

AFGHANISTAN

USCIRF–RECOMMENDED FOR SPECIAL WATCH LIST

KEY FINDINGS

In 2020, religious freedom conditions in Afghanistan continued to trend negatively amid the country's ongoing political instability. Lack of security remains the primary challenge to protecting the freedom of religion or belief in the country. In February 2020, the United States and the Taliban signed an [agreement](#) stipulating the withdrawal of foreign presence. In September, the Afghan government and the Taliban commenced peace negotiations. However, these landmark strides toward peace failed to improve security conditions. An increase in [attacks](#) by extremist groups—most notably the Islamic State in Khorasan Province (ISIS-K) and the Taliban—not only threatened Afghanistan's overall stability but also decimated religious minorities, particularly the [Sikh community](#), which faces near extinction in Afghanistan. The Afghan government's limited control over the country's territory and lack of capacity within the areas it did control continued to hamper its ability to protect its citizens.

The United Nations (UN) documented [8,820 civilian casualties](#) (3,035 killed and 5,785 injured) in 2020, with some of the most brutal attacks targeting religious minorities. Antigovernment, nonstate actors, including [ISIS-K](#) and the [Taliban](#), were blamed and some claimed responsibility for the deadliest attacks. The UN reported the Taliban were responsible for [45 percent](#) of civilian casualties. While the Taliban rejected these findings and [denied responsibility](#) for or involvement in attacks targeting civilians, particularly religious minority communities, the [Afghan government alleges](#) that the [Taliban use Islamic militant groups](#) as proxies and continue to target progovernment Muslim leaders, institutions, and leaders of other faiths throughout the country. Although their use of antiminority rhetoric has diminished, [reports](#) indicate that the Taliban continue

to [exclude religious minorities](#) and punish residents in areas under their control in accordance with their extreme interpretation of Islamic law. During the current peace negotiations, the Taliban also refused to acknowledge or allow the integration of Shi'a jurisprudence in the current [Afghan legal system](#), causing concern among Shi'a Muslims. During their time in power, the Taliban discriminated against and violently persecuted the Shi'a Hazara community, which they labeled as heretical.

Although ISIS-K lost significant territorial control in 2020, it continued to target minority faiths and Muslims who it believes deviate from Islam. Terrorist and criminal attacks against Sikh and Shi'a communities continued, targeting their leadership, neighborhoods, festivals, and houses of worship. In [March](#), a [gurdwara](#) (Sikh house of worship) in Kabul was attacked, killing 25 Sikhs—including women and children—and causing many of the few Sikhs remaining in Afghanistan to flee. In March, [ISIS-K](#) once again attacked a memorial service held for a Shi'a Hazara leader, Abdul Ali Mazari, who was killed by the Taliban in 1995—killing 32 people and wounding over 50. In [November](#), two roadside bombings perpetrated by ISIS-K killed 14 and injured 45 others in the Shi'a province of Bamiyan.

In May, terrorists attacked a [maternity hospital](#) in Dasht-e-Barchi, a majority-Hazara neighborhood of Kabul. The attack killed more than 20, including two newborns, causing Doctors Without Borders/[Médecins Sans Frontières](#) to end its longstanding activities and withdraw from the hospital. In another incident in October, a suicide bomber detonated in the street outside the Kawsar-e-Danish Centre, an [educational institute](#) in a Shi'a Hazara neighborhood, killing dozens of students.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Afghanistan on the U.S. Department of State's Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA) and continue to designate the Taliban as an "entity of particular concern" (EPC) for engaging in systematic, ongoing, and egregious violations of religious freedom, as defined by IRFA;
- Incorporate protections for freedom of religion or belief into U.S.-supported peace negotiations between the Afghan government and the Taliban, emphasizing to Afghan political leadership the close

relationship between religious freedom and overall security;

- Integrate religious freedom concerns, including the protection of houses of worship, into assistance and training programs focused on countering terrorism, resolving sectarian conflict, and bolstering law and order funded by the State Department, the U.S. Agency for International Development (USAID), the Millennium Challenge Corporation, and the U.S. Department of Defense; and
- Facilitate cooperation between faith leaders and scholars of all religions in Afghanistan

to foster societal religious tolerance and encourage the Afghan Ministries of Education, Information and Culture, and Hajj and Religious Affairs to ensure that textbooks and curricula do not propagate intolerant teachings that denigrate religious minorities.

The U.S. Congress should:

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

KEY USCIRF RESOURCES & ACTIVITIES

- **Press Statement:** [USCIRF Strongly Condemns Terrorist Attack against Sikh House of Worship in Kabul](#)

Background

Afghanistan is home to a diverse array of ethnic groups, including Pashtuns (42 percent), Tajiks (27 percent), Hazaras (9 percent), Uzbeks (9 percent), Turkmen (3 percent), and Baloch (2 percent). Historically, the nation also was religiously diverse, but the vast majority of non-Muslims fled after the Taliban consolidated control of the government in 1996. The Hindu and Sikh population, for example, dropped from [220,000](#) in the early 1990s to a little over 200 today. The country's current [population](#) is approximately 99.7 percent Muslim (84.7–89.7 percent Sunni and 10–15 percent Shi'a, including Ismailis), with the few remaining non-Muslims (Hindus, Sikhs, Baha'is, Christians, Buddhists, Zoroastrians, and others, including one known [Jew](#)) comprising the remaining 0.3 percent.

