

HUMAN RIGHTS REPORT

AFGHANISTAN



**Centre For Democracy,
Pluralism And Human Rights**

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About CDPHR



Introduction

Centre for Democracy, Pluralism and Human Rights (CDPHR) is a public charitable trust registered in 2020. Our motto is- equality, dignity and justice for every individual on this planet. We are committed to uphold values of democracy, pluralism and human rights. We endeavour to voice out human rights violations of individuals, groups or community. We dream of a world that accepts pluralistic ways of life, faith and worship through democratic means and practices.

Vision

CDPHR envisions an equitable and inclusive society based on dignity, justice, liberty, freedom, trust, hope, peace, prosperity and adherence to law of land. We believe that multiple sections of societies are deprived of basic human rights and violation of their social, political, economic, religious and developmental rights is a sad reality. We consider that advocacy, education and intervention are required from multiple fronts to ensure an all-inclusive and just society.



Our mission is to promote and aid in establishing democratic and pluralistic structures and realisation of human rights.

To achieve this, broadly the following specific objectives have been set:

- a) To espouse all adoptable frameworks of advocacy, education and policy intervention to realise the stated mission.
- b) To promote and advocate human rights and fundamental freedoms for all without any discrimination of race, religion, caste, gender, colour, and language.
- c) To keep a watch on issues of human rights violations globally and present their authentic analytical documentation.
- d) To use conferences, seminars, meetings, discussions, debates, study courses, collection of statistics, exhibitions, shows, tour trips, publications etc. for ensuring education, advocacy and outreach.
- e) To engage actively with governments, international organisations and human rights organisations to promote national integration, communal harmony, universal fellowship and global peace.
- f) To develop and mobilise community and natural resources so as to be harnessed for sustainable overall development of the marginalised and economically weaker sections of the society.
- g) To promote a culture of democratic values and pluralism in the face of particularistic tensions related to religion, caste, gender, class.
- h) To study the effects of draconian laws and unlawful use of state's machinery and force by the enforcement agencies and prepare reports for submission to appropriate authorities.
- l) To support democratic and economic reforms through the UN framework in countries coming out of totalitarian control.



CDPHR trustees and the team members consist of academics, lawyers, judges, rapporteurs, social activists, journalists and independent researchers who have an established reputation in their respective areas of expertise. Essentially, we are a team of socially sensitive intellectuals who wish to bring about a positive change in the lives of people deprived of minimum dignity and equality. Some of the team members have rich experience in researching and writing on issues of contemporary social interest. A few others have had long social commitments. In addition to the core organisational team, CDPHR plans to expand further and add to the human resources pool.

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ABBREVIATIONS

- AAN: Afghanistan Analysts Network
- AIHRC: Afghanistan Independent Human Rights Commission
- APAMR: Afghan Professional Alliance for Minority Rights
- BBC: British Broadcasting Corporation
- CAA: Citizenship Amendment Act
- CEDAW: Elimination of All Forms of Discrimination against Women
- CIA: Central Intelligence Agency
- CSHRN: Civil Society and Human Rights Network, Afghanistan
- HRW: Human Rights Watch
- ICCPR: International Covenant on Civil and Political Rights
- ICEAFRD: International Convention on the Elimination of All Forms of Racial Discrimination
- ISKP: The Islamic State of Iraq and the Levant – Khorasan Province
- LGBT: lesbian, gay, bisexual and transgender
- MRGI: Minority Rights Group International
- NGO: Non-governmental Organisation
- OHCHR: The Office of the High Commissioner for Human Rights
- SAFHR: South Asian Forum for Human Rights
- SAHRDC: South Asia Human Rights Documentation Centre
- UDHR: Universal Declaration of Human Rights
- UNDM: United Nations Declaration on Minorities
- UNDRIP: United Nations Declaration of the Right of Indigenous Peoples
- UNHRC: United Nations Human Rights Council
- UNICEF: United Nations International Children Emergency Fund
- USCIRF: United States Commission on International Religious Freedom
- WISE: Women In Struggle for Empowerment

EXECUTIVE SUMMARY

Lately, the term, 'human rights' has gained a lot of momentum in today's world. This term recognises the inherent dignity and fundamental freedom of all members of human family. Human Rights are the foundations for all basic freedom, justice and peace in the world. Universal Declaration of Human Rights (UDHR) Article 1 states that, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". Long before this declaration, culture and civilisation of the Indian sub-continent imbibed and evolved human rights concepts and modern-day rights are found in many ancient texts of the region. Respect for pluralism, individual freedom, social harmony and religious tolerance is evident through many noble thoughts like Vasudhaiv Kutumbkam (the entire earth is a family), Sarva Dharma Sambhav (all religions are equal) etc.

