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Afghanistan – Researched and compiled by the Refugee Documentation Centre of Ireland on Friday 19 January 2024

Information on the human rights situation since the Taliban resumption of power

A report issued in January 2024 by *Radio Free Europe/Radio Liberty* states:

“The Taliban's notorious religious police have detained scores of Afghan women and girls in recent weeks for allegedly violating the extremist group's Islamic dress code.” [...]

“Since seizing power in 2021, the Taliban has severely curtailed women's right to work and study, and imposed restrictions on their appearances and freedom of movement.

In May 2022, the Taliban ordered all women to wear the all-encompassing burqa or an Islamic abaya robe and niqab that covers the hair, body, and most of the face in public. The latter is common in the Arab Gulf states.” [...]

“The Taliban's enforcement of the dress code was sporadic and uneven across the country. But activists say that since the turn of the year, the group has intensified the enforcement of the law.” (Radio Free Europe/Radio Liberty (16 January 2024) *Afghan Women Accuse Taliban Of Torture And Extortion Amid Dress Code Crackdown*)

Human Rights Watch reported in January 2024 that:

“The Taliban have intensified and broadened their crackdown on human rights, particularly the rights of women and girls, in Afghanistan, Human Rights Watch said today in its World Report 2024.” [...]

“Taliban security forces carried out revenge killings and enforced disappearances of former government officials and security force personnel. Officials of the Taliban's intelligence agency, the General Directorate of Intelligence, and other Taliban security forces, tortured detainees, including by waterboarding them. The Taliban's ongoing crackdown on civil society involved extensive censorship of the Afghan media and detentions of journalists and activists, particularly women activists. Matiullah Wesa, an education advocate, was detained without charge for seven months.” (Human rights Watch (11 January 2024) *Afghanistan: Worsening Taliban Repression Erodes Rights*)

A report issued in October 2023 by *Human Rights Watch* notes:

“...concerns about the human rights situation in Afghanistan...The human rights situation in Afghanistan has deteriorated significantly...as the Taliban have imposed policies that have violated the rights of women and girls in most aspects of their lives including education, employment, and freedom of movement” (Human Rights Watch (11 October 2023) *Submission to the Universal Periodic Review of Afghanistan*, p.1).

In October 2023 the *European Parliament*:

“Deplores the level of human rights abuses in Afghanistan, which have risen exponentially since the Taliban takeover...” (European Parliament (5 October 2023) *Human rights situation in Afghanistan, in particular the persecution of former government officials*).

In September 2023 the *Council of Europe* states that:

“...the most fundamental principles of equal human rights for all and the rule of law are being trampled on” (Council of Europe (25 September 2023) *The humanitarian crisis emerging for Afghanistan and Afghan refugees*, p.7).

A report issued in September 2023 by the *United Nations Security Council* comments on the:

“...deteriorating human rights situation...” (United Nations Security Council (18 September 2023) *The situation in Afghanistan and its implications for international peace and security*, p.7).

Amnesty International in September 2023 notes that:

“The Taliban continue to arbitrarily arrest, inflict torture, or forcibly disappear critics, activists and journalists” (Amnesty International (12 September 2023) *Afghanistan: UN Human Rights Council should consider accountability options to support victims' quest for justice: Oral statement: HRC54: Item 2: Interactive dialogue on the report of the Office of the High Commissioner for Human Rights on Afghanistan*).

In September 2023 the *United Nations Human Rights Council* states that:

“Throughout the period covered by this report, actions taken by the de facto authorities have undermined human rights protections at all levels” (United Nations Human Rights Council (11 September 2023) *Situation of human rights in Afghanistan*, p.3).

The *United Nations News Centre* reported in May 2023 that:

“In a new report, UNAMA said that it had documented “a range of forms of corporal punishment” carried out by the Taliban since their return to power on 15 August 2021 after dislodging the democratically-elected Government, “including lashings or floggings, stoning, forcing people to stand in cold water, and forced head shaving”. In the last six months alone, 274 men, 58 women and two boys have been publicly flogged.

According to the report, the legal system in Afghanistan is currently “failing to safeguard minimum fair trial and due process guarantees”.

UNAMA warned that the Taliban's refusal to grant licences to women defence lawyers and the exclusion of women judges from the judicial system are impacting women and girls' access to justice.” (United Nations News Centre (8 May 2023) *UN calls on Taliban to end corporal punishment in Afghanistan*)

A report issued by the *Office of the United Nations High Commissioner for Human Rights (OHCHR)* in May 2023 refers to the:

“...continuing deterioration of the human rights situation in the country, plagued by decades of conflict and historical human rights violations affecting all members of society, in particular women and girls, as well as minorities.

