing disputes[84]. The 38 new MPs from Kabul and Paktia provinces were finally sworn in on 15 May 2019[85].

5.3.3   According to Al Jazeera, in the 3 months prior to the elections, 10 of the 2,565 candidates running for office were killed in attacks, mostly by the Taliban[86]. The UN Assistance Mission in Afghanistan (UNAMA) reported on the 2018 elections and noted 'From the beginning of the voter registration period on 14 April, through the campaign period and two days of silence [when political candidates were not permitted to campaign] ending on 19 October, the day before the elections, UNAMA verified 152 election-related security incidents resulting in 496 civilian casualties (156 deaths and 340 injured) and the abduction of 245 civilians.'[87]

5.3.4   Election-related violence occurred on election days, resulting in 388 civilian casualties (52 deaths and 336 injured) on 20 October 2018 and 47 civilian casualties (four deaths and 43 injured) on 21 October 2018[88]. The Taliban attacked polling centres and threatened civilians with punishment if they participated in the electoral process[89]. UNAMA noted that elections were postponed for a week in Kandahar province following the killing of the provincial Chief of Police and National Directorate of Security (NDS) Director by the Provincial Governor's bodyguard, who opened fire during a NATO commander visit[90]. UNAMA added 'Election day in Kandahar province (27 October) passed without major security incidents and no civilian casualties were reported to UNAMA[91].'

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[79] Al Jazeera, 'Afghanistan's elections: All you need to know', 19 October 2018

[80] UNAMA, 'Special Report: 2018 Elections Violence' (page 1), November 2018

[81] AAN, 'The Results of Afghanistan's 2018 Parliamentary Elections: …', 17 May 2019

[82] Freedom House, 'Freedom in the World 2020' (sections A2-A3), 5 March 2020

[83] RFERL, 'Final Results Of Last Year's General Elections In Kabul Announced', 15 May 2019

[84] AAN, 'The Results of Afghanistan's 2018 Parliamentary Elections: …', 17 May 2019

[85] AAN, 'The Results of Afghanistan's 2018 Parliamentary Elections: …', 17 May 2019

[86] Al Jazeera, 'Understanding Afghanistan's elections 2018', 20 October 2018

[87] UNAMA, 'Special Report: 2018 Elections Violence' (page 3), November 2018

[88] UNAMA, 'Special Report: 2018 Elections Violence' (page 4), November 2018

[89] UNAMA, 'Special Report: 2018 Elections Violence' (page 5), November 2018

[90] UNAMA, 'Special Report: 2018 Elections Violence' (page 6), November 2018

[91] UNAMA, 'Special Report: 2018 Elections Violence' (page 6), November 2018

5.4 Presidential elections 2019

5.4.1 Presidential elections took place on 28 September 2019[92]. Almost 5 months after the event, the final results were announced, declaring incumbent president, Ashraf Ghani, the winner with 50.64% of the votes, beating Chief Executive Abdullah Abdullah, who secured 39.52% of votes[93]. Abdullah contested the results[94] [95]. Reporting on the results, Al Jazeera noted that they were '… repeatedly delayed, with IEC officials citing technical issues, allegations of fraud and protests from candidates.'[96]

5.4.2 The EASO report on state structure and security forces noted 'After months of tension, on 17 May 2020, President Ghani and Abdullah Abdullah, finally signed a power-sharing agreement, which recognised Ghani as the President and Abdullah as the leader of the High Council of National Reconciliation with executive authorities; in addition giving to the latter the right to appoint 50% of the cabinet.'[97]

5.4.3 UNAMA confirmed 100 incidents of election-related violence on polling day, resulting in 277 civilian casualties (28 deaths and 249 injured)[98]. Most violence was attributed to the Taliban, who also used abductions, threats and intimidation to disrupt the elections[99].

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Section 6 updated: 5 November 2020

6. Media and telecommunications

6.1.1 Key media/telecommunications points:

International dialling code	+93[100]
Internet domain	af[101]. Internet users estimated to be 4,717,013, 13.5% of population (July 2018 estimate)[102]
Broadcast media	State-owned Radio Television Afghanistan (RTA), which runs radio and television stations (National Television Afghanistan) in Kabul and 32 provinces[103] [104]. As of 2019, there were an estimated 174 private radio stations, 83 TV stations, and about 12 international

[92] BBC News, 'Afghan presidential election: Voting under way', 28 September 2019
[93] Al Jazeera, 'Afghanistan's presidential election: Ashraf Ghani declared winner', 18 February 2020
[94] AAN, 'Afghanistan's 2019 Elections (30): Final results… ', 19 February 2020
[95] Al Jazeera, 'Afghanistan's presidential election: Ashraf Ghani declared winner', 18 February 2020
[96] Al Jazeera, 'Afghanistan's presidential election: Ashraf Ghani declared winner', 18 February 2020
[97] EASO, 'Afghanistan – State Structure and Security Forces' (page 19), August 2020
[98] UNAMA, 'Special Report on 2019 Election Violence' (page 4), October 2019
[99] UNAMA, 'Special Report on 2019 Election Violence' (pages 4 and 5), October 2019
[100] Countrycode.org, 'Afghanistan Country Code', no date
[101] CIA World Factbook, 'Afghanistan' (Communications), 27 October 2020
[102] CIA World Factbook, 'Afghanistan' (Communications), 27 October 2020
[103] CIA World Factbook, 'Afghanistan' (Communications), 27 October 2020
[104] BBC News, 'Afghanistan profile – Media', 27 August 2019

	broadcasters[105]. Most media outlets are privately owned[106].
News agencies	Pajhwok Afghan News
	Wakht News Agency
	Bast News Agency
	Bakhter News Agency
	Suboot News Agency
	Afghan Voice Agency
	Hindukush News Agency
	Bukhdi News Agency
	Roz News Agency
	Awaz News Agency
	Khaama Press[107]
Newspapers	Hasht-e Sobh ('Daily 8am') – private, secular daily
	Hewad ('Homeland') – government-sponsored daily
	Anis ('Companion') – government-sponsored daily
	Mandegar ('Lasting') – private, daily
	Weesa ('Trust') – private daily
	Arman-e Melli ('National Aspiration') – private, daily
	The Daily Afghanistan – private
	Daily Outlook – private, English-language
	Afghanistan Times – officially-funded, English-language
	Bakhtar News Agency – state-run, English-language pages
	Pajhwok Afghan News – private, English-language pages
	Afghan Islamic Press – private, based in Peshawar, Pakistan; English-language pages
	TOLOnews News Portal – private, English-language pages
	Khaama Press – private, English-language pages[108]

[105] CIA World Factbook, 'Afghanistan' (Communications), 27 October 2020
[106] BBC News, 'Afghanistan profile – Media', 27 August 2019
[107] Pajhwok Afghan News, 'Kabul News Agencies', no date
[108] BBC News, 'Afghanistan profile – Media', 27 August 2019

Radio	Approximately 174 private radio stations[109]. Periodic broadcasts by FM radio outlets operated by the Taliban and Islamic State group[110].

