

Update on the human rights situation in Afghanistan:

JANUARY - MARCH 2024 UPDATE



United Nations
Assistance Mission in Afghanistan



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

About this update

This update on the human rights situation in Afghanistan covering the period from January to March 2024¹ is based on monitoring undertaken by UNAMA's Human Rights Service in accordance with its mandate from the UN Security Council.²

Rights of women and girls

On 20 March, the new school year in Afghanistan commenced without the presence of Afghan girls in high schools, due to the *de facto* authorities continued ban on girls' education beyond grade six.³ An invitation to attend a ceremony in Kabul marking the commencement of the new academic year, issued to media by the *de facto* Ministry of Education, specifically instructed women journalists not to attend, citing a "lack of proper place[s]" for women.⁴

While UNAMA Human Rights continued to receive reports of the enforcement of the *hijab* instruction,⁵ primarily by *de facto* Propagation of Virtue and Prevention of Vice officials, such incidents significantly decreased after January 2024 with the cessation of the large-scale enforcement actions which took place between December 2023 and January 2024.⁶

Harm caused by improvised explosive devices

Between 6-11 January, three IED explosions in Kabul city caused at least 79 civilian casualties:

- On 6 January in Dasht-e Barchi, a predominantly Shi'a Hazara area of Kabul, an IED explosion targeted a public minibus, killing at least five civilians (one woman, three men and one person of unknown age and gender) and wounding at least 20 others (18 men and two persons of unknown age and gender). Islamic State – Khorasan Province (ISKP) claimed responsibility for the attack as part of their '*And kill them wherever you find them*' campaign, stating that the target was the 'infidels'.
- On 9 January in Alo Khil area of PD16, an IED explosion targeted a commuter bus transporting staff of the *de facto* Office of the Prison Administration. At least three adult men were killed and at least 13 adult men wounded in the attack. ISKP claimed responsibility for the attack as part of their '*And kill them wherever you find them*' campaign, stating that the target was a vehicle transporting Prison staff.
- On 11 January, at around 1500hrs, in Kabul city, Dasht-e-Barchi area, an explosion of an unknown nature occurred at a commercial centre. At least three people were killed (age and gender unknown) and at least 35 were wounded (one girl, five boys, eight adult women and 21 persons of unknown age and gender) in the attack. There was no claim of responsibility.

On 21 March in Kandahar city, PD1, outside New Kabul Bank, a suicide attacker detonated his vest among a large group of *de facto* police who were lining up outside the bank

[1] All dates specified in this update refer to 2024, unless otherwise specified.

[2] United Nations Security Council Resolution 2626 (2022), extended by Resolution 2678 (2023).

[3] Girls have been banned from attending school beyond grade six since September 2021 and women and girls have been banned from attending higher education since December 2022. Girls and women are reportedly able to attend madrassas for education beyond grade six, however there is no information about the curriculum taught in madrassas.

[4] *De facto* Ministry of Education website and X account: [دعوت نامه رسانه بی.ا.وزارت معارف \(moe.gov.af\)](https://twitter.com/moeafghanistan1/status/1770330211944472966?s=61&t=9qjwpPcq_Lu135k77_porw) [Accessed on 20 March 2024]; https://twitter.com/moeafghanistan1/status/1770330211944472966?s=61&t=9qjwpPcq_Lu135k77_porw

[5] Available at: <https://mopvpe.gov.af/ps/%DA%A9%DA%93%D9%86%D9%84%D8%A7%D8%B1%D9%87>.

[6] See: https://unama.unmissions.org/sites/default/files/english_hr_update_22jan_2024.pdf.

to collect their salaries, resulting in at least 75 casualties: at least 25 adult men killed and at least 50 adult men wounded. The majority of casualties were *de facto* police. ISKP claimed responsibility for the incident, citing *de facto* security personnel as the target.

Civilian casualties due to airstrikes in Khost and Paktika and armed clashes in Paktya

On 18 March, airstrikes by Pakistani Military Forces resulted in civilian casualties in Khost Province (Spera district, Afghan Dubai area), killing one adult male civilian and wounding two others, and in Paktika Province (Barmal district, Laman area), killing seven civilians (two women, three girls and two boys).

Later that day, armed clashes between *de facto* border forces and Pakistani Military Forces in Paktya province (Dand-e Patan district, Kharlashi area) killed four Afghan civilians (three children and an adult male) and wounded seven Afghan civilians (two children, four adult females and one adult male).

The spokesperson for the *de facto* authorities, Zabihullah Mujahid, strongly condemned the incidents.⁷

Pakistan's Ministry of Foreign Affairs released a statement regarding the incidents of 18 March.⁸ In interactions with UNAMA, Pakistan stated: "We reject any allegations that Pakistan Military has targeted any civilians in Afghanistan...Imminent attacks were being planned against Pakistani civilians and armed forces, which had to be stopped.

