



**JUBILEE CAMPAIGN USA
ECOSOC Special Consultative Status (2003)**

**United Nations Human Rights Council
Universal Periodic Review - FOURTH CYCLE**

**Submission to the 46th session of the Human Rights Council's Universal Periodic Review Working Group
April - May 2024**

Islamic Republic of Afghanistan

A Vital Voice for Those Suffering in Silence

9689-C Main Street • Fairfax, VA 22031-3746 • TEL: (703) 503-2260 • FAX: (703) 503-0792

EMAIL: jubilee@jubileecampaign.org

P.O. Box 700 • Addlestone • Surrey, KT15 9BW • United Kingdom

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**United Nations Human Rights Council
Universal Periodic Review of the Islamic Republic of Afghanistan**

I. Background.

1. **Jubilee Campaign** is a non-governmental organization which holds consultative status with the Economic and Social Council since 2003 and whose work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children to protect them from bodily harm and exploitation. Jubilee Campaign submits this analysis of religious freedom and human rights in the Islamic Republic of Afghanistan as a contribution to the Universal Periodic Review.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.

We urge the Islamic Republic of Afghanistan to:

2. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Convention for the Protection of All Persons from Enforced Disappearance; the Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

III. Violations of human rights obligations, considering applicable international human rights legislation.

A. Freedom of thought, conscience, and religion.

3. Prior to the United States' military withdrawal from Afghanistan and the resurgence of Taliban leadership, the 2004 Constitution had been in effect which, though identifying Islam as the national religion, guaranteed that "followers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rituals." On the contrary, Article 3 stipulates that "no law shall contravene the tenets and provisions of the holy religion of Islam."¹
4. The 1978 Penal Code makes no direct reference to the conduct of blasphemy, however, "this only means that courts rely therefore on Islamic law to address the issue".² Sharia law classifies blasphemy as a *hudud* crime, transgression against God, and punishments for such conduct range from lashings, mutilation and/or amputation, stoning, and execution.³ "The ambiguity surrounding what constitutes offensive and un-Islamic material offers the potential for restrictions on and abuse of press freedom and intimidation of journalists. These rules also apply to non-Muslims and foreign-owned media outlets."⁴

¹ France Diplomatie, *The Constitution of the Republic of Afghanistan*, 2004.

² End Blasphemy Laws, *Afghanistan*.

³ European Union Agency for Asylum (EUAA), [2.14. Individuals considered to have committed blasphemy and/or apostasy](#), *Country Guidance Afghanistan 2021*.

⁴ End Blasphemy Laws, *Afghanistan*.

5. Notwithstanding the constitutional right of Afghans to freely identify with a religion of their choice, the Taliban's literal and unyielding interpretation of the Quran and Sharia jurisprudence, both of which prohibit proselytism and religious conversion.⁵ Though apostasy was similarly criminalized according to Afghanistan's legislation during the transitional period of United States' deployment between 2001 to 2021, no death sentences have been issued since the case of Abdul Rahman in 2006.⁶ However, since August 2021, the Taliban, via the Ministry for the Propagation of Virtue and Prevention of Vice, has publicly stated its intention to a return to harsh punishments for various crimes in accordance with Sharia jurisprudence. As such, faith minorities and converts have reasonable cause to fear for the future of possible apostasy convictions under Taliban rule. By February 2022, an estimated 10,000 to 12,000 Christian converts remain in Afghanistan, many of whom have gone into hiding and have silenced or thrown away their cell phones and electronics to prevent being tracked down by the Taliban and Islamic State in Khorasan Province.⁷
6. Following the Taliban's seizure of control in August 2021, ethnic Hazara Muslims, largely of the Shia branch, have experienced an increase in attacks upon its community and houses of worship committed by both the Taliban and Islamic State-Khorasan Province (ISIS-K). In the first six months of 2021 - prior to the havoc wreaked by American troop's withdrawal in August - the United Nations Assistance Mission in Afghanistan (UNAMA) recorded 20 "deliberate sectarian-motivated attacks" against Hazaras resulting in 500 civilian casualties (143 deaths, 357 injured).⁸ Just one month prior to American troops' withdrawal, Taliban forces brutally slaughtered nine Hazara men, some of whom they tortured by breaking limbs, strangling with scarves, and carving off muscles⁹; in October 2021, 13 Hazara civilians were killed in Daykundi Province by Taliban troops.¹⁰ Meanwhile, ISIS-K has launched numerous suicide bombings at Shia mosques, including the October attack on Sayed Abad Mosque (72 Hazara casualties), and another attack days later on Bibi Fatima Mosque (63 Hazara casualties).¹¹ Releasing a statement thereafter, the terrorist group threatening to target Hazaras "in every way, from slaughtering their necks to scattering their limbs".
7. The Christian community in Afghanistan, consisting entirely of converts from the Muslim faith, have historically suffered from persecution and terrorist attacks. Many have been forced to practice their faith in secret - even in the years in which the Taliban was not ruling the nation - as they "faced ostracization and the threat of honor killings by family and village members".¹² Estimates of how many Christians remain in Afghanistan range between 10,000 to 12,000, though the Taliban falsely claims that "there are no Christians in Afghanistan. [The] Christian minority has never been known or registered here".¹³ Afghan Christians have reported receiving phone calls and letters threatening them and their families, and many have moved to undisclosed and isolated locations,