7. Citizenship and nationality

7.1 Citizenship rights

7.1.1 According to the UNHCR's Refworld, the 1936 Law on Citizenship was repealed and replaced with a new citizenship law on 24 June 2000 under the Islamic Emirate of Afghanistan (IEA – the Taliban)[111,112]. A report on Afghan citizenship law, dated March 2017, indicated a new citizenship law was being drafted[113].

7.1.2 Article 4 of the Constitution states 'The word Afghan shall apply to every citizen of Afghanistan. No individual of the nation of Afghanistan shall be deprived of citizenship. The citizenship and asylum related matters shall be regulated by law.'[114]

7.1.3 The 2017 report on Afghan citizenship law noted 'Afghanistan citizenship is currently acquired by descent, birth in the territory, naturalisation and on the basis of bilateral and international treaties if there is a conflict between the content of the law and treaties. The modes of acquisition and loss of Afghan citizenship follow international standards for the acquisition, renunciation and restoration of citizenship.'[115] The report provided detailed information on the main ways of acquiring and losing citizenship[116].

7.2 Dual citizenship

7.2.1 Article 7 of the Law on Citizenship 2000 indicates that 'Anyone who, according to the orders of this law, is citizens of the IEA can not hold a double citizenship position.'[117]

7.2.2 The IRB noted in a response dated 5 February 2013 'In a telephone interview with the Research Directorate, an official at the embassy of Afghanistan in Ottawa indicated that dual citizenship is allowed in the country with the Constitution of 2004 (ibid. 10 Jan. 2013). The official could not say which article of the Constitution allows for dual citizenship.'[118]

7.2.3 The 2017 report on Afghan citizenship law noted 'dual nationality entered the Afghan legal system in 2001 following the international intervention', which allowed Afghans who had obtained citizenship abroad, for example in the

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[109] CIA World Factbook, 'Afghanistan' (Communications), 27 October 2020
[110] BBC News, 'Afghanistan profile – Media', 27 August 2019
[111] Law of Citizenship in Afghanistan, 6 November 1936
[112] Law on Citizenship of the Islamic Emirate of Afghanistan, 24 June 2000
[113] Athayi, A., 'Report on Citizenship Law: Afghanistan' (page 16), March 2017
[114] Constitution (Article 4), 2004
[115] Athayi, A., 'Report on Citizenship Law: Afghanistan' (page 1 and section), March 2017
[116] Athayi, A., 'Report on Citizenship Law: Afghanistan' (section 3.1), March 2017
[117] Law on Citizenship of the Islamic Emirate of Afghanistan (Article 7), 24 June 2000
[118] IRB, 'Afghanistan: Citizenship, including legislation and whether dual…', 5 February 2013

United States or Europe, could travel to Afghanistan as Afghan citizens whilst maintaining their second country's citizenship[119]. The report added that the draft citizenship law would make the (re-)acquisition and loss of citizenship a simpler process to prevent the need for dual nationality[120].

8. Corruption

8.1 Prevalence

8.1.1 The Transparency International Corruption Perceptions Index (CPI) scores 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people[121]. In 2019, Afghanistan was ranked 173 out 180 countries in the CPI and was given a score of 16 out of 100 (100 is very clean and 0 is highly corrupt)[122].

8.1.2 The EASO report on state structure and security forces cited results from a survey conducted by the Asia Foundation '[I]n 2019 majority of Afghans (81.5 %) perceived corruption a major problem in their daily life in Afghanistan[123]. The level of perception of corruption was the same as last year.' According to the survey, urban respondents, rather than rural, were more likely to say corruption was a major problem[124].

8.1.3 Freedom House noted '[C]orruption remains an endemic problem, law enforcement agencies and the judiciary are themselves compromised by graft and political pressure, and the most powerful officials and politicians effectively enjoy impunity… Afghan commentators report that many senior positions in government can only be obtained through corrupt payments to figures in the relevant ministry and presidential office.'[125]

8.1.4 According to the USSD HR Report 2019:

'Reports indicated corruption was endemic throughout society, and flows of money from the military, international donors, and the drug trade continued to exacerbate the problem. Local businessmen complained government contracts were routinely steered to companies that pay a bribe or have family or other connections to a contracting official.

'According to prisoners and local NGOs, corruption was widespread across the justice system, particularly in connection with the prosecution of criminal cases and in arranging release from prison.'[126]

8.1.5 The BTI 2020 Report noted, 'Generally, the judicial system suffers from a lack of public trust due to high levels of corruption and its extremely slow dispensational process. Moreover, the lack of public trials and especially the absence of transparency in court decisions undermines the judiciary's

[119] Athayi, A., 'Report on Citizenship Law: Afghanistan' (page 12), March 2017
[120] Athayi, A., 'Report on Citizenship Law: Afghanistan' (pages 13-14), March 2017
[121] TI, 'Corruption Perceptions Index 2019', 2019
[122] TI, 'Corruption Perceptions Index 2019' (Results), 2019
[123] EASO, 'Afghanistan – State Structure and Security Forces' (page 22), August 2020
[124] EASO, 'Afghanistan – State Structure and Security Forces' (page 22), August 2020
[125] Freedom House, 'Freedom in the World 2020' (section C2), 5 March 2020
[126] USSD, 'Country Report on Human Rights for 2019' (section 4), 11 March 2020

credibility. As a result, ordinary Afghans tend to utilize the Taliban's Shariah courts, which are quick and cheap, rather than the state judicial system.'[127] (see also Traditional justice mechanisms).

8.2 Anti-corruption measures

8.2.1 An Anti-Corruption Law was adopted on 5 September 2018, which according to UNAMA, provided a solid legal basis for the Anti-Corruption and Justice Centre (ACJC) and creates an Anti-Corruption Commission[128]. UNAMA noted in its June 2020 anti-corruption report that, whilst anti-corruption measures continued be implemented in 2019 and early 2020, the Presidential elections and effects of the coronavirus pandemic slowed the pace of reforms, adding that the Anti-Corruption Commission had yet to be established and other anti-corruption bodies were not fully effective[129].

8.2.2 According to the UNAMA 2020 anti-corruption report, the ACJC held more trials in 2019 than in previous years, but the average rank of the accused parties declined[130]. The report added 'The ACJC suffered from weak law enforcement support as demonstrated in particular by a failure to fully execute all 255 arrest warrants pending for years.'[131]

8.2.3 Referring to the warrants outstanding, UNAMA noted the Ministry of Interior reported that by March 2020 it executed 171 warrants and had 84 outstanding. Of the 171 executed warrants, Afghan authorities immediately released all but 4 defendants and only 1 defendant on the list was tried[132].

8.2.4 For further information on anti-corruption measures, see the EASO report on state structures and security forces[133].