Human rights are well defined today and international community has institutionalised a mechanism to get them implemented. However, their violations are rampant all over the world especially in the Islamic states where religious fundamentalism exists. This report delves deep to explore and examine the state of such human rights violations in the present-day Afghanistan.

Before the arrival of Islam, Afghanistan was part and parcel of Indian culture and civilisation. The influence of Hinduism and Buddhism was there along with many indigenous faiths. This civilisational home of Hindus and Sikhs which respected pluralism and tolerance tried to assimilate even Arab invaders. But today when one sees cultural symbols of this period and more particularly temples (for example, Amb Hindu Temple complex) in ruins one is reminded of intolerance of extremist Islamic regimes of past. With decline of Hindu Shahi dynasty, influence of Hinduism and Buddhism also started declining. During later medieval times, this influence declined rapidly with rise of different Islamic powers like the Samanids, the Saffarids etc. By the time of Ghaznavids and Ghurids, Hinduism and Buddhism started vanishing from Afghanistan in wake of regime sponsored violence against infidels and their cultural symbols. In the medieval period, Shri Guru Nanak Dev's visit to Kabul in the sixteenth century brought Sikhism to Afghanistan. During the whole medieval period large scale destruction of cultural heritage of non-Islamic faiths happened and instances of violence and systematic discrimination against minorities are also found. This continues even to this day. The destruction of Buddha statue in Bamiyan in 2001 by Taliban was also part of this culture of violence and intolerance towards non-Islamic faiths.

During 1970s, the population of Sikhs and Hindus in Afghanistan was around seven lakhs. After the war by Afghans against the Soviet Union during 1980s, the Mujahideens took over

Afghanistan and lately during Taliban regime, the ordeals of Hindus and Sikhs increased. There were attacks on their colonies and religious places. They had to flee to India and other places. In the present time, only small pockets of Hindus and Sikhs can be seen in Afghanistan. Their numbers have dwindled down to a mere 220 families. The recent gruesome attack on Sikh gurudwara in March 2020 killing at least 25 people has started afresh and may be the last exodus of such minorities from Afghanistan (Goyal, 2020).

In spite of the constitutional provisions of equality before law, the religious minorities in Afghanistan face discrimination in all matters. The fact that the current Afghan constitution requires the President and Vice President to be Muslim, speaks volumes about any political role for minorities. Further, the word 'minority' has not been recognised and defined in the constitution. So, no special constitutional provisions exist for the protection of minorities. The present Afghan constitution is full of repugnancy clauses and contradictions. For example, while Article 2 provides freedom to exercise faith to all but Article 3 states that no law can be in contradiction to Islam. Also, Article 130 allows the court to apply Hanafi jurisprudence in matters on which the law is silent or for which there is no provision. Article 149 prohibits amendments to principles related to Islam in the Constitution. Religious minorities do not enjoy equal social, economic and legal rights. Since education has to follow Islamic guidelines, they have no educational atmosphere of their choice. Kidnapping, rape and forceful conversion of minority girls is frequent. They cannot hope to get justice in courts and apostasy and blasphemy laws are nightmare for them. Their cremation grounds are forcibly taken over by the locals. And finally, when their lives are endangered, they have no option but to leave the place. This systematic discrimination and violence is not limited to religious minorities only but also extends to women, children, ethnic and linguistic minorities as well.

War torn and infested with Islamic fundamentalism, living in present day Afghanistan is everyday struggle for Afghan women. Historically it is seen that countries infested with Islamic extremism have limited political and social role for women. However, Taliban regime in Afghanistan was worse. It reduced women and girls to second class citizens and threw them into poverty, poor health and illiteracy conditions. The fact that today their participation in all walks of life is negligible while prior to the rise of Taliban, in early 1990s, 70 per cent school teachers, 50 per cent of government workers and 40 per cent doctors in Kabul were women points towards the human rights violations of women (Tomar, 2002). The present constitution makes no difference to their present second-class citizen status and most of the time it is interpreted according to the whims of religious leaders. Killings,

rapes and abductions by armed political groups are some of the most heinous crimes that are committed against Afghan women. Political leaders and officials speak the language of religious fundamentalists when rights and issues of women are discussed. For example, in 2011, President Karzaid is missed the deputy governor of Helm and province for organising a concert that featured female performers without headscarves. The worst horror of human rights violations of Afghan women during Taliban regime is haunting back with on-going peace talk with the group in which basic rights and freedom of women are at stake.