⁵ Niala Mohammad & Zack Udin, *Afghanistan Factsheet*, United States Commission on International Religious Freedom (USCIRF), October 2021.

⁶ PBS, "[Converted Christian Sentenced to Death in Afghanistan](#)", 23 March 2006.

⁷ Jeff Brumley, "[The few remaining Christians in Afghanistan live in constant fear - even of their own families](#)", *Baptist News Global*, 1 February 2022.

⁸ United Nations Assistance Mission in Afghanistan (UNAMA), *Afghanistan - Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021*, 26 July 2021.

⁹ Amnesty International, "[Afghanistan: Taliban responsible for brutal massacre of Hazara men - new investigation](#)", 19 August 2021.

¹⁰ Amnesty International, "[Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province - new investigation](#)", 5 October 2021.

¹¹ Human Rights Watch, "[Afghanistan: Surge in Islamic State Attacks on Shia](#)", 25 October 2021.

¹² Niala Mohammad, *Factsheet: Afghanistan*, USCIRF, October 2021. ; Landinfo, *Afghanistan: The situation of Christian converts*, 7 April 2021.

¹³ David Curry, "[One year after withdrawal. Afghanistan Christians are in hiding or on the run](#)", *Religion News Service*, 31 August 2022. ; Voice of America, "[Taliban Say No Christians Live in Afghanistan; US Groups Concerned](#)", 16 May 2022.

gone into hiding, and remained off the grid with their phones turned off to prevent their locations from being tracked by authorities.¹⁴ Open Doors noted in 2022 that “in the past year, the Taliban has turned their attention to consolidating power and have not been explicitly targeting non-Muslims - so there have been fewer violent incidents against Christians that can be clearly linked to their faith. In this complex situation, persecution is affecting almost everyone in many different ways”.¹⁵