Section 9 updated: 5 November 2020

9. Tazkira (tazkera, taskira)

9.1 Function and validity

9.1.1 The tazkira is the primary form of identification for Afghan citizens[134,135].

9.1.2 In addition to being required for such purposes as employment, admission to schools and universities, obtaining approval to run a business and to buy,

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[127] BTI, '2020 Country Report' (page 12), 2020
[128] UNAMA, 'Afghanistan's fight against corruption' (page 3), May 2019
[129] UNAMA, 'Afghanistan's fight against corruption' (page 5), June 2020
[130] UNAMA, 'Afghanistan's fight against corruption' (page 5), June 2020
[131] UNAMA, 'Afghanistan's fight against corruption' (page 5), June 2020
[132] UNAMA, 'Afghanistan's fight against corruption' (page 12), June 2020
[133] EASO, 'Afghanistan – State Structure and Security Forces' (section 1.8.1), August 2020
[134] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 5), 22 May 2019
[135] DFAT, 'Country Information Report – Afghanistan' (paragraph 5.46), 27 June 2019

rent or sell property, tazkiras act as the primary document necessary to obtain other forms of identification, such as a passport[136].

9.1.3 Landinfo, the Norwegian Country of Origin Information Centre, published a report on Afghan identity documentation on 22 May 2019, which noted:

'With reference to the Law on Registration of Population Records (2014, article 9 (2)) it is a requirement for all Afghans to have a tazkera. This provision is not implemented [enforced]. It is up to the individual Afghan whether they want to apply for a tazkera or not. Nevertheless, all Afghan citizens have the right to a tazkera, irrespective of age, gender, ethnicity and place of residence. There is no minimum age for acquiring a tazkera and the document can be issued to newborn children. Afghan citizens residing abroad also have the right to obtain a tazkera.

'The tazkera is not issued automatically, but upon application. A well-informed international organisation (meeting in Kabul, November 2015) assumes that about 60 percent of the population are in possession of the document. It is mainly men who represent their family to the authorities, and everything suggests that considerably more men than women are in possession of a tazkera. Figures from NRC and Samuel Hall (2016, p. 23) confirm this. According to their estimates 90 percent of men were in possession of a tazkera, whilst corresponding figures for women were slightly below Report Afghanistan: Tazkera, passports and other ID documents 40 percent. Amongst internally displaced people and nomads, the percentage of those having a tazkera is below that of the population in general. Likewise, far more people in the cities have a tazkera than those in the countryside. There are marginalised groups in the countryside who cannot read or write and who do not even know what a tazkera is (international organisation, meeting in September 2015).'[137]

9.1.4 The tazkira is valid for an indefinite period of time, as Landinfo confirmed:

'A tazkera is not valid for any specified period, and provided that the photograph is intact and the document is legible, Afghan authorities regard the tazkera as valid. Generally, the document's date of issue is of no importance for the Afghan authorities' evaluation of its validity. It is for the holder to decide whether the information in the tazkera should be updated if it is no longer correct, for example, in the case of a change in marital status. The tazkera is updated or renewed when applying for a new tazkera.'[138]

9.1.5 The appearance of tazkiras has changed under different governments, and tazkiras issued under those different governments remain in circulation[139].

9.1.6 Tazkiras issued during the civil war (1992-1996) and during the Taliban period of authority up until 2001, which took the form of a 16-page booklet, are not recognised as valid by the present Afghan government[140].

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[136] DFAT, 'Country Information Report – Afghanistan' (paragraph 5.46), 27 June 2019
[137] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (pages 5-6), 22 May 2019
[138] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 6), 22 May 2019
[139] IRB, 'Requirements and procedures to obtain tazkira', 6 February 2019
[140] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (pages 6 and 8), 22 May 2019

9.2 Procedure for issuing tazkiras

9.2.1 Tazkiras are issued by the National Statistics and Information Authority (NSIA)[141]. According to DFAT:

'The NSIA was previously known as the Afghanistan Central Civil Registration Authority [ACCRA], and prior to that the Population Registration Directorate (PRD), which operated within the Afghan Ministry of Interior (MOI). Since its renaming in 2019, the NSIA has operated as a separate entity. NSIA Headquarters are located in Kabul, with other representative offices located in police headquarters and district-level police offices in provincial police departments throughout Afghanistan. NSIA headquarters is the central repository for all taskira records and currently holds almost 23 million individual entries, although records held prior to 1973 are not centralised.

'NSIA field offices manually record the details of birth and deaths. Each location holds two registers, which are completed simultaneously when data is entered. When the registers become full (approximately 1,000 records), both registers are sent to the NSIA headquarters in Kabul and checked against each other for accuracy before being logged. One register is returned to the originating NSIA field office, while the other remains with the NSIA headquarters in Kabul.'[142]

9.2.2 According to the Afghan think tank The Liaison Office (TLO) in 2013, as included in the Landinfo report:

'During the initial application, verification of identity is the most thorough step. Initially, it is a requirement that the applicant has a birth certificate, but it is still a fact that the majority of people do not have one. If the applicant does not have a birth certificate, it is a requirement that the tazkera of a male family member on the father's side (father, brother, uncle or male cousin) should be presented ... A married woman may submit her husband's tazkera, or possibly one of her husband's close male relatives. In addition, two testimonies are required, for example from a civil servant, recognised local leaders or religious dignitaries. In principal, all civil servants can confirm identity, but the higher the status of the witness, the greater is the importance ascribed to the testimony…

'If an applicant, who is not a resident of Kabul, submits an application in the capital city without being able to prove his identity, the person in question must return to his home area, or to where relatives or forefathers come from. The local village chief (malik) may verify the applicant's identity, his father or grandfather etc. The village chief's confirmation is then submitted to the local authority leaders who can issue the tazkera based on this confirmation…

'A family tree is an important tool when issuing a tazkera and there are registration books showing tazkeras issued. This is systemised in line with the family network. In order to obtain a tazkera, the applicant must identify and verify his or her place in the family network…

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[141] DFAT, 'Country Information Report – Afghanistan' (paragraph 5.44), 27 June 2019
[142] DFAT, 'Country Information Report – Afghanistan' (paragraphs 5.44-5.45), 27 June 2019

Children under the age of seven are exempt from the requirement to turn up in person to have a tazkera issued ... A birth certificate is accepted as supporting document. If the child does not have a birth certificate, two witnesses are required.

Until the child is 18 years old, the father's consent is needed to have the tazkera issued ... Tazkeras for children under the age of six do not have a photograph. At a later stage, a new process is therefore needed for PRD to insert a photograph in the tazkera, or that a new tazkera is issued.

Normally it only takes a few days to obtain a tazkera, provided that any investigations into identity are deemed unnecessary.'[143]

9.3 Appearance of paper tazkiras issued from 2002 to 2018

9.3.1 Example of the paper tazkira issued since 2001 (image sourced from a report by the Country Analysis service at the Swiss State Secretariat for Migration (SEM), October 2018[144]):

9.3.2 Article 6 of the 2014 Law on Registration of Population Records details the information to be included in the tazkira[145]. Terms are defined in Article 3[146].

