

# Afghanistan

Persecution / Unchanged —



## Religion

## Population

## Area

- Muslims : **99.8%**
- Others : **0.2%**

33,370,000

652,864 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

Sunni Muslims represent up to 85 percent of the Afghan population. The rest of the population are mostly Shia Muslims, who are mainly from the ethnic Hazara group. The country's constitution officially recognises 14 ethnicities including the Pashtun, Tajik, Hazara and others.<sup>[1]</sup> The Pashtun live mainly in the south and south-east and make up the largest group (estimated 42 percent of the population), followed by Tajik (about 27 percent) who live in the north and north-east of the country.<sup>[2]</sup>

Regarding country's tiny non-Muslim community, the National Council of Hindus and Sikhs, an NGO, reported in December 2016 that there were fewer than 200 families, or about 900 individuals, from these two communities left in the country. No reliable estimates regarding other faith groups including Christians and Bahai are available because they do not openly practise their religion. By the end of the twentieth century, Afghanistan's small Jewish community had emigrated to Israel and the United States. Reportedly, only one Jew remained in the country.<sup>[3]</sup>

Article 62 of Afghanistan's constitution declares the country to be an Islamic republic. The country's president and vice-president are required to be Muslim. Article two grants non-Muslim believers the right to exercise freely their religion within the law. Article three states that "no law shall contravene the tenets and provisions of the holy religion of Islam in Afghanistan". A number of governmental laws as well as local traditions restrict the freedom of minority religions. Blasphemy in Afghanistan includes anti-Islamic writings or speech. Crimes of this nature are considered a capital offence, according to the courts' interpretation of Islamic *Shari'a* law. The death penalty is applicable in such cases, provided the accused does not recant within three days. Islamic religious education is mandatory in state-run and private schools.

Those who convert from Islam to another religion are considered to have committed apostasy, "according to the Hanafi [Sunni Muslim] school of jurisprudence applicable in the courts."<sup>[4]</sup> Again, mercy is shown if a person recants within three

days. However, if the individual fails to do so, “then he or she shall be subject to the punishment for apostasy”<sup>[5]</sup> The convert may be killed, imprisoned or have property confiscated in accordance with the Sunni-Hanafi code of law.

Hindus and Sikhs were granted representation in parliament in 2016. Afghanistan’s President Ashraf Ghani has taken steps to empower these communities and find them employment. Despite being allowed to practise their faith in public places of worship and being represented in parliament through presidential appointments, Hindu and Sikh communities are unable to carry out their religious funeral rites, as there are no crematoria in the country. The National Council of Hindus and Sikhs stated that whenever ceremonies taken place in residential areas, conflict with the neighbourhood’s Muslim community has arisen.<sup>[6]</sup>

Although there are no explicit restrictions on religious minority groups’ ability to establish places of worship or to train clergy, in reality there are very few places of worship for the country’s minority religions. There are no public Christian churches. Coalition military facilities and embassies offer places of worship for non-Afghanis.<sup>[7]</sup>

Christianity is seen as a western religion and alien to Afghanistan. For security reasons, the remaining Hindu and Christian families celebrate their holy days in private. A decade of military control by international forces added to the general mistrust towards Christians. Public opinion concerning Christians proselytising Muslims is openly hostile<sup>[8]</sup> Afghan Christians worship alone or in small groups in private homes. According to Christian mission organisations, small underground house churches can be found throughout the country, each one with fewer than 10 members. Despite a constitutional promise of religious tolerance, those who are openly Christian or convert from Islam to Christianity, remain vulnerable.<sup>[9]</sup>

The Catholic Church is present in Afghanistan in the form of a ‘*sui iuris*’ missions based in the Italian embassy in Kabul. ‘*Sui iuris*’ missions are territories which do not form part of any order, vicariate or apostolic prefecture. Its first superior, the Italian Barnabite priest Father Giuseppe Moretti, retired in November 2014. His successor, the Italian Barnabite priest Father Giovanni Scalese, was installed in January 2015.<sup>[10]</sup> As for religious congregations, there are three Little Sisters of Jesus engaged in public health service. Five Sisters of the Missionaries of Charity founded by Mother Teresa are serving orphans and disabled children and three Sisters of the inter-congregational community Pro Bambini di Kabul are providing education for orphans and disabled children.<sup>[11]</sup>

Regarding the Bahai community in Afghanistan, there is little data available. The community has lived in relative anonymity. This follows the 2007 declaration by the General Directorate of Fatwas and Accounts of the Supreme Court of Afghanistan which pronounced that the Bahai faith is blasphemous and that its followers are infidels.