It seems that the terrorists neutralized on 18 March were being counted as 'civilians'. Pakistan further expressed to UNAMA its commitment to upholding the "principles

and purpose of the UN Charter" and continuing to "work with UNAMA in discharging its mandate in Afghanistan".

Freedom of the media

On 19 March, on the occasion of National Journalists Day, the *de facto* Ministry of Information and Culture expressed its appreciation to journalists in Afghanistan. The situation for journalists is mixed. Some journalists have reported an improvement in access to information with the appointment of spokespersons for *de facto* line departments at provincial level and the establishment of WhatsApp groups by some *de facto* entities to distribute information. Despite this, journalists and media workers continue to operate in a challenging environment, with the media facing significant financial challenges, in addition to a range of restrictions imposed by the *de facto* authorities and the risk of arbitrary detention in the course of their work. For example:

- On 17 January, in Kabul, a journalist of Japan's Kyodo news agency was arrested on unknown charges (released on 25 January).
- On 18 January, in Kabul, two journalists of Gardesh-e Etilaat News Center were arrested on unknown charges (released on 20 January).
- On 10 February, in Samagan, a Pajhwok News Agency journalist was detained after requesting an interview with a *de facto* official on the topic of protests by restaurant and hotel owners regarding tax increases (released on 12 February).

[7] See: https://twitter.com/Zabehulah_M33/status/1769619791352857051?s=20.

[8] See: <https://mofa.gov.pk/press-releases/operation-against-terrorist-sanctuaries-of-ttp>.

- On 17 February, in Kabul, a Khaama Press employee was detained in relation to a report by the publication on the enforcement of the *hijab* decree (released on 18 February).

In addition, on 18 February, in Kandahar, a letter signed by the *de facto* Provincial Governor was issued to *de facto* Department Heads prohibiting photos being taken during meetings and events, limiting the availability of images which can be used by media outlets.

Former government officials, Afghan National Defense and Security Forces (ANDSF)⁹ members

Threats to former government officials and former ANDSF members, including arbitrary arrest and detention, torture and ill-treatment and extrajudicial killings, continue to be reported to UNAMA Human Rights, despite the general amnesty announced by the *de facto* authorities' at the time of their takeover of Afghanistan.¹⁰ The *de facto* authorities reiterated their commitment to the general amnesty, for example in an interview with Al Jazeera on 9 March, the spokesperson for the *de facto* Ministry of Foreign Affairs, Abdul Qahar Balkhi, stated: "We have maintained a policy of general amnesty...There are hundreds of thousands that are currently working shoulder-to-shoulder with the

government of Afghanistan and government bodies. And there are millions of others who are living peacefully and enjoying their lives."¹¹

Between 1 January and 31 March, UNAMA Human Rights documented at least 38 instances of arbitrary arrest and detention, at least 10 instances of torture and ill-treatment, verbal threats and at least four extrajudicial killings of former government officials and former ANDSF members.

Death penalty and corporal punishment

In February, the *de facto* authorities carried out three public executions of individuals sentenced to the death penalty. In all three instances, the *de facto* authorities stated that the death penalty was implemented in accordance with a sentence upheld by three *de facto* Courts (District, Appeal and Supreme) and approval by the Taliban leader.

- On 22 February 2024, in Ghazni province, Ghazni city, Ali Baba Football Stadium, two men were publicly executed for separate murder convictions (the murders took place in 2017 and 2022 respectively). The gathering was attended by a number of *de facto* officials, including the *de facto* Provincial Governor, *de facto* Chief of Police, *de facto* Director of General Directorate of Intelligence, representatives from the *de facto* Courts and hundreds of local residents.

[9] Afghan National Defense and Security Forces (ANDSF) is an umbrella term used to refer to the security forces of the former government of the Islamic Republic of Afghanistan and includes: Afghan Border Force, Afghan Local Police, Afghan National Army, Afghan Air Force, Afghan National Police, Afghan National Civil Order Force, Afghan Special Forces, Afghan Territorial Army (also referred to as the Afghan National Army – Territorial Force), and the National Directorate of Security.

[10] For further information on the general amnesty, see UNAMA Human Rights report: A barrier to securing peace: Human rights violations against former government officials and former armed force members in Afghanistan. Available at: <https://unama.unmissions.org/barrier-securing-peace-hr-violations-against-former-government-armed-forces>.

[11] Al Jazeera English, 9 March. Other statements by the *de facto* authorities referencing the general amnesty during the period include: TOLONews, 'Islamic Emirate Rejects Claims Regarding Revenge Against US Allies', 31 January 2024, available at: <https://tolonews.com/afghanistan-187217> (comments by Spokesperson for the *de facto* authorities, Zabihullah Mujahid); Afghan Voice Agency, 'Islamic Emirate wants security and stability for Afghanistan, it also wants security and stability for the region and the world', 15 February 2024, available at: <https://www.avapress.com/en/news/285908/islamic-emirate-wants-security-and-stability-for-afghanistan-it-also-the-region-world> (comments by *de facto* Deputy Prime Minister, Mohammad Abdul Kabir).