9.3.3 The following explanatory information was included in the Landinfo report of May 2019:

'Common to all paper tazkeras after 2001 is that they are issued in A4 format – generally in a standard format – but there are different versions in

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[143] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 7), 22 May 2019
[144] SEM, 'Focus Afghanistan…' (page 7), 5 October 2018
[145] Afghanistan: 'Law on Registration of Population Records' (Article 6), 2014
[146] Afghanistan: 'Law on Registration of Population Records' (Article 3), 2014

circulation. There are local variations and various printing methods have also been used…

'The tazkera must have a header with Afghanistan's national emblem and a stamped photograph of the holder. Date and year must be stated in line with the Persian calendar…

'In addition to the name of the holder, the document also contains the name of the father and paternal grandfather. In addition, information is given on place of birth, civil status, gender, mother tongue, occupation and physical characteristics (eye colour, visible scars, disabilities, etc.) as well as information on address and place of residence. For Kuchis [nomads] it is shown whether the place of issue is a summer or winter residence, as well as the name of the clan and the name of the clan chief…

'The tazkera also contains the registration number shown in PRD's registration books… There is conflicting information whether the Tazkera also gives the holder's religion … [A] diplomatic source… states that tazkeras issued after 2001 contain information on religion. This is also confirmed by the Afghan embassy in Oslo…

'Relevant sources partly give conflicting information on how information regarding age is given in the tazkera. According to TLO the document states the year of birth. A diplomatic source that Landinfo has consulted, thinks that the tazkera gives an estimated age on the date of issue… The Norwegian ID Centre confirmed that they share the opinion that the Tazkera gives an approximate age at the time when the tazkera was issued…

'On the basis of this information, the majority of tazkeras seem to give an estimated age at the time of issue. Landinfo feels there are reasons to believe that there can be variations between the many districts on how they practice the giving of age.

'The tazkera does not normally give information on date of birth. One exception is for children who have a birth certificate, in such cases both the date of birth and year are given in the tazkera… If a tazkera applicant does not have information on year of birth, the age is determined by "specialists" within the PRD. The determination of age is estimated on the basis of physical characteristics, eyes, facial features and wrinkles, combined with a short interview. The director of PRD claimed that the specialists operate with a margin of error of six months.

'Many Afghans have either little awareness of their own date of birth or are unsure of exactly when they were born, and it is also relatively simple for Afghans to manipulate information on date of birth…

'There is a separate box for information on father's and paternal grandfather's first name. There is no tradition of using surnames in Afghanistan and information on possible surnames does not normally appear in the tazkera… Information on the mother is not shown.

'There is a separate standard form for translation of the tazkera into English, this has boxes for both date of birth and surname. It is when they encounter western administrative culture that it is necessary for Afghans to choose a surname…

'Place of birth is not necessarily the place where the holder was born, but where their spouse or ancestors were born…

'The tazkera must contain information on date and place of issue plus a registration number, which is a reference number to the registration book where the tazkera is entered. The tazkera is signed by the district manager or provincial governor of the area where it is issued... According to a well-informed diplomatic source… a Tazkera must have three signatures. However, there is conflicting information on the number of signatures and stamps. This probably reflects a discrepancy in practice and illustrates that Afghan administration is not uniform. The fact remains that each district and province issues tazkeras with their own stamp and signature… Tazkeras issued after 2001 are handwritten.'[147]

9.3.4   Paper tazkiras issued since 2001 contain no security elements[148].

9.4   Paper tazkira issued since 2018

9.4.1   In 2018 Afghan authorities introduced a new version of the paper tazkira. This version has a changed design but, like the previous version, it contains no security elements[149]. Landinfo stated:

'The new version has a multicoloured background which is printed with a colour printer. The document contains what appears to be an imitation watermark, but this is only a design on the paper. The information which appears on the document is handwritten. In the main, it contains the same information as the paper tazkera used in recent years…

'[T]he new version has been distributed to all ACCRA/PRD offices in Afghanistan, but many district offices still use the old version. In other words, old and new paper tazkeras are issued in tandem.'[150]

Section 10 updated: 5 November 2020

10.   Electronic tazkira (e-tazkira)

10.1   Background

10.1.1   The Afghan government commenced the development of biometric, or electronic, identity cards in 2010[151]. Its implementation was delayed mainly due to disagreements about whether the card should contain information on ethnicity and the use of the word 'Afghan' as a definition of citizenship[152] [153]. In December 2017, the Afghan Senate approved the card and it was first issued in May 2018[154] [155].

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[147] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (pages 8-10), 22 May 2019
[148] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 10), 22 May 2019
[149] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 10), 22 May 2019
[150] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 10), 22 May 2019
[151] CAB, 'Country of Origin Report: Afghanistan' (page 7), March 2019
[152] CAB, 'Country of Origin Report: Afghanistan' (pages 7 and 56), March 2019
[153] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 11), 22 May 2019
[154] CAB, 'Country of Origin Report: Afghanistan' (pages 7 and 56), March 2019
[155] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 11), 22 May 2019

10.2 Appearance, security features and validity

10.2.1 Example of the e-tazkira issued since May 2018 (image sourced from a report by the Country Analysis service at the Swiss State Secretariat for Migration (SEM), October 2018[156]):

10.2.2 According to Landinfo:

'The e-tazkera is a standard plastic card (credit card format 86 x 54 mm) with an electronic chip... The card contains a number of security details, such as optically variable elements and tactile security features... The e-tazkera has an unlimited period of validity.

'The card mainly contains the same information as the paper tazkeras in circulation, with the exception that the e-tazkera provides information on surname and date of birth. The document gives basic information on name, as well as father and paternal grandfather's name…. According to an international organisation (December 2018), it also contains information on the holder's religion and ethnicity.'[157]

10.2.3 The US Department of State's International Religious Freedom Report for 2019 (USSD IRF Report 2019) also indicated that '[N]ational identity cards indicate an individual's religion, as well as nationality, tribe, and ethnicity.'[158]

10.2.4 Landinfo further described the e-tazkira:

'Afghanistan's national emblem is placed centrally at the top of the front … of the card, with the ID number directly below. A picture of the holder is imprinted on the left side of the card's front page… On the back of the card appears, in addition to the wording "Islamic Republic of Afghanistan/National Identity Card", the following information in English translation: ID number, full

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[156] SEM, 'Focus Afghanistan…' (page 7), 5 October 2018
[157] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 12), 22 May 2019
[158] USSD, '2019 Report on International Religious Freedom: Afghanistan' (section II), 10 June 2020

name (first name and surname), date and place of birth, gender, date of issue, nationality and signature.

'To the left on the back page is the chip that contains biometric information, such as fingerprints of ten fingers and an image of the iris. Allegedly, the chip also contains information on blood group...'[159]

10.3 Tazkiras issued abroad

10.3.1 The Embassy of Afghanistan in London provided information on its consular services, which included the process of applying for a tazkira:

'After the receipt of the application and upon successful interview, the Embassy of Afghanistan in London will send scanned copies of the application and petition letter "Areeza" to the National Statistics and Information Authority (NSIA).