Registration and voting for the October 2018 parliamentary elections, due in October 2018, was scheduled to be held in schools, health facilities and places of worship. Extremists, opposed to the government, were thought likely to carry out attacks during the elections. Since voter registration for the upcoming parliamentary elections began on 14 April, the UN Assistance Mission in Afghanistan (UNAMA) has – at the time of writing – verified 23 election-related security incidents. These have resulted in 86 civilian deaths and 185 injured – the majority of whom were women and children<sup>[12]</sup> – and the abduction of 26 civilians.

Sunni extremists targeted Shia “apostates” in bomb attacks in Shia-populated neighbourhoods. This included a blast in April 2018 at a voter registration centre in Kabul, which killed 57 people.

Regarding Daesh (ISIS)-affiliated, Islamic State Khorasan Province (ISKP) activities in the country, the US State Department’s 2017 *Religious Freedom Report* states: “The ISKP accused the country’s Shia Muslims of joining militias fighting against the ISKP in Syria and Iraq to justify its attacks. The ISKP also accused the country’s Shia of being pro-government and targeted security and military personnel worshipping in Shia mosques.”

After the US invasion of Afghanistan in 2001, historically disadvantaged ethnic and religious minority groups, particularly Shia, have been able to hold prominent positions in the public and private sectors. There are now thought to be more than 10,000 Shia mosques in the country. Shia Muslims’ socio-political ascendance has been one of the reasons

extremist groups continue to target Shia Muslims whom they consider to be apostates and “worthy of killing.”<sup>[13]</sup> Referring to the extremism in the Middle East, the former US Secretary of State John Kerry in March 2016 said: “The fact is that [Daesh(ISIS)] kills Christians because they are Christians; Yazidis because they are Yazidis; Shia because they are Shia.”

Militias, former Taliban leaders, some returnees from Syria and groups affiliated with Daesh in Afghanistan including ISKP continue to attack Shia mosques and neighbourhoods. This situation has increased Daesh’s imprint in Afghanistan, which operates under the name Islamic State Khorasan Province (ISKP). It has attacked major Shia mosques including the Al Zahra Mosque in Kabul and the Imam Mohammad Baqir Mosque in the city of Herat.<sup>[14]</sup>

## | Incidents

From January 2016 to November 2017, the UN Assistance Mission in Afghanistan (UNAMA) documented 51 attacks – including targeted killings, abductions, and intimidation – against people and places of worship in attacks associated with religious freedom violations. During this period, these incidents resulted in 850 civilian casualties (273 killed and 577 injured). This is nearly double the number of civilian casualties recorded in such attacks during the entire previous seven-year period from 2009 to 2015.<sup>[15]</sup>

In a retaliation act for the Afghan government’s detention of a local Taliban leader, 17 Hazara Shia Muslims were abducted by the Taliban in June 2016; they were later released. In July 2016 two Daesh suicide bombers targeted a protest by Hazara Shia Muslims in Kabul, killing at least 80 people and injuring more than 400 others.

On 11<sup>th</sup> and 12<sup>th</sup> October 2016, in two separate attacks, the Shia community were targeted during Ashura – a day of fasting marking Noah leaving the Ark as well as God guiding Moses in overcoming the Egyptians. Daesh claimed responsibility. During the first attack at the Karte Shrine in Kabul, at least 19 people were killed and dozens injured. The next day, a bomb was detonated at a mosque in Khoja Gholak, Balkh Province, resulting in 14 deaths and 30 injuries. Most of the victims were children.

That same month, Daesh abducted and killed 30 civilians from the predominately Shia area of Ghor Province.

In November 2016, another Daesh suicide bomber in Kabul killed at least 32 worshippers and injured more than 50 others as the Shia community observed the religious ceremony of Arba’een, which is held 40 days after Ashura.<sup>[16]</sup>

On 20<sup>th</sup> October 2017, a ISKP suicide attacker killed 57 worshippers and injured another 55 people including women and children when a grenade was thrown into the women’s section of an Imam-e-Zaman Shia mosque in Kabul city. The attacker then detonated his suicide vest inside the mosque.<sup>[17]</sup>

In December 2017, the ISKP carried out an attack against the Shia-populated Tabayan Social and Cultural Center in Kabul, leaving 41 people dead. At least seven attacks against Shia Muslims reportedly took place in 2017, resulting in the deaths of nearly 150 people, with 300 wounded. Such attacks often coincide with Shia religious festivals such as Lailat-UL-Qadir, Ashura, Muharram, or Hazrat Mahdi’s birthday.<sup>[18]</sup>

In 2017, 13 Hazara Shia coal mine workers were killed for their faith and ISKP beheaded three Hazara Shia Muslims.