In Afghanistan, for Sunni fundamentalists it does not matter much who the minorities are. Even ethnic and linguistic minorities who follow Islam are routinely discriminated and harassed systematically. On the one hand they are denied equal opportunities in public sphere and on the other, systematic discrimination and violence is perpetrated on them. Violent attacks on their social gatherings or religious places by Sunni extremist groups are very common and more frequent after withdrawal of foreign troops and rise of new armed extremist groups like ISIS. Shias, Ahmadi Muslims and Hazaras are particular targets of these attacks. Other ethnic and linguistic minorities like Tajiks, Uzbeks, Nuristanis etc. report similar forms of violence and discrimination despite being Muslims. Taliban regime was most brutal in persecution of these ethnic and linguistic minorities.

After fall of Taliban regime, it was expected that the human rights status of women and minorities would improve. However, even today, the conditions of minorities remain vulnerable. The tall promises of the international community and the Afghan govern men thave not brought any substantial outcomes when it comes to human rights of minorities. In wake of foreign troop's withdrawal from Afghanistan, rise of many new extremist groups and eminent return of Taliban, an urgent international attention is required towards the plight of minorities.

RECOMMENDATIONS

Every basic norm of human rights is being grossly violated in Afghanistan by legal institutions, society and non-state actors. Hence, the international community concerned with the protection of human rights is mandated to take necessary measures. Therefore, the international community of UN member states, various governments and non-governmental organisations should do the needful to prevent gross violations of human rights in Afghanistan. Following are some recommendations for the same:

- The first thing to ensure dignified life to minorities is to define minority rights to protect these groups from discrimination and harassment. In doing so, rights related to education, language, free speech, religion, fair trial, and peaceful assembly that are provided in the UDHR and various subsequent covenants should be strictly adhered in future legislations and policies of government.
- Repugnancy clauses in Afghan constitution like Article 3 (no law can be in contradiction to Islam), Article 130 (allows the court to apply Hanafi jurisprudence in matters on which either the law is silent or for which there is no provision in the constitution) and Article 149 (prohibits amendments to principles related to Islam in the Constitution) must be repealed. Similar discriminatory clauses in past and current legislations must be either repealed or amended.
- Afghanistan must ratify all relevant international obligations on socio-economic rights and align its national laws, policies and institutions to international standards. Also, provisions in the constitution and laws of Afghanistan which are inconsistent with global standards need to be repealed so that they do not violate any other laws or rights meant for protection of minorities.
- Afghan government must bring a detailed White Paper on the religious persecution and violence committed against the religious minorities like Hindus and Sikhs.
- Ensure safety, security and proper facilities for journalists, human rights monitors, civil society activists, representatives of various governmental and non-governmental organisations working on human rights to carry out independent assessment of human rights situation in Afghanistan.
- Ensure that religious and ethnic minorities are able to freely express their social, political and cultural exercises without any violation of their corresponding human rights and also ensure their protection from extremist groups. For this, they should be provided 'group rights'.

- Ensure safety, security and proper maintenance of cultural symbols and heritage of minority groups.
- International governments, human rights watchdogs and civil society must keep a constant watch on the instances of rights violations in Afghanistan and take remedial measures from time to time.
- Afghanistan is the civilisational and natural home to lakhs of persecuted and at present in exile Hindus and Sikhs. Afghan government with international cooperation must start a process to invite and resettle them by providing security to their life and livelihood in their rightful home.
- Afghanistan must end religious discrimination in schools and madrassas. There needs to be a review and removal of textbooks and curriculum that endorse discrimination against minorities. Educational materials and syllabus should be designed in a way which encourages learning about Afghanistan's ancient past and its diverse society.
- Due to lack of a demographic census and segregated data based on ethnic, linguistic and religious lines, the true condition of minorities is not clearly visible. So, a nation-wide census should be conducted and data with regard to income, livelihood, land, security threats, education and political representation of minorities should be made public.
- As minorities are severely under-represented in public as well private spheres, it is the responsibility of the Afghan government to ensure proportional representation and political participation of minorities at various levels of the government.
- In wake of rising violence against minorities the Afghan government should take responsibility to provide full security to ethnic, linguistic and religious minorities.
- Taliban regime was notorious for human rights violations of women, religious and ethnic minorities so it is imperative for international community and Afghan government that in on-going peace talks with this extremist group, basic freedom and rights of women, religious and ethnic minorities should not be sacrificed at the altar of elusive peace.
- The civil society the world over shows great earnestness in highlighting any instances of human rights violations against people anywhere. Yet, a similar gravity needs to be found in equal measure in cases of such violations in Islamic states.