'The original application documents will be given to the Applicant to post to their representative in Kabul, Afghanistan. The representative will need to take the documents and Four Passport size photos of the applicant to the Civil Registration Authority at the Ministry of Interior Affairs in Kabul, Afghanistan.

'Once the original documents are submitted at the Ministry of Interior Affairs of Afghanistan, the Ministry will then process the application and will issue the new Tazkera.

'After collecting the newly issued Tazkera the representative should get the tazkera translated and attested by the Ministry of Foreign Affairs of Afghanistan before posting it back to the applicant.'[160]

10.3.2 The website of the Afghan Embassy in Oslo further clarified:

'In accordance with Afghanistan laws, every Afghan citizen is required to have a Tazkira – local word for the national identification card. Children born abroad from Afghan parents as well as those who have not obtained a Tazkira or whose Tazkiras were burnt or lost, can submit a written application for absentee Tazkira to Consular Section at the Afghan Embassy in Oslo together with a copy of their parent's Tazkira.'[161]

Section 11 updated: 5 November 2020

11. Passports

11.1 Types and validity

11.1.1 According to sources consulted by the IRB, the Passport Law of October 2015, four different types of Afghan passport are issued: an ordinary passport, a diplomatic passport, a service passport and a special passport[162]. The Afghan Ministry of Foreign Affairs listed the eligibility criteria

[159] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 12), 22 May 2019
[160] Embassy of Afghanistan, London, 'Absentee Tazkera Application', no date
[161] Embassy of Afghanistan, Oslo, 'Absentee Tazkira', no date
[162] IRB, 'Passport Law of 25 October 2015…' 13 February 2018

for each passport[163]. Previously, student and business passports were issued, but these have now been phased out[164]. There may still be some such passports in circulation[165].

11.1.2 The government started to issue machine-readable (electronic) diplomatic and service passports in 2011, and machine-readable ordinary passports in September 2012[166].

11.1.3 According to Landinfo:

'Machine readable passports are valid for five years and it is not possible to extend the period of validity: a new passport must be applied for when the period of validity has expired.

'[Afghanistan] stopped issuing handwritten passports as from November 2015. Manually handwritten passports have not been issued after the 1st November 2017 and they are no longer valid as a travel document.'[167]

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11.2 Obtaining a passport

11.2.1 Applications from within Afghanistan are submitted to the 'passport department' and applicants must submit a tazkira, in addition to forms, photographs and application fee[168]. The applicant must apply in person and fingerprints are taken[169].

11.2.2 The website of the Afghanistan Embassy in London sets out the requirements for applying for a passport in the UK. This confirms that an original attested tazkira is needed[170].

11.2.3 If the applicant's passport has been lost or stolen, they must submit an original police report and a copy of their passport and original tazkira[171].

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Section 12 updated: 5 November 2020

12. Other documentation

12.1 Birth certificates

12.1.1 According to a 'confidential source' interviewed by the Dutch Department of Country of Origin Information Reports (CAB) in October 2018, 'It is still common in Afghanistan for a birth, marriage or death not to be officially registered.'[172]

12.1.2 DFAT observed:

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163 Ministry of Foreign Affairs, 'Deputy Office of Passport', no date
164 IRB, 'Passport Law of 25 October 2015…' 13 February 2018
165 IRB, 'Passport Law of 25 October 2015…' 13 February 2018
166 IRB, 'Passport Law of 25 October 2015…' 13 February 2018
167 Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 13), 22 May 2019
168 IRB, 'Requirements and procedures to obtain, renew and replace a biometric…', 20 February 2017
169 IRB, 'Requirements and procedures to obtain, renew and replace a biometric…', 20 February 2017
170 Embassy of Afghanistan, London, 'Passport – UK Applicants Only', no date
171 IRB, 'Requirements and procedures to obtain, renew and replace a biometric…', 20 February 2017
172 CAB, 'Country of Origin Report: Afghanistan' (page 56), March 2019

'Authorities did not historically issue birth certificates, which remain far from common. The high number of home births makes the process of registering births challenging. Reporting of birth dates is unreliable, and reported dates are likely to be approximate. DFAT understands that the Ministry of Public Health now issues birth certificates through a small number of maternity hospitals. However, parents can obtain a taskira for their newborn child by registering the birth with the Ministry of the Interior's population registration office.'[173]

12.1.3 The birth certificate gives the father's name, but not the mother's, and it confirms the exact date of birth[174].

12.1.4 According to the website of the Embassy of Afghanistan in London, 'The Embassy of Afghanistan in London issues Birth Certificates only to Afghans residing in and applying from, the United Kingdom of Great Britain, Northern Ireland and Republic of Ireland.'[175] The Embassy requires 'Copies of documents verifying the applicant's Afghan identity- an Afghan Tazkera that has been attested by the Ministry of Foreign Affairs in Afghanistan (MoFA) or an Afghan passport.'[176]

12.2 Marriage certificates

12.2.1 Based on a range of sources, the Dutch Department of Country of Origin Information Reports (CAB) noted in its report that marriages must be registered in accordance with the Afghan Civil Code of 1977 and a marriage certificate must be issued[177]. Due to the length of this procedure and the associated costs, many marriages are not registered[178]. For an Islamic marriage to be performed, it is not necessary for a tazkira to be presented[179].

12.2.2 A joint report by the Norwegian Refugee Council and the think tank, Samuel Hall, confirmed in a 2016 report:

'According to the Afghan Civil Code of 1977, every marriage has to be registered and a marriage certificate issued. In reality, this process is rarely followed…

'The marriage certificate (nekahnama) is quite difficult to obtain as well and that's why many people only have the marriage contract (nekah khat) which is not formally recognised by the state institutions. That situation makes women very vulnerable and they have trouble in case of divorce and if they want to claim their "Mahr" or inherit from their husbands.

'[O]fficial marriage certificates are…necessary for [married women] travelling abroad. This is noted as the key motivation for those taking the time to follow through the complicated procedure of obtaining them.'[180]

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[173] DFAT, 'Country Information Report – Afghanistan' (paragraph 5.49), 27 June 2019
[174] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 20), 22 May 2019
[175] Embassy of Afghanistan, London, 'Birth Certificate', no date
[176] Embassy of Afghanistan, London, 'Birth Certificate', no date
[177] CAB, 'Country of Origin Report: Afghanistan' (pages 56-57), March 2019
[178] CAB, 'Country of Origin Report: Afghanistan' (page 57), March 2019
[179] CAB, 'Country of Origin Report: Afghanistan' (page 57), March 2019
[180] NRC, 'Access to tazkera and other civil documentation in Afghanistan', (page 36), 2016

13. Forged and fraudulently obtained documents

13.1 Overview

13.1.1 DFAT stated in June 2019:

'Document fraud is a major issue in Afghanistan. Because the process for obtaining some documents is decentralised to the provincial level, and because the documentation itself generally does not contain robust security features, the system is vulnerable to fraud. Genuine documents can be issued based on false information, with supporting forms of documentation such as school, academic, or banking records easily forged…

'The [Afghan] Ministry of Foreign Affairs (MFA) has a section responsible for verifying civil documents with issuing authorities to prevent any manipulation of official records. This attestation assists Afghan missions and foreign governments in accepting the authenticity of the document. Whilst MFA attestation provides an extra level of integrity to the documentation, international agencies report that there have been cases of documents with MFA attestation subsequently being independently verified as non-genuine.'[181]

13.1.2 Landinfo observed in May 2019:

'It is easy to obtain all types of forged documents in Afghanistan and it is also possible to obtain valid documents with incorrect information from all authoritative bodies.