In April 2018, militants targeted the Shia “apostates”, including those gathering at a voter registration centre in the capital Kabul. 57 people were killed, among them 22 women and eight children and more than 100 wounded. Daesh claimed responsibility for the attack in a statement released by its Amaq news agency.

## | Prospects for religious freedom

Religious freedom is guaranteed by the constitution but in practice life for non-Muslims in Afghanistan is very difficult because the country’s accentuation of Islam in effect marginalises and excludes other faiths. This is evident not least in the country’s laws. A small improvement can be seen over the period under review for some religious minorities, but the

overall situation is of great concern. Of key concern is the constant rise in violence, with militant Sunni groups targeting Shia places of worship and clerics. At the time of writing, an increase in terrorist acts was predicted during the October 2018 parliamentary elections. Also of concern is the *de facto* ban on conversion from Islam with potentially severe penalties. In response to attacks by extremist Sunni groups, the Afghan government has attempted to provide additional security and offered weapons to civilians living near Shia mosques. By targeting the community's mosques during religious celebrations, militants are trying to prevent Shia Hazaras from practising their faith freely.

There has been an increase in attacks on progressive faith leaders in Afghanistan, especially those working in inter-faith commissions and gatherings of tribal and Muslim leaders. Several governmental and non-governmental organisations have put in place initiatives to bridge the divide between Shia and Sunni Muslims but those attending events of this nature were targeted with greater frequency in 2017 than in previous years.

The UN Assistance Mission in Afghanistan note that there were 11 attacks on religious leaders in the first half of 2017, up from two in the whole of 2016. This upward trend points to the increasing clash between Sunni and Shia Muslims and the general instability in the country of which religious differences are a key part.

## **Endnotes / Sources**

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[4] US State Department, International Religious Freedom Report 2017 <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

[5] Ibid

[6] Betwa Sharma, "The Few Remaining Hindus and Sikhs In Afghanistan Fight For One Seat In Its Parliament – On the verge of becoming confined to the pages of Afghan history", Huffington Post, 23rd September 2016, [https://www.huffingtonpost.in/2016/09/23/facing-extinction-in-afghanistan-hindus-and-sikhs-fight-for-one\\_a\\_21476942/](https://www.huffingtonpost.in/2016/09/23/facing-extinction-in-afghanistan-hindus-and-sikhs-fight-for-one_a_21476942/), (accessed 15th July 2018).

[7] Ibid.

[8] Ibid.

[9] "Afghanistan", Presbyterian Mission, <https://www.presbyterianmission.org/ministries/global/afghanistan/>, (accessed 15th July 2018).

[10] "Exclusive Interview with Father Giovannie Scalese on the Church in Afghanistan – Between Rome And Kabul", O Clarim, 18th May 2018, <http://www.oclarim.com.mo/en/2018/05/18/exclusive-interview-with-father-giovanni-scalese-on-the-church-in-afghanistan-2-between-rome-and-kabul/>, (accessed 15th July 2018).

[11] "Patrick Cardinal O'Boyle Council #11302", Knights of Columbus, July 2015, <https://oboyle.dcknights.org/index.php/afghanistan-roundtable>, (accessed 15th July 2018).

[12] In the 23 incidents, UNAMA documented 27 women killed and 70 injured; 13 children killed and 29 injured.

[13] Ibid.

[14] Ibid.

[15] "Protection of Civilians in Armed Conflict: Attacks Against Places of Worship, Religious Leaders and Worshippers", UNAMA, 7th November 2017, [https://unama.unmissions.org/sites/default/files/unama\\_report\\_on\\_attacks\\_against\\_places\\_of\\_worship\\_7nov2017\\_0.pdf](https://unama.unmissions.org/sites/default/files/unama_report_on_attacks_against_places_of_worship_7nov2017_0.pdf), (accessed 15th July 2018).

[16] "Annual Report of the U.S. Commission on International Religious Freedom – 2017", United States Commission on International Religious Freedom, [http://www.uscirf.gov/sites/default/files/2017\\_USCIRFAnnualReport.pdf](http://www.uscirf.gov/sites/default/files/2017_USCIRFAnnualReport.pdf), (accessed 15th July 2018).

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[18] "Afghanistan – 2018 Annual Report Of The United States Commission on International Religious Freedom", United States Commission on International Religious Freedom, <http://www.uscirf.gov/sites/default/files/2018USCIRFAR.pdf>, (accessed 10th July 2018).