Introduction

Human beings are endowed with certain natural rights by birth. These natural rights are known as human rights in modern legal parlance. They are essential for humans to realise the full potential of their personality and for this to happen, a free and just society is a necessary condition. The curtailment or infringement of these rights by any agency is known as the violations of these rights.

At the world stage, the adoption of Universal Declaration of Human Rights (UDHR) in 1948 has provided for many treaties and agreements ensuring inherent dignity to all members of the human family. Many treaties and agreements that have come into force under the United Nations and several regional systems of human rights aim at establishing freedom, justice and peace in the world. In 1966, two treaties of human rights were adopted namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Similarly, the Covenant on the Elimination of all forms of Discrimination against Women (1981), Convention against Torture and other Cruel, Inhuman and Degrading Punishment on Force (1984), Convention on Rights of Child (1990), etc. have been adopted (UNHRC, 2020).

Indic connotation of the term 'human rights' is wider and more inclusive. Essence of these modern-day rights can be found in ancient Indian literatures and scriptures, like Vedas, Upanishads and Mahabharata etc. Also, many Indic faiths like Hinduism, Buddhism, Jainism and Sikhism have focused on the cardinal principles like that of salvation and welfare for all living beings, along with having strong focus on equality, individual freedom and liberty. Thus, ancient Indian society was a well-organised society with the fundamental rights and duties assigned to individuals, classes and communities. The concept of 'Dharma' and Buddhist Dhamma can also be seen in this context.

Afghanistan being part of ancient civilisational Indian sub-continent celebrated these human values. This region was amalgamation of different cultures, religions and views and diversity of opinions and differences used to be celebrated here until Islam came. Basic rights of human beings that were part and parcel of the culture of this region were distorted once Islamic value system was established here. And, slowly this cultural amalgamation disappeared, establishing Sunni majoritarianism that it is today.

Reported abuses of human rights in Afghanistan include restricted freedom of religion, belief, and association, movement, maltreatment, forced conversions, abductions and killings. Afghanistan is a special case when it comes to minority rights as its constitution identifies no minorities and hence no minority rights exist there. Though its 2004 Constitution promises equal rights to all citizens and Afghanistan has also ratified most of international covenants related to rights of women, children and minorities but widespread human rights violations of women, religious and ethnic minorities continue to be reported. The Afghan constitution which contains discriminatory provisions and clauses (for example, no law can be contrary to the tenets of Islam) is in contradiction to the ethos of plural and diverse society that Afghanistan had been. Further, these provisions are used by the government to limit fundamental freedoms on one hand and by fundamentalists to intimidate and harass minorities on the other. The Afghan government lacks the agency to translate its noble commitments regarding protection of rights of women and minorities into domestic laws and actionable programmes.

In Afghanistan, people belonging to non-Islamic faiths face gross violations of their human rights by Islamic fundamentalists and the world remains mute spectator to these rights violations. In absence of high priority to human rights in Afghanistan, the victim groups have felt deeply frustrated and have been left alone to suffer in silence or have either been compelled to convert to Islam or physically eliminated or had to flee the country.

World community and particularly Western countries who champion the cause of human rights make hollow promises regarding rights violations by religious fundamentalists, government agencies and society against minorities in present day Afghanistan.

In wake of rising violence and crimes against women and religious minorities due to rise of many new extremist groups and eminent return of Taliban, an urgent international attention is required towards the plight of minorities. The wider international community concerned with the protection of human rights must take necessary measures. Basic freedom and rights of women and minority communities should not be sacrificed at the altar of so-called peace. Thus, there is a pressing need to spread widely the awareness on the grim reality of human rights violations in Islamic countries particularly where Islamic extremism exists.

OBJECTIVES

- To study and highlight various dimensions of human rights violations against minority religious groups in Afghanistan.
- To highlight the status of dwindling population of such groups.
- To present the status of constitutional rights available to these groups.
- To present the state of forced conversions to Islam.
- To present the magnitude of threat to their life and property.
- To highlight the incidents of brutalities on women and other weaker minority groups.
- To bring out the instances of social neglect and isolation faced by these minorities.