'The registration of births is highly inadequate; more than sixty percent of children are not registered at birth. The Afghan population size and composition is not known and all quantitative descriptions of the population are estimates…

'It is Landinfos opinion that PRD/ACCRA and their possible representation at local level does not differ from other Afghan state administration with regard to corruption. Tazkeras issued by the proper authorities do not necessarily contain correct information on identity. Landinfo believes that the registration and quality assurance of personal data both in connection with passports and supporting documents is inadequate. Afghan passports can contain incorrect information on identity, age and nationality. Landinfo is also aware that people have more than one passport at their disposal containing different identity information.

'According to information from the [Afghan] embassy in Oslo, passports are now only produced on the basis of having submitted a legalised tazkera. Compared with earlier practices, this is a clear improvement… At the same

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[181] DFAT, 'Country Information Report – Afghanistan' (paragraphs 5.54-5.55), 27 June 2019

time passports reliability have deteriorated due to the fact that they are issued based on documents of doubtful origin. Verification of documents through the consular section of the Afghan Ministry of Foreign Affairs can tell us whether the form is genuine and issued by a competent authority. However, such investigations will not uncover incorrect information resulting from bribery, corruption or inadequate supporting documentation.'[182]

13.1.3 Referring to the use of falsified documentation in the recruitment of child soldiers by Afghan security forces, the US Department of State noted in its trafficking in persons report, covering the period April 2019 to March 2020 'Some officials accepted bribes to produce identity documents for boys stating they were at least 18 years old… Officials sometimes prosecuted victims [of trafficking] for possessing forged identity documents.'[183]

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13.2 Tazkiras

13.2.1 According to Landinfo:

'Basic information obtained in connection with the issuing of tazkeras can be manipulated and its control is inadequate. Up until spring 2018 only manual Tazkeras were issued and most of those issued are still paper ones. The absence of electronic evidence means that it is relatively easy to manipulate basic information. In addition, it is evident that not all tazkeras issued locally, are registered centrally. PRD's central archive is incomplete, mainly because the registration books have been destroyed on account of acts of war and natural catastrophes.'[184]

13.2.2 According to survey by Pajhwok Afghan News, cited in an article dated June 2017, 'In Herat, some residents believe the insecure border with Iran provides an opportunity to foreigners to come to Afghanistan and make Tazkera by introducing themselves as Afghans. These foreigners after obtaining the Afghan citizenship apply for asylum in European countries.'[185] Other interviewees expressed the ease in which a foreign national could obtain a tazkira[186]. Head of the population registration department in Kabul admitted fake identity cards were recovered on a daily basis and said the introduction of biometric cards (e-tazkiras) would reduce fraud[187].

13.2.3 Commenting on the use of false personal information to obtain various documents, DFAT noted 'This is particularly problematic in the case of taskiras, given they are the primary document used to obtain other forms of identification. The issuance of the new e-taskira should help in mitigating this risk …but there is likely to be a significant time lag between the introduction of the new taskira and its widespread implementation.'[188]

13.2.4 The Swiss State Secretariat for Migration (SEM) stated in a report of October 2018 'It is possible to obtain forged or unlawful Tazkiras not only in

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[182] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (pages 23-24), 22 May 2019
[183] USSD, '2020 Trafficking in Persons Report: Afghanistan', 25 June 2020
[184] Landinfo, 'Afghanistan: Tazkera, passports and other ID documents' (page 23), 22 May 2019
[185] Pajhwok Afghan News, 'Foreigners easily get Afghan citizenship than Afghans', 20 June 2017
[186] Pajhwok Afghan News, 'Foreigners easily get Afghan citizenship than Afghans', 20 June 2017
[187] Pajhwok Afghan News, 'Foreigners easily get Afghan citizenship than Afghans', 20 June 2017
[188] DFAT, 'Country Information Report – Afghanistan' (paragraph 5.54), 27 June 2019

Afghanistan, but also in the countries along the migration route to Europe, if not in Europe itself. Since the Tazkira contains practically no security features, and various versions of the document in differing quality are in circulation, it is very difficult to identify forgeries.'[189]

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[189] SEM, 'Focus Afghanistan…' (page 5), 5 October 2018

Human rights issues relevant to protection claims

The issues below are not meant to be exhaustive; rather the key topics which may be relevant to protection claims.

Official – sensitive: Start of section

Also check Horizon for COI Responses that may also be relevant to asylum claims.

Official – sensitive: End of section

Section updated: 5 November 2020

14. Human rights – overview

14.1.1 The USSD HR Report 2019 provided an overview of human rights abuses:

'Significant human rights issues included: unlawful killings by insurgents; extrajudicial killings by security forces; forced disappearances by security forces and antigovernment personnel; reports of torture by security forces and antigovernment entities; arbitrary detention by government security forces and insurgents; government corruption; lack of accountability and investigation in cases of violence against women, including those accused of so-called moral crimes; recruitment and use of child soldiers and sexual abuse of children, including by security force members and educational personnel; trafficking in persons; violence by security forces against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and criminalization of consensual same-sex sexual conduct.

'Widespread disregard for the rule of law and official impunity for those responsible for human rights abuses were serious, continuing problems. The government did not prosecute consistently or effectively abuses by officials, including security forces.

'Antigovernment elements continued to attack religious leaders who spoke against the Taliban. During the year many progovernment Islamic scholars were killed in attacks for which no group claimed responsibility. The Taliban and ISIS-Khorasan Province (ISIS-K) used child soldiers as suicide bombers and to carry weapons. Other antigovernment elements threatened, robbed, kidnapped, and attacked government workers, foreigners, medical and nongovernmental organization (NGO) workers, and other civilians. The UN Assistance Mission in Afghanistan (UNAMA) reported 8,239 civilian casualties in the first nine months of the year, with 62 percent of these casualties attributed to antigovernment actors. Taliban propaganda did not acknowledge responsibility for civilian casualties, separating numbers into "invaders" and "hirelings." The group also referred to its attacks that indiscriminately killed civilians as "martyrdom operations".'[190]

14.1.2 In its overview of Afghanistan, Amnesty International noted in 2019

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[190] USSD, 'Country Report on Human Rights for 2019' (Executive summary), 11 March 2020

'The civilian population suffered crimes under international law, human rights violations and abuses because of the continuing conflict. Conflict-related violence led to thousands of deaths and injuries and the displacement of hundreds of thousands. The International Criminal Court (ICC) decided not to investigate crimes against humanity and war crimes committed, but the decision is currently subject to appeal. Human rights defenders were intimidated, threatened, detained and killed. European and neighbouring countries continued to forcibly return Afghan asylum-seekers and refugees. Gender-based violence against women and girls persisted due to weak rule of law and existence of harmful traditional and cultural practices. It became increasingly difficult for journalists to work and they faced reprisals from armed groups, state officials, and security forces. At least five journalists were killed by the Taliban and other armed groups.'[191]

14.1.3 See also the UN Secretary General's report on The situation in Afghanistan and its implications for international peace and security, dated August 2020.