Afghanistan's 2004 [constitution](#)—which recognizes Islam as the official religion—requires all parliamentary laws to respect Islamic principles and educational curricula to be based on the Islamic faith. Moreover, the constitution requires the courts to rely on Hanafi Shari'a jurisprudence in the absence of governing constitutional or legal provisions, which has the effect of criminalizing blasphemy (subject to the death penalty), apostasy, and proselytizing by non-Muslims. In 2009, the [Shi'a Personal Status Law](#) allowed Shi'a Muslims to be judged by their own laws, the Ja'fari school of jurisprudence.

Since the fall of the Taliban government in 2001, religious minority communities slowly regained footing in society. Shi'a Muslims' socio-political standing improved, with members of the community holding key positions in government, media, and private industry. Additionally, Hindus and Sikhs have been represented in parliament since 2016 with a reserved seat, and some have been employed in government service. Despite this representation, Hindus and Sikhs face systematic discrimination and increasing violence.

Exodus of Sikh and Hindu Community

Driven by societal discrimination influenced by extremists, Sikhs and Hindus are subject to harassment, including physical assaults, abduction, land grabbing, looting, and pressure to convert. In addition to the incidents above, in June, insurgents reportedly kidnapped Sikh community leader [Nidan Singh Sachdeva](#) at Thala Sri Guru Nanak Sahib gurdwara in Paktia Province. Sachdeva was released due to government pressure and was among the first group of Afghan Sikh and Hindu community members who were granted legal entry to India in 2020.

The [Hindu and Sikh](#) population dropped from about 250,000 in the early 1990s to less than 1,000 in 2019. After the 2020 Kabul *gurdwara* attack and kidnapping of Sachdeva, the number dropped to around 200, a near extinction of the once robust community. Members of the Sikh and Hindu community have felt [pressured to leave Afghanistan](#) due to the lack of safety and [security](#) in the face of ongoing targeted attacks on their leadership and houses of worship by militant groups.

Rising Fear for Other Religious Minorities

Although the Afghan constitution stipulates followers of religions other than Islam may exercise their faith within the limits of the law, conversion from Islam to another religion is considered [apostasy](#). This crime is punishable by death, imprisonment, confiscation of property, or deportation according to the Afghan government's prevailing interpretation of Sunni Islam's Hanafi school of jurisprudence, which according to the constitution applies if there is no relevant provision in the law. Small populations of the Christian, Baha'i, and Ahmadiyya religious communities exist in secret due to fear of reprisal. In 2020, fear among religious minorities markedly increased due to a variety of factors, including the downsizing of the U.S. troop presence, continued violence, and the government's [lack of control](#) over the entirety of the country's territory.

In 2007, the General Directorate of Fatwas and Accounts of the Supreme Court declared the Baha'i faith to be blasphemous. The Baha'i community has lived in secret since this ruling. According to sources, there are about 450 adherents of the Ahmadiyya faith residing in Kabul. Although the Afghan constitution does not legally define the Ahmadiyya faith as non-Muslim, most Afghan Muslims view the faith as heretical.

Cases of Muslims [converting to Christianity](#) remain few, but Christian faith-based [organizations](#) maintain they are closeted due to fear of reprisal by Islamist extremists, familial-societal ostracization, ethnic antagonism, and official repercussions for those charged with apostasy. Society and the state often label instances of conversion as an attempt to flee Afghanistan through political asylum via Western Christian sympathy.

Key U.S. Policy

In February, after 20 years of U.S. government involvement in Afghanistan, the administration of then President Donald J. Trump signed a peace agreement with the Taliban that stipulated complete withdrawal of the U.S. presence by May 2021. The agreement also called on the Taliban to cut ties with terrorist groups, reduce violence, and engage in negotiations with the Afghan government. As of [January 2021](#), there are [2,500 U.S. troops](#) in Afghanistan, along with 6,346 U.S. contractors. The [Taliban](#) have called on the administration of President Joseph R. Biden to honor the previous administration's commitment, but [delays](#) in the peace talks, increased violence, reports of continued Taliban ties with militant organizations, and ISIS-K presence has left the [new administration](#) reconsidering complete withdrawal.

In 2020, the U.S. government continued to provide an estimated [\\$1.1 billion](#) in aid to Afghanistan despite the reduction in pledged assistance to the Afghan government at the November 2020 Geneva Conference and U.S. statements that future [assistance will be conditioned](#) on progress in the peace talks and protection of human rights.

On December 2, the State Department [designated](#) the Taliban as an EPC for engaging in particularly severe religious freedom violations. The designation of ISIS-K as an EPC was not renewed, as the State Department [determined](#) it lost control of the territory it previously controlled.