METHODOLOGY

The content for the report has been collated using previous years' reports from international human rights bodies, human rights activists and NGOs, media reports, narrations of credible writers and interviews of the actual sufferers of the ordeal. Appropriate context has been provided at places and links to all source material have been provided as references.

Minorities of Afghanistan

Afghanistan constitution mentions no minorities and therefore no minority rights exist there. However, the country has minorities based on religions, ethnicities and languages. Though, there are no reliable data available concerning the percentages of Sunni and Shia Muslims in the country yet according to Central Intelligence Agency (2018), on the basis of religions, Afghanistan, an Islamic State, as per its constitution comprises of the population mainly of Sunni Muslims (above 80%), and Shia (around 15%). According to different religious community leaders, out of the total Shia population, approximately 90 percent of them are ethnic Hazaras, and some also Ismailis. Other religious communities consist mainly of Hindus, Sikhs and Christians. As per the July 2011 UNHCR report, around 50,000 Sikhs and Hindus lived in Afghanistan in 1990. However, persecution of Hindus and Sikhs has increased drastically in recent years, forcing most of them out of the country. Thus, presently their numbers have dwindled down to a mere 220 families. (South Asia State of Minorities Report, 2018).

On ethnic grounds, there is no single group that represents more than 50% of the population, even though the largest group, the Pashtuns (40%), has tended to play a dominant role. The Tajiks (33%) come second. There also exist the Hazaras (11%), Uzbeks (8%), and Turkmens (2%). The Kyrgyzs, Balochs, Aimaqs, Ismailis and Nuristanis etc. comprise 1% or less (The Asia Foundation, 2014). The Pashtuns the dominant ethnic group, presently live in pockets across the country. The Shia Hazaras occupy the east and the Tajiks largely occupy the western half of the central Hindu Kush range. The conditions for growing crops are extremely difficult throughout the Hindu Kush, thus rendering both the Hazaras and the Tajiks relatively poor. The Aimaqs are Turkic in origin and are found in the westernmost part of the Hindu Kush. The Turkmens occupy the hills on the northwest of the Hindu Kush, and the Uzbeks the desert of Faryab and the flat plain that extends northwards into Central Asia, which led to an important agricultural and trading economy to develop, until occupied by Taliban. The Shia Ismaili community has its base in the immediate north and northwest of the Salang Pass. The Baluchis live near the borders of Iran and Pakistan in the extreme southeast of the country. The Nuristanis exist in isolated valleys in eastern Afghanistan and survive primarily on goat herding (South Asia State of Minorities Report, 2018).

From linguistic perspective, Persian (Dari) is a widely spoken language, spoken by above 50% of the population. It is not only the native language of many ethnic groups but it also is the day-to-day administrative language of the country. According to World Factbook, Persian is the most widely spoken language followed by Pashto, Turk (Uzbeki and Turkmeni) and other 30 minor languages (CIA, 2018).

Unit: 1 Human Rights Violation of Minorities in Afghanistan (Cases of Religious Minorities)

(a) The Past

Afghanistan lies at a strategic junction connecting South and Central Asia. It was the melting pot of different civilisations like Greek, Persian and Hindu. Kushan Empire marked the highest level of cultural exchanges that resulted in infusion of Indic culture, traditions and Buddhism to Afghanistan and wider Central Asian region. It was during this time of history that the Great Silk Road served as a medium of exchange of goods, services and ideas rendering peace and prosperity to the people of the region. To sum up, Professor K. Warikoo (2016) states that, "Geographical proximity, ethno-linguistic affinity and shared history have formed the basis of a special relationship between India and Tajik-Afghan region". However, with the arrival of Islam in Iran and Afghanistan, this cultural harmony started vanishing and Islamic fundamentalism growing. Further, this process fastened during Turks and Mongols and wide scale destruction of linguistic, cultural heritage happened along with religious conversions and killings. Buddhism which arrived in Afghanistan with Chandragupta Maurya in around 305 BC was totally wiped out from Afghanistan during the time of Ghazni and Ghuri rule. Sikhism was introduced to Afghanistan by Shri Guru Nanak Dev when he visited it some five hundred years ago. In course of time, Sikh population increased in some urban centres of Afghanistan. The seventh Sikh Guru Shri Har Rai also played a pivotal role in spreading Sikh influence in Afghanistan. During British period, though it maintained secular outlook under different rulers, discrimination against religious minorities continued unabated. Finally, Mujahedeen and Jihad became popular during Soviet invasion and with active support of Pakistan based extremists, wide scale violations of basic human rights were reported in the region.