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15. Afghans perceived as 'Westernised'

15.1.1 See the country policy and information note on Afghanistan: Afghans perceived as 'Westernised'.

15.1.2 See also the European Asylum Support Office (EASO) query response on Afghan nationals perceived as 'Westernised', 2 September 2020.

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16. Anti-government elements (AGEs)

16.1.1 See the country policy and information note on Afghanistan: Anti-government elements.

16.1.2 See also the EASO COI Reports on Afghanistan: Anti-government elements, August 2020 and Afghanistan: Individuals targeted by armed actors in the conflict, December 2017.

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17. Children

17.1.1 See the country policy and information note on Afghanistan: Unaccompanied children.

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18. Criminal justice system

18.1 Criminal Procedure Code (CPC)

18.1.1 Afghanistan's Criminal Procedure Code (CPC)[192], which, as noted by the Stanford Law School's Afghanistan Legal Education Project (ALEP), in a report published 2017, 'governs proceedings in criminal cases [and] specifies how investigators, the prosecutor, and the court must conduct a

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[191] Amnesty International, 'Afghanistan 2019', 16 April 2020
[192] Criminal Procedure Code, 23 February 2014

criminal investigation and trial'[193], was endorsed by the President on 23 February 2014[194].

18.2 Penal Code

18.2.1 A new Penal Code was enacted in 2017 to replace the 1976 law[195]. It was approved through the Presidential Legislative Decree on 15 May 2017 and entered into force in February 2018[196] [197]. An English translation of the new Penal Code could not be found amongst the sources consulted by CPIT (see Bibliography).

18.2.2 The Afghanistan Public Policy Research Organization (APPRO), which describes itself as an independent research institute based in Kabul, is registered as a non-governmental organisation with the Afghan Ministry of Economic Affairs[198]. In a July 2018 report APPRO stated:

'The new Penal Code has compiled 33 different laws and criminal provisions into a single document after a careful scrutiny of each law to ensure that unnecessary offenses are removed and new ones are added or merged, thereby "increasing the effectiveness of the code in preventing, reducing, deterring, and fairly punishing criminal behavior." Drafted in 916 Articles, the Code consists of provisions on general criminal law and special criminal law. The revision was to ensure conformity with the standards and norms of international treaties and conventions to which Afghanistan is a signatory…

'There are significant improvements in the new Penal Code as it attempts to account for modern day human rights standards and obligations to international obligations, including the Rome Statute of the International Criminal Court, the UN Convention against Torture, and the UN Convention against Transnational Crimes, amongst others. Furthermore, the Penal Code has been modernized by reducing the crimes whose punishment is death penalty, refining the definition of rape based on more modern consent requirements, better protection for children by introducing a new chapter on Bacha Bazi, reducing penalty for consensual adult zina (relationship outside marriage), and removing justification of homicide as honor killing. The new Penal Code also has provisions for addressing rape, sexual harassment and abortion.'[199]

18.2.3 The European Asylum Support Office (EASO) noted in its July 2020 report on criminal law and customary justice that 'Like the 1976 Penal Code, the new 2017 Penal Code regulates punishments that fall under the ta'azir crimes, while hudud and qisas crimes are regulated under Islamic law. Although hudud and qisas crimes are not included in the Penal Code, the Code still gives judges the authority to implement such punishments in accordance with Hanafi jurisprudence of Islamic Law.'[200]

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[193] Stanford Law School (ALEP), 'An Introduction to the Laws of Afghanistan' (page 4), 2017
[194] Criminal Procedure Code, 23 February 2014
[195] EASO, 'Criminal law, customary justice and informal dispute…' (page 12), July 2020
[196] EASO, 'Criminal law, customary justice and informal dispute…' (page 12), July 2020
[197] APPRO, 'New Penal Code and EVAW Law: To Incorporate or Not…?' (page 5), July 2018
[198] APPRO, 'New Penal Code and EVAW Law: To Incorporate or Not…?' (page 3), July 2018
[199] APPRO, 'New Penal Code and EVAW Law: To Incorporate or Not…?' (page 17), July 2018
[200] EASO, 'Criminal law, customary justice and informal dispute…' (page 12), July 2020

18.3 Islamic (Shari'a) Law

18.3.1 Afghanistan is an Islamic Republic[201]. According to the Constitution, whilst followers of other religions are permitted to practice their faith freely within the confines of the law, no law shall be passed that is not in accordance with Islam[202].

18.3.2 The ALEP 2017 report noted:

'According to Article 130 of the Constitution[203], Afghan courts must refer to Islamic sources of law when there are no relevant provisions in the Constitution to address a legal issue and there are no other relevant laws (such as international laws, statutes, or regulations). In these situations, courts will generally refer to Hanafi jurisprudence. However, if the legal issue involves personal statu[s] matters and the parties are followers of the Shia sect, the courts refer to Shia fiqh, which generally means the Jafari school of jurisprudence.'[204]

18.3.3 For information on ta'azir, hudud and qisa crimes, see the EASO COI Report on Afghanistan: Criminal law, customary justice and informal dispute resolution, August 2020[205].

18.4 Security forces

18.4.1 The EASO report on state structure and security forces noted 'The Afghan National Security Forces (ANSF) or Afghan National Defence and Security Forces (ANDSF) are comprised of the Afghan National Army (including the Afghan Border Force, Afghan Air Force, Afghan Territorial Army, Afghan National Civil Order Force), Afghan National Police (including Afghan Local Police), and the National Directorate of Security (including the Afghan Special Force).'[206]

18.4.2 Further information on the mandate, structure, capacity, effectiveness and integrity of the Afghan National Army (ANA), Afghan National Police (ANP), Afghan Local Police (ALP) and National Directorate of Security (NDS), including human rights violations reported to have been committed by those forces, can be found in the August 2020 EASO report on state structure and security forces[207].