8. There are few recent and relevant statistics regarding the size of the Bahá’í population in Afghanistan; however, it has been reported for many years that a 2007 fatwa issued by the Supreme Court’s General Directorate of Fatwa and Accounts that Bahá’í followers, practitioners, and converts are “infidels” and “apostates”.¹⁶
9. Following the Taliban’s takeover, approximately 120 Afghan Sikhs and Hindus - perhaps the remaining members of both faith groups in the country due to a series of mass exoduses in 1996, 2018, and 2020 - officially retreated into hiding at Gurdwara Karte Parwan in Kabul, carrying with them holy texts and other religious items.¹⁷ On 22 August 2021, the World Punjabi Organization (WPO) reported that a group of some 72 Afghan Hindus and Sikhs had been stopped by the Taliban while they were boarding a flight to India out of Kabul and were forced to return home.¹⁸ In late June 2022, ISIS-K launched grenades on the previously mentioned Gurdwara Karte Parwan, killing two Sikhs.¹⁹ As recently as August 2023, it was reported that there likely remained only a few Sikh and Hindu families remaining in Afghanistan, where they are prohibited from participating in faith activities and traditions, and are forced to dress like the Muslim community.²⁰
10. In September 2021, 62-year-old Zebulon Simentov, widely considered the last remaining Jew residing in Afghanistan, left the country citing fears of attacks by ISIS-K.²¹ However, it was later revealed that Simentov’s older distant cousin, 83-year-old Tova Mradi, had been the final Jew living in Afghanistan until his departure in October 2021.²²
11. The 2,000 to 3,000-strong Uyghur population of Afghanistan, which has existed since their migration into the country during the 1950s and later decades to escape ethno-religious persecution in China, has expressed concern over the rise of the Taliban and the nation’s growing ties to Uyghurs’ homeland. Fearing deportation to China where an estimated one to two million of their peers are detained in mass internment centers in Xinjiang where they are forced to labor and undergo atheist and pro-CCP indoctrination, many Uyghurs in Afghanistan left the nation to avoid repatriation.²³ Some Uyghurs have made the following comments: “We are afraid of the Taliban, but we are also afraid of

¹⁴ Mindy Belz, [“The Taliban seizes power while taking names”](#), *World News Group*, 16 August 2021. ; Kelsey Zorzi, [“Afghanistan’s Christians are turning off phones and going into hiding”](#), *The Hill*, 23 August 2021.

¹⁵ Open Doors UK, [Afghanistan](#).

¹⁶ EUAA, 2.14.4. [Baha’i](#), *Country Guidance Afghanistan 2021*.

¹⁷ Surjit Singh, [“Worried over safety 120 Sikh Hindu families huddle up in Kabul gurdwara”](#), *Hindustan Times*, 17 August 2021.

¹⁸ Divya Goyal, [“Taliban stop 72 Afghan Sikhs, Hindus headed to India: You are Afghans, so can’t leave”](#), *The Indian Express*, 22 August 2021.

¹⁹ Sudha Ramachandran, [“Attack on Sikh Temple in Kabul Deals Another Blow to Afghan Sikh Community”](#), *The Diplomat*, 20 June 2022.

²⁰ Freshta Negah & Abubakar Siddique, [“Forced To Dress Like a Muslim’: Taliban Imposes Restrictions On Afghanistan’s Sikh Hindu Minorities”](#), *Radio Free Europe*, 22 August 2023.

²¹ Muhammad Farooq & Joseph Krauss, [“Afghanistan’s last Jew leaves after Taliban takeover”](#), *Associated Press*, 8 September 2021. ; The Times of Israel, [“Afghanistan’s last Jew finally leaves the country, reportedly headed to US”](#), 7 September 2021.

²² Ilan Ben Zion & Llazar Semini, [“The last, last Jew? Simentov relative flees Afghanistan after Taliban takeover”](#), *Times of Israel*, 29 October 2021. ; Ben Zion Gad, [“‘Last Jew in Afghanistan’ loses title to hidden Jewish family”](#), *The Jerusalem Post*, 3 November 2021.

²³ Emily Feng, [“Afghan Uyghurs whose families fled China now fear the Taliban could deport them”](#), *NPR*, 15 October 2021.

China”²⁴, and one Uyghur activist residing in Turkey receives calls from Uyghurs in Afghanistan: “They say to me: ‘Please save our future, please save our children’”.²⁵

Recommendation(s).

We urge the Islamic Republic of Afghanistan to:

12. Work with civil society of diverse ethnic and religion and belief convictions to prepare a future constitution for Afghanistan built on freedom of thought, conscience, religion and belief for all citizens;
13. Conduct cultural and educational activities in Afghan embassies during the next reporting to promote freedom of thought, conscience, and religion;
14. Condemn the Taliban’s human rights violations, including the execution of perceived or actual apostates and the denial of freedom of thought, conscience, religion and belief of Christians, Bahá’is, Hazaras, and others;
15. Provide training on freedom of thought, conscience, religion and belief with all diplomatic staff, collaborating with the Office of the High Commissioner for Human Rights and the UN Special Rapporteur on freedom of religion or belief, throughout the next reporting period.