(b) The Present

In the contemporary times, the troubles for Hindus and Sikhs increased in Afghanistan with the strengthening of Mujahedeen during 1980s as a force against the Soviet invasion and reached its peak with the emergence of the Taliban during the 1990s. Due to widespread religious discrimination and violence against them, minorities started migrating to other countries and also due to forceful conversions and abductions, population of religious minorities dwindled very fast. In absence of any official census since 1979, demographic data are not available. However, different estimations have been made by scholars, activists and journalists which shows the grim reality of dwindling population of religious minorities in Afghanistan.

During the 1970s, the total population of Sikhs and Hindus may have been about seven lakhs. It came down to around two lakhs in the 1990s. The Sikh population may have been around 50,000 (Kumar, 2017). Further during early 2010, the population of Sikhs and Hindus was barely around 3000. In 2016, there were small Hindu and Sikh communities, estimated at about 900 persons (MRGI, 2020). With rising radicalisation, state-sponsored terrorism, foreign troops withdrawal from Afghanistan, rise of Taliban and other extremist groups like ISIS have given further impetus to atrocities on religious minorities. Recent attacks on Sikhs and Hindus and on their religious places have put a full stop on their survival in the hostile environment. Thus, now the religious minorities Sikhs and Hindus are on the verge of complete extinction in Afghanistan.

(c) The Future

Sadly, there is no future left for religious minorities in the present-day Afghanistan. In the wake of eminent return of extremist Taliban to power in Afghanistan and revival of other extremist forces like ISIS and Al-Qaeda, it is assumed that condition of minorities is going to worsen in the near future. Recent attack on Sikhs and Hindus proves this argument. The international community, entrusted with the mandate to protect human rights, must take an urgent initiative to pressurise the Afghanistan government to safeguard lives of her religious minorities and avoid the looming large peril of their extinction.

1.1 Government Apathy and Discrimination

The government apathy and discrimination are inherent in the current constitution of Afghanistan adopted in 2004. It requires the President and two Vice Presidents of the country to be Muslim alone. Other senior officials must swear allegiance and obedience to the principles of Islam as part of their oath of office (USCIRF, 2019). Thus, the non-Muslims like Hindus and Sikhs have no scope of any political role in Afghanistan. As an Islamic nation, Afghanistan system reserves all high positions for Muslims only. Further, the word 'minority' has not been recognised and defined in the Constitution. So, no special Constitutional provisions exist for the protection of minorities.

The Government of Afghanistan had established an independent Human Rights Commission with no significant powers. It had nine commissioners as members, each to look after a particular section of the people. But there was no commissioner appointed for the protection of religious minority communities and their rights. This clearly shows that the religious minorities have no significant place in the political functioning of the country

(South Asia Collective, 2018). This political discrimination results in societal discrimination and harassment for Hindus and Sikhs and they cannot rely on the protection of Afghan state authorities (UNHCR, 2011). The religious minorities in Afghanistan have not received any support from the system for a dignified place in the society. A Kabul Press report states that in July 2013, the Afghan parliament refused to reserve seats for the minority group by voting against a bill reserving seats for the mentioned groups. The bill, by the then President Hamid Karzai, provided reservation to tribal people and women but not for any religious minorities though there is principle of religious equality in the constitution (Wahidi, 2013). Hence, the political representation of these groups remains limited.

The institutional and government discrimination against minorities was clearly called out by a young Afghan student, Hassan Ali Faiz, who belongs to Hazara ethnic minority, in his open letter to the Afghan President. According to his statement, in a meeting in May 2016, with representatives of civil society, the President, Mr. Ghani said "I don't care about treaties and conventions signed in Hague and Washington; we have our Constitution" (OHCHR, 2017). This very Constitution that President was referring to is the most violated document. He further states that all articles of the Constitution have been deliberately violated except one article which says "Kabul is the capital of Afghanistan" (Civil Society and Human Rights Network, 2017). The violators are all branches of the state structure, particularly the executive branch including the office of the President. Moreover, a Constitution cannot be called inclusive if it itself drives its authority from the scripture of a particular religion.

To add to it, the Afghan government has not been able to submit its various state reports concerning socio-economic and political rights and reports related to minorities, women and children to international human rights conventions and organisations. Thus, we can imagine the situation of the minorities in the absence of such legal protections (OHCHR, 2019).