18.5 Judiciary

18.5.1 Article 116 of the Constitution provides that the judiciary shall be an independent organ of the state and affirms 'The judiciary shall be comprised of one Supreme Court, Courts of Appeal as well as Primary Courts whose

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[201] Constitution (Article 1), 2004
[202] Constitution (Articles 2-3), 2004
[203] Constitution (Article 130), 2004
[204] Stanford Law School (ALEP), 'An Introduction to the Laws of Afghanistan' (page 50), 2017
[205] EASO, 'Criminal law, customary justice and informal dispute…' (sections 1.2-1.4), July 2020
[206] EASO, 'Afghanistan – State Structure and Security Forces' (page 26), August 2020
[207] EASO, 'Afghanistan – State Structure and Security Forces' (section 2), August 2020

organization and authority shall be regulated by law. The Supreme Court shall be the highest judicial organ, heading the judicial power of the Islamic Republic of Afghanistan.'[208]

18.5.2 As noted in the USSD HR Report 2019, despite its independence, '[T]he judiciary continued to be underfunded, understaffed, inadequately trained, largely ineffective, and subject to threats, bias, political influence, and pervasive corruption.'[209] (see also Corruption).

18.5.3 The EASO report on state structure and security forces noted:

'[T]here are two dominant systems used to obtain justice: through the state, and through non-state mechanisms. Afghanistan has a pluralistic legal system whereby multiple sources of law interact with one another; justice is administered on the basis of a mixture of overlapping and sometimes contradictory legal codes. Many disputes, ranging from disagreements over land to criminal acts, are settled outside of the formal court system, in informal institution such as local jirgas and shuras.'[210]

18.5.4 The same report noted, in regards to capacity of the courts:

'According to the Supreme Court of Afghanistan, there are appeal courts in each provincial capital and primary courts in each provincial and district capital. UNAMA noted that, as of May 2019, in Afghanistan, there were a total of 2,083 judges working across the country. Courts are functioning only in 232 districts out of the overall 378 Afghan districts. For 24 districts, the primary courts operate in the neighbouring districts and 116 primary courts operate in the provincial capitals. In the remaining 146 districts there are no courts due to insecurity and logistical facilities.'[211]

18.5.5 Further information on the pluralistic socio-legal framework for punishment of crime, including Islamic principles and the Penal Code can be found in the EASO report on Afghanistan Criminal law, customary justice and informal dispute resolution[212].

18.6 Traditional justice mechanisms

18.6.1 The USSD HR Report 2019 stated 'Most courts administered justice unevenly, employing a mixture of codified law, sharia, and local custom. Traditional justice mechanisms remained the main recourse for many, especially in rural areas.'[213] Freedom House also noted 'Informal justice systems, employing variants of both customary law and Sharia (Islamic law), are widely used to arbitrate disputes, especially in rural areas. The Taliban have installed their own judiciary in areas they control, but many Taliban commanders impose arbitrary punishments without reference to this system.'[214]

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[208] Constitution (Article 16), 2004
[209] USSD, 'Country Report on Human Rights for 2019' (section 1e), 11 March 2020
[210] EASO, 'Afghanistan – State Structure and Security Forces' (page 39), August 2020
[211] EASO, 'Afghanistan – State Structure and Security Forces' (page 41), August 2020
[212] EASO, 'Afghanistan – Criminal law, customary justice and informal dispute resolution', July 2020
[213] USSD, 'Country Report on Human Rights for 2019' (section 1e), 11 March 2020
[214] Freedom House, 'Freedom in the World 2020' (section F1), 5 March 2020

18.6.2 The EASO report on state structure and security forces noted:

'According to the 2019 Survey by the Asia Foundation, more than 46 % of Afghans have applied to shuras or jirgas [a council or assembly of tribal elders held for dispute resolution] to solve their disputes, 41.5 % to state courts, and around 25 % to the Huqooq department. The preference revealed urban rural divide: rural inhabitants appealed more to shuras/jirgas (48 %), while urban residents preferred appealing to state courts and the Huquq department (around 52 % and 30 % respectively). The survey further found that the vast majority of Afghans believed that local shuras and jirgas are fair and trusted (81.2 %), that they follow local norms and values (74.4 %), that such institutions are effective at delivering justice (74.2 %), and that they resolve cases quickly and efficiently (73.2 %).'[215]

18.6.3 The same source noted 'In May 2020, it was reported that half of the 37 million Afghans sought informal justice and referred either to Taliban's "desert courts" or jirgas (traditional conflict resolution meetings), in particular in rural areas.'[216]

18.6.4 Further information on non-state justice systems, including Taliban's parallel justice systems and informal customary blood feud resolution (Pashtunwali) can be found in the EASO report on Afghanistan Criminal law, customary justice and informal dispute resolution[217].

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19. Freedom of movement

19.1.1 See the EASO COI Report on Afghanistan: Key socio-economic indicators. Focus on Kabul City, Mazar-e Sharif and Herat City, August 2020, which provides information on internal movement, including travel restrictions, documents required to travel, freedom of movement for women and road safety.

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20. Journalists and media workers

20.1.1 See the EASO query response on Journalists, media workers and human rights defenders, 28 August 2020.

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21. Prison conditions

21.1.1 See the Asylum Research Centre (ARC) Foundation report on Prison conditions in Afghanistan, September 2019 and the EASO COI Report on Afghanistan: State structure and security forces, August 2020.

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22. Religious and ethnic minorities

22.1.1 See the country policy and information notes on Afghanistan: Hindus and Sikhs and on Afghanistan: Hazaras.

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[215] EASO, 'Afghanistan – State Structure and Security Forces' (page 39), August 2020
[216] EASO, 'Afghanistan – State Structure and Security Forces' (page 43), August 2020
[217] EASO, 'Afghanistan – Criminal law, customary justice and informal dispute resolution', July 2020

22.1.2   See also the EASO query responses on [Hazaras, Shias](#), 29 July 2020, and [Hindus and Sikhs](#), 5 August 2020.

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23.   Security and humanitarian situation

23.1.1   See the May 2020 country policy and information note on [Afghanistan: Security and humanitarian situation](#). Since its publication the following reports have been published, which should be consulted for a more up-to-date overview (non-exhaustive list):

- UNAMA, [Afghanistan: Protection of Civilians in Armed Conflict, Third Quarter Report: 1 January to 30 September 2020](#), October 2020

- Afghanistan Analysts Network, [Behind the Statistics: Drop in civilian casualties masks increased Taleban violence](#), 27 October 2020

- As well as the most up-to-date data and reports found on [ACLED](#) and [Reliefweb](#)'s respective country-specific pages on Afghanistan

23.1.2   See also the EASO COI Reports on [Afghanistan: Security situation](#).

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24.   Sexual orientation and gender identity and expression

24.1.1   See the country policy and information note on [Afghanistan: Sexual orientation and gender identity or expression](#).

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25.   Situation of Afghan refugees in Iran and Pakistan

25.1.1   See [UNHCR](#) for information and [updates](#) on the situation of Afghan refugees in Iran, as well as the information provider [ACAPS](#). For Afghans in Pakistan, see the EASO COI Report on [Pakistan: Situation of Afghan Refugees](#), May 2020.

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26.   Women

26.1.1   See the country policy and information note on [Afghanistan: Women fearing gender-based harm/violence](#).

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