B. Discrimination against women.

16. Taliban spokesman Zabihullah Muhahid has repeatedly made commitments to protecting women’s rights, but the majority of Afghan women remain skeptical²⁶; just one month after the group’s takeover of the nation, however, they had dissolved the Ministry of Women’s Affairs and inaugurated the Ministry for the Propagation of Virtue and Prevention of Vice (hereinafter referred to as “the Ministry”).²⁷
17. In September 2021, the Ministry officially barred girls from receiving high school education, subsequently proscribing young women’s attendance in tertiary and university education.²⁸ In August 2023, it was reported that Taliban leaders in some provinces have prohibited girls as young as ten years old - usually in third grade - from entering the schools in which they were previously enrolled prior to the Taliban’s takeover.²⁹ These increasing restrictions on women’s and girl’s rights to education have garnered censure from other predominantly Muslim country members of the Organization of Islamic Cooperation, which had previously convened an “extraordinary meeting” appealing to the Taliban to “reconsider decisions banning women from education”. The Taliban responded to these concerns by claiming that their current policies regarding women were only a “temporary step”, but they also warned the OIC to not “interfere in internal affairs” of Afghanistan.³⁰

²⁴ Joel Gunter, [“Afghanistan’s Uyghurs fear the Taliban, and now China too”](#), *BBC*, 27 August 2021.

²⁵ Sui-Lee Wee & Muye Xiao, [“Afghan Uyghurs Fear Deportation as Taliban Cozy Up to China”](#), *The New York Times*, 23 September 2021.

²⁶ NPR, [“Afghan Women On What’s At Stake For Women In Afghanistan”](#), 24 August 2021.

²⁷ Al Jazeera, [“Taliban replaces ministry for women with ‘guidance’ ministry”](#), 18 September 2021.

²⁸ Belquis Ahmadi & Hodei Sultan, [“Taking a Terrible Toll: The Taliban’s Education Ban”](#), *United States Institute of Peace*, 13 April 2023.

²⁹ Outlook India, [“Taliban Enforces Ban On Girls Over 10 From Attending Primary School In Afghanistan”](#), 6 August 2023.

³⁰ Ayaz Gul, [“Taliban Say They’re Working to Resolve ‘Temporary’ Education Ban on Afghan Women”](#), *Voice of America*, 12 January 2023. ; Riazat Butt, [“2 years ago, the Taliban banned girls from school. It’s a worsening crisis for all Afghans”](#), *Associated Press*, 18 September 2023.