1.2 Legal Discrimination against Minorities

Systematic legal discrimination is prevalent in Afghanistan against religious minorities. Access and remedies through courts are discriminated on the basis of the religious identities of the people. United States Commission on International Religious Freedom (2017) mentions that the courts even did not apply the protections provided by the law, and the courts denied non-Muslims the access to the courts or other legal mechanisms as Muslims were provided, even when the non-Muslims were legally entitled to those same rights. According to media reports and representatives from non-Muslim religious

minorities, some members of these communities were told they did not have equal rights because they were “Indians,” not Afghans, even when they are citizens of the country. Members of minority religious communities reported that the state, including the courts, treated all citizens as if they were Muslims, and some basic citizenship rights of non-Muslims remain unmodified (USCIRF, 2017). Thus, Non-Muslims continue at risk of being tried according to Hanafi jurisprudence of Islamic law. Sikhs and Hindus have continued to report their community members avoiding taking civil cases to courts because they believed they are unprotected by dispute resolution mechanisms such as the Special Land and Property Court. Instead, their members continued to settle disputes within their communities. These legislations and practices are in direct conflict with UDHR Article 7 which says that, “All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination”. Today, long delays to resolve cases in the judicial system and the illegal appropriation of Sikh properties remains the most common judicial problem. Minority communities also avoid settling disputes in the courts due to fear of retaliation and instead choose to settle such disputes through community councils (USCIRF, 2019).

Since, the Afghan Constitution declares Islam the official state religion and states that no law can contravene the beliefs and provisions of the “sacred religion of Islam.” It further states that there shall be no amendment to the Constitution's provisions with respect to adherence to the fundamentals of Islam. According to the Constitution, followers of religions other than Islam are “free to exercise their faith and perform their religious rites within the limits of the provisions of the law.” Also, definition of apostasy is not provided in the criminal code. It falls under the seven offenses (hudood) as defined by sharia. According to Sunni Hanafi jurisprudence, which the constitution states shall apply “if there is no provision in the constitution or other laws about a case,” beheading is appropriate for male apostates, while life imprisonment is appropriate for female apostates unless they repent (United States International Religious Freedom Report, 2018). Further, under Hanafi jurisprudence, the government may also confiscate the property of apostates or prevent apostates from inheriting property. Also, conversion from Islam to another religion is apostasy. According to this, if someone converts to another religion from Islam, he or she shall have three days to reverse the conversion. If the person does not do this, then s/he shall be subject to the punishment for apostasy. Thus, this violates the basic freedom of choosing religion of one's choice.

The civil and penal codes derive their authority from the Constitution which in turn springs its authority from Islam. For example, in instances in which neither the Constitution nor the

penal or civil code addresses a specific case, the Constitution declares the courts may apply Hanafi Sunni jurisprudence to attain justice. This is a clear-cut constitutional and legal case of discrimination against minorities in many cases. Though, the Constitution also allows courts to apply Shia law in cases involving Shia followers but makes no such provision for non-Muslims. They cannot provide testimony in matters requiring sharia jurisprudence. The Constitution makes no mention of separate laws applying to non-Muslims and violates their basic human rights in a very legal and constitutional way (Human Rights Watch, 2019). Thus, leaders and members of both Hindu and Sikh communities continue to report discrimination, including long delays to resolve cases in the judicial system.

1.3 Societal Discrimination against Minorities

Social and economic discrimination is widespread against religious minorities. They are pressured to convert. Socially ostracised, Sikhs living in Kabul reportedly face economic hardship, with many people refusing to conduct business with them, but also due to illegal land grabs in areas in which Sikhs have historically resided. Sikh and Hindu communities also experience problems with land confiscation by local authorities and commanders (MRGI, 2020). A report suggests that Sikhs face more problems of societal hostility and harassment since they are more visible because of their special headdress (UNHCR, 2011). All these contradict UDHR Article 5 which states that, “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”.

Since last many decades, the Christian, Sikh and Hindu groups have been targets of systematic discrimination and persecution. Instances of discrimination and harassment and, in some cases, violence against the non-Muslim minorities have only intensified. It is not only militant organisations but local authorities also discriminate against Sikhs and Hindus. One report states that both of these religious minorities are also facing bureaucratic hurdles to hold funeral and cremation ceremonies. Such problems in cremating their dead in the cremation grounds meant for that purpose got created as the lands are taken away by the majority community. This is one of the major problems for the Hindu-Sikh communities in the present-day Afghanistan (Hemming, 2012).