- On 26 February 2024, in Jawzjan province, Sherberghan city, Sports stadium, a man was publicly executed, having reportedly been convicted of a murder, which took place in January 2022. A delegation of *de facto* officials, including the *de facto* Provincial Governor, Head of the *de facto* Appeal Court and a delegation from the *de facto* Supreme Court, attended the execution, along with hundreds of other local residents. Eyewitnesses stated that the execution was carried out by members of the family of the murdered victim, by shooting the individual five times.

Since the Taliban takeover of Afghanistan, there have been two previous instances of the death penalty being implemented in accordance with court decisions and the approval of the Taliban leader: the first was in Farah province on 7 December 2022, the second on 20 June 2023 in Laghman province.

On 26 March, spokesperson for the *de facto* authorities, Zabihullah Mujahid told TOLO News that stoning is part of Sharia law and that “if the conditions for it [stoning] arise again, we will undoubtedly implement the Sharia decrees”.¹²

The *de facto* authorities also continue to implement judicial corporal punishment in public, with such punishments taking place in at least one province each week. For example, on 25 February, in Balkh province, two individuals convicted of running away from home and adultery were publicly flogged 35 times each in the Appeal Court compound, in the presence of *de facto* officials, court employees and members of the public. On the same day, in Laghman, two individuals were publicly flogged 35 times for the crime of immorality, again in public in the presence of *de facto* officials.

Administration of justice

Between January and March, various *de facto* ministries made announcements regarding the administration of justice:

- On 19 March, the *de facto* Ministry of Justice announced that from 11 February to 11 March its *de facto* Legal Aid Directorate had provided legal assistance to 46 indigent suspects and defendants in criminal and civil cases, as well as legal advice to 14 individuals in various fields.¹³
- On 26 March, *de facto* Ministry of Justice announced the release of Official Gazette No. 1444 dated 4 March 2024, containing the Law on Complaint Hearing and several decrees of the Taliban leader, including on the establishment of a special court to deal with disputes over land allegedly usurped from the state, referring cases of the High Directorate to the relevant military courts, and transferring authority to pursue and arrest kidnappers from the *de facto* General Directorate of Intelligence to the *de facto* Ministry of Interior.¹⁴
- On the prison population, on 26 January, the *de facto* Deputy of Office of Prison Administration gave an interview, in which he reported the prison population had reached 19,300, of which about 800 are women.¹⁵
- In March, a number of committees tasked with reviewing prisoner case files to identify those eligible for early release on the occasion of Eid-ul-Fitr were established. The committees were established in several provinces and were headed by the *de facto* Appeal Court, with representatives from several *de facto* institutions.¹⁶

[12] Stoning Punishment Based on Sharia: Mujahid | TOLONews.

[13] <https://twitter.com/MojAfghanistan/status/1769956365118701820?s=20>.

[14] http://old.moj.gov.af/Content/files/OfficialGazette/01401/OG_01444.pdf.

[15] https://youtu.be/9_Cy6ugjoXA?si=QFRk9J8L19N5cwwJ.

On 8 April, the *de facto* Supreme Court announced that 2,855 prisoners eligible for pardon were released from the country's prisons and 1,420 prisoners were given reduced sentences on the occasion of Eid-ul-Fitr.¹⁷

- The *de facto* Ministry of Justice also reported efforts by its *de facto* Legal Aid Directorates to hold awareness raising sessions for *de facto* officials and employees. Sessions reportedly took place in Helmand, Kabul, Kapisa, Kunduz, Nangarhar, and Paktya and focused on the Taliban Leader's instructions, professional police behavior with the people, and access to legal aid. Sessions were also held with those attending madrassas, mosques, and schools on rights, including parent's rights and children's rights.¹⁸

[16] Committees were reportedly established in Maidan Wardak, Khost, Balkh, and Jawzjan provinces (announced 26 March) and Ghazni on 23 March: https://x.com/SupremeCourt_af/status/1772546786239877136?s=20; https://x.com/SupremeCourt_af/status/1772209805370736871?s=20.

[17] https://x.com/SupremeCourt_af/status/1777249314688970770.

[18] For instance, see: <https://x.com/MojAfghanistan/status/1765653321480544536?s=20>;

<https://x.com/MojAfghanistan/status/1747493303526814008?s=20>;

<https://x.com/MojAfghanistan/status/1769956365118701820?s=20>; <https://x.com/MojAfghanistan/status/1770736905878962250?s=20>.