Since the collapse of the Republic, the de facto authorities have dismantled the legal and institutional framework and have been ruling through the most extreme forms of misogyny, destroying the relative progress towards gender equality achieved in the past two decades. The Taliban impose certain interpretations of religion that appear not to be shared by the vast majority of Afghans.” (Office of the United Nations High Commissioner for Human Rights (OHCHR) (5 May 2023) *Afghanistan: Systematic crackdown on women's and girls' rights, UN experts say*)

The report continues under the heading ‘Manifestations of systemic gender-based discrimination’ noting that:

“During our mission, we have documented how women and girls' lives in Afghanistan are being devastated by the crackdown on their human rights. "We are alive, but not living", said one of our woman interlocutors. Since they took control of the country, the de facto authorities have taken numerous arbitrary measures violating girls' and women's rights to education, work, freedom of movement, health, bodily autonomy and decision-making, freedom of peaceful assembly and association, and access to justice.” [...] (ibid)

The annual report released in March 2023 by *Amnesty International* states that:

“Restrictions on women's rights, freedom of the media and freedom of expression increased exponentially. Institutions designed to support human rights were severely limited or shut down completely. Peaceful protesters faced arbitrary arrests, torture and enforced disappearance. The Taliban conducted extrajudicial executions, arbitrary arrests, torture and unlawful detention of perceived opponents with impunity, creating an atmosphere of fear. Extreme poverty increased, exacerbated by drought and other natural disasters. Public executions and floggings were used as punishment for crimes such as murder, theft, "illegitimate" relationships or violating social norms. Women's rights continued to be attacked, and women's participation in public life was severely limited. Afghanistan was the only country in the world where girls were banned from attending secondary school. Almost all institutions set up to address gender-based violence under the former government were shut down by the Taliban.” (Amnesty International (27 March 2023) *Amnesty International Report 2022/23: Afghanistan*)

The *US Department of State Country Report on Human Rights Practices* published in March 2023 states that:

“Significant human rights issues included credible reports of: arbitrary killings, including targeted killings; forced disappearance; torture, or cruel, inhuman, or degrading treatment by the Taliban; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses of a relative; serious abuses in a conflict, including widespread civilian deaths or harm, enforced disappearances and abductions, torture, and unlawful recruitment and use of child soldiers; serious restrictions on freedom of expression and media by the Taliban, including arrests of and violence against journalists and censorship...” (US Department of State (20 March 2023) *2022 Country Reports on Human Rights Practices: Afghanistan*)

A report published by *United Nations News* in January 2023 states:

“Addressing a private meeting of the Council, Roza Otunbayeva reiterated to ambassadors that Taliban decisions including the ban on girls attending high school, preventing women from going to university, and barring them from doing humanitarian work, are all “grave

violations of fundamental rights”, according to UN Spokesperson Stéphane Dujarric.” (United Nations News (13 January 2023) *Unity in Security Council essential, in face of Taliban rights violations against women and girls*)

In December 2022 *CIVICUS (World Alliance for Citizen Participation* refers to:

“...a worsening trend and increased human rights violations in recent months. One area where the situation worsened significantly is women's and girls' rights as the Taliban imposed further restrictions on women's presence in public spaces and their freedom of movement and clothing, and recently allegedly detained a number of women protesters.” *CIVICUS (World Alliance for Citizen Participation (18 December 2022) Afghanistan: 'Open-source monitoring reveals both the clampdown on women's rights and the impact on their lives')*

In December 2022 the *Office of the United Nations High Commissioner for Human Rights (OHCHR)* states that:

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

On 7 December 2022, the Taliban publicly executed a man in Farah city, Farah province, in what appears to be the first public execution since seizing power in August 2021.” (Office of the United Nations High Commissioner for Human Rights (OHCHR) (16 December 2022) *Afghanistan: UN experts call on the Taliban to immediately halt public floggings and executions*)

In December 2022 the *South Asia Intelligence Review (SAIR) of the South Asia Terrorism Portal (SATP)* states that:

“On December 8, 2022, the Taliban publicly flogged nine women and 18 men in a football stadium in Charikar city, the capital of Parwan Province, for the crimes, variously, of robbery, being in premarital relationships and running away from home. Each of them received between 29 and 35 lashes. Local Taliban officials and hundreds of spectators witnessed the scene.

On December 6, 2022, the primary court of Goshta District of Nangarhar Province gave orders to flog a woman, along with two men, on the suspicion of having premarital relationships. Later, Taliban fighters carried out the lashings in front of hundreds of onlookers.” [...] (South Asia Intelligence Review (SAIR) of the South Asia Terrorism Portal (SATP) (12 December 2022) *Afghanistan: Women flogged into silence*)

A report from December 2022 from *Voice of America News* states that:

“... the sentence, carried out by the father of the victim, was in line with "qisas," an Islamic law stipulating the person is punished in the same way the victim was murdered.

The United Nations decried the action as a form of "cruel, inhuman or degrading treatment or punishment" and "contrary to the right to life protected" under international laws.” [...]

(Voice of America News (8 December 2022) *Taliban Denounce 'Reprehensible' Outcry Over Afghan Public Executions, Flogging*)

In December 2022, *Gandhara (Radio Free Europe/Radio Liberty)* reports that:

“... increase in early marriages of Afghan girls -- a trend activists and human rights campaigners attribute to parents' belief that securing a spouse for their girls is better than seeing them forced to marry members of the Taliban.

Marrying their girls off also provides some sense of security: fewer mouths to feed at a time when Afghan girls have been banned from attending school and face harassment as the country deals with a humanitarian crisis and economic ruin.” (Gandhara (Radio Free Europe/Radio Liberty) (1 December 2022) *Afghans Increasingly Marrying Off Young Daughters To Avoid Forced Unions With Taliban*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. All COI Query Responses are compiled in line with the Common EU Guidelines (2008) and the EUAA Methodology (2023). This response is not and does not purport to be conclusive as to the merit of any particular claim to international protection. Please read in full all documents referred to.

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