18. In November 2021, the Taliban's new set of media regulations banned women from appearing on television dramas, soap operas, and entertainment shows. While women news presenters are still permitted to work, headscarves are mandatory.³¹
19. In December 2021, the Ministry promulgated new rules that women were prohibited from traveling long-distance unaccompanied by a "male guardian". Additionally, drivers are disallowed to let unveiled women into their cars.³²
20. In May 2022, Taliban leaders issued a decree obligating all women and girls to stay at home and, in the case that they may need to go out in public, wear a loose-fitting full-body covering known as a burqa. Should a woman or girl disobey these rules, her "male guardian" will be apprehended, warned, imprisoned, and sometimes sentenced. The Taliban justifies these harsh restrictions as necessary to "prevent women from coming to any harm or 'disturbance'".³³ Women who do not have "male guardians", however - due to being widowed or having no surviving or local male relatives - have no option but to defy the Taliban's restrictions on their movement and travel, as they need to earn money to provide for themselves and often for their children.³⁴
21. In November 2022, the Taliban declared that women are no longer permitted to use public gyms and visit parks as "people were ignoring gender segregation orders and that women were not wearing the required headscarf, or hijab". One female gym trainer reported that the militant group was making false accusations and that women and men have been training separately. Another women's rights activist Sodaba Nazhand stated "it is not just a restriction for women, but also for children. Children go to the park with their mothers, now children are also prevented from going to the park. It's so sad and unfair".³⁵
22. In January 2023, Taliban soldiers shot and killed a female member of Parliament, Mursal Nabizada, who had been openly critical of the militant group.³⁶ In September 2022, unidentified assailants launched a suicide bomb on the Kaj Education Center in West Kabul, killing 35 Hazara girls and women.³⁷ In one horrific incident in April 2022, Taliban forces physically tortured, repeatedly stabbed, dismembered the legs of, and shot to death an unnamed Hazara midwife.³⁸ Also in 2022, an anonymous Afghan university student recalled to Amnesty International that she has been detained by the Taliban and electrically shocked as punishment for being unaccompanied by a male chaperone.³⁹
23. The 2009 Elimination of Violence against Women Law, enacted by then-president of Afghanistan Hamid Karzani and reconfirmed in 2018 by President Ashraf Ghani, is under existential threat and is being wholly violated by Taliban forces. The ERAW law criminalizes 22 discriminatory and violent acts upon women, including, among others: rape, assault and battery, coerced marriages, restrictions on education and employment.⁴⁰

³¹ Ehsan Popalzai, "[Women banned from Afghan television dramas under new Taliban media rules](#)", *CNN World*, 22 November 2021.

³² Ehsan Popalzai, "[Taliban bans women from solo, long-distance road trips in Afghanistan](#)", *CNN World*, 29 December 2021.

³³ Ehsan Popalzai & Irene Nasser, "[Taliban decree orders women in Afghanistan to cover their faces](#)", *CNN World*, 7 May 2022. ; Diaa Hadid, "[The Taliban orders women to wear head-to-toe clothing in public](#)", *NPR*, 7 May 2022.

³⁴ Brent Swails, Clarissa Ward, & Scott McWhinnie, "[Women in Kabul return to work, school and the streets, in defiance of the Taliban](#)", *CNN World*, 4 October 2021.

³⁵ Voice of America, "[Taliban Official: Women Banned from Afghanistan's Gyms](#)", 10 November 2022.

³⁶ Sareta Ashraph, "[More Dangerous By the Day: The Taliban's Attack on Women and Girls](#)", *United States Holocaust Memorial Museum*, 26 January 2023.

³⁷ Dr. Ewelina U. Ochab, "[Yet Another Attack On The Hazara In Afghanistan](#)", *Forbes*, 1 October 2022.

³⁸ United Nations 9075th Meeting, "[Amid Plummeting Humanitarian Conditions in Afghanistan, Women, Girls 'Are Being Written Out of Society' by De Facto Authorities, Briefers Warn Security Council](#)", 23 June 2022.

³⁹ Amnesty International, "[Death in Slow Motion: Women and Girls Under Taliban Rule](#)", 27 July 2022.

⁴⁰ UN Women, "[Law on Elimination of Violence against Women](#) [Afghanistan], 2009.

Even prior to the Taliban's resurgence to power in 2021, the EVAW law had some successes, though unsubstantial. Women interviewed by Human Rights Watch reported: police reluctant to file cases of violence against women; lack of legal representation and advice; daily pressure to retract accusations of violence against women; referring serious cases (i.e., rape, sex trafficking; burning; forced self-immolation) for mediation rather than prosecution; refusal to apprehend suspects; condonement of honor killings; invasive body searches for gathering evidence; and more. The already negligent efficacy of the EVAW law has been further diminished under Taliban control, as the militant group has looted and rendered defunct virtually all women's shelters and protective services. Furthermore, the Taliban has itself engaged in violence against women, including sanctioning harsh physical punishments against those who have partaken in "moral crimes".⁴¹

Recommendation(s).

We urge the Islamic Republic of Afghanistan to:

24. Engage with exiled female human rights activists to ensure their recommendations on recognizing the rights of women are included in the future constitutional provisions of Afghanistan;
25. Continue to publicly condemn via international fora and social media the Taliban's violence, hate crimes and denial of the rights of women and girls;
26. Provide training for diplomatic staff on the rights of women in coordination with the Office of the High Commissioner for Human Rights, the UN Special Rapporteur on violence against women and girls, and the UN Special Rapporteur on the sale and sexual exploitation of children.

IV. Non-compliance with UPR recommendations.

27. The Taliban activities violate the Universal Periodic Review Working Group's 2019 recommendations⁴², including:

- Working towards full abolition of the death penalty (recommended by: Argentina, 136.70; Australia, 136.76; Austria, 136.77; France, 136.78; Italy, 136.79; Estonia, 136.12; Ireland, 136.12; Liechtenstein, 136.12; Lithuania, 136.81; Luxembourg, 136.12; Montenegro, 136.12; Portugal, 136.14; Republic of Moldova, 136.82; Sweden, 136.74; Ukraine, 136.12; Uruguay, 136.13);
- Promote the empowerment and participation of women in all aspects of society (recommended by: Australia, 136.39; Bulgaria, 136.36; Czechia, 136.37; Egypt, 136.130; France, 136.59; Greece, 136.60; Iceland, 136.38; India, 136.221; Kazakhstan, 136.129; Libya, 136.222; Lithuania, 136.41; Luxembourg, 136.30; Netherlands, 136.106; Oman, 136.223; Poland, 136.224; Romania, 136.225;

⁴¹ Fereshta Abbasi & Patricia Gossman, '[I Thought Our Life Might Get Better': Implementing Afghanistan's Elimination of Violence against Women Law](#), *Human Rights Watch*, 5 August 2021. ; Amnesty International, "[Afghanistan: Survivors of gender-based violence abandoned following Taliban takeover - new research](#)", 6 December 2021.

⁴² United Nations Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Afghanistan*, [A/HRC/41/5](#), 3 April 2019.

Serbia, *136.216*; Spain, *136.226*; State of Palestine, *136.131*; Switzerland, *136.25*; Thailand, *136.194*);

- Eliminating violence and discrimination against women (recommended by: Albania, *136.189*; Angola, *136.190*; Argentina, *136.191*; Australia, *136.35*; Austria, *136.192*; Bahrain, *136.56*; Belgium, *136.193*; Bhutan, *136.57*; Canada, *136.96*; Chile, *136.195*; Costa Rica, *136.58*; Croatia, *136.6*; Cyprus, *136.197*; Denmark, *136.198*; Djibouti, *136.199*; Estonia, *136.201*; France, *136.59*; Finland, *136.97*; Georgia, *136.202*; Greece, *136.60*; Honduras, *136.234*; Hungary, *136.203*; Iceland, *136.105*; Indonesia, *136.40*; Iraq, *136.204*; Ireland, *136.196*; Italy, *136.205*; Kyrgyzstan, *136.6*; Lao People's Democratic Republic, *136.62*; Liechtenstein, *136.206*; Lithuania, *136.207*; Luxembourg, *136.208*; Maldives, *136.209*; Malta, *136.210*; Myanmar, *136.212*; Nepal, *136.213*; Norway, *136.107*; Portugal, *136.6*; Republic of Korea, *136.69*; Republic of Moldova, *136.246*; Slovakia, *136.61*; Slovenia, *136.218*; Sri Lanka, *136.219*; Thailand, *136.194*; Tunisia, *136.200*; Ukraine, *136.211*; United Kingdom of Great Britain and Northern Ireland, *136.217*; United States of America, *136.188*; Uruguay, *136.109*);
- Ensuring, protecting, and promoting freedom of religion or belief and eliminating violence against individuals on the basis thereof (recommended by: Angola, *136.118*; Chile, *136.195*; Czechia, *136.115*; Honduras, *136.250*; Italy, *136.251*; Malta, *136.116*; Switzerland, *136.249*; United Kingdom of Great Britain and Northern Ireland, *136.252*);