Sikhs, Hindus, Christians, and other non-Muslim minorities continue to report harassment from majority community. There are several media reports of local religious leaders forcing young men to fast during Ramadan. In one event, a maulvi who worked for Balkh Province's Prevention of Vice Commission shaved the head of a young man to shame him for not fasting. Women of several different faiths, including Islam, reported harassment from local Muslim religious leaders over their attire. As a result, they continue to wear burqas (a long loose garment worn by Muslim women in public covering themselves head to toe) in public

in rural areas and in some urban areas, including Kabul. Almost all women reported wearing some form of head covering (International Religious Freedom Report, 2018). There are instances of seizures of their places of worship by residents of Kandahar, Ghazni, Paktya, and other provinces. The Hindu and Sikh community has presented the list of its places of worship to authorities in an effort to stop further seizures and to reclaim the land and buildings previously lost but these problems remain unresolved.

The societal discrimination is not limited to religious minorities but also extends to ethnic, linguistic and even against the Shia minority by the Sunni majority. This further permeates in employment opportunities and thus gives blow to the principle of equal and inclusive society.

Minorities are also discriminated in educational sphere too. Some Sikh and Hindu children are unable to attend government schools due to harassment from other students. Earlier, they used to send their children to private Hindu and Sikh schools, but lately they have closed due to community's deteriorating economic circumstances that have made private schooling unaffordable for most families (UNHCR, 2010). Another problem faced by these families concerning the education of their children is that although there are no rules that they are required to learn Islamic theology, but the schools do not provide sufficient number of subjects for the choice of minority students. Thus, all these issues are in violation of UDHR Article 26 which is related to education.

Still, a privately funded Sikh school continued to operate in Jalalabad with funding from the Swedish Committee for Afghanistan. Sikh children continue to attend private international schools; Hindu children often attend Sikh schools. Ahmadi Muslims reported they sent their children to public schools but kept their children's religious affiliation secret. There are no Christian schools in the country (U.S. Commission on International Religious Freedom, 2019).

1.4 Religious Suppression and Violence against Minorities

UDHR Article 18 states that, "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance". This is the most abused provision in Afghanistan today. It is an Islamic country according to its 2004 Constitution. It clearly states that, "Afghanistan shall be an Islamic Republic, independent, unitary, and indivisible state. The sacred religion of Islam shall be the religion of the Islamic Republic of Afghanistan. Followers of other faiths shall be free within the bounds of law in the exercise and performance of their religious rights. No law shall contravene the tenets and provisions of

the holy religion of Islam in Afghanistan". Though, on paper, the religious minorities have been granted a degree of religious freedom, but, in reality, the entire atmosphere of the society is hostile to the religious minorities. According to the Human Rights Watch (2019) the Taliban regime had already announced certain decrees for the non-Muslims which made them a kind of second-class citizens. These decrees forbade non-Muslims from building places of worship but allowed them to worship at existing holy sites; forbade non-Muslims from criticising Muslims; ordered non-Muslims to identify their houses by placing a yellow cloth on their rooftops; forbade non-Muslims from living in the same residence as Muslims; and required that non-Muslim women wear a yellow dress with a special mark so that Muslims could keep distance from them. In addition to the daily economic and social discrimination, sometimes manifesting as physical and verbal abuse, freedom to practise their religion has also been curtailed. Kabul was once home to eight Sikh places of worship or gurdwaras, but most of them stand destroyed at present (Swarajya, 2020).

The continuously dwindling population of religious minorities, Sikhs and Hindus, in Afghanistan is an ample proof of the impossible living conditions for them there. According to the US International Religious Freedom Report 2019, Hindu and Sikh community leaders estimated approximately another 200 Sikhs and Hindus this year, compared with 500-600 in 2018. They fled the country during the year to either India or Western countries because of security threats and a perceived lack of government protection. Violent attacks on religious places continue unabated. For example, in 1988, in a terrorist attack on a gurdwara in Jalalabad, 13 Sikh devotees were killed. In another terrorist attack in 1989 on another gurdwara in the same city, rockets were fired killing 17 Sikh devotees (Goyal, 2020). A massive attack on a Sikh gurdwara on March 25, 2020 killing 25 Sikh devotees totally shattered the Sikh community in Afghanistan. During the funeral service, a bomb was detonated, and additional explosives were planted outside the Sikh gurdwara. The terrorist group presented the mourners an ultimatum stating either leave Afghanistan within 10 days or suffer more attacks. Thus, minorities were left with no choice but to leave Afghanistan. They have started arriving in small groups in India (Kumar, 2020).

Apart from attacks on religious places, violence through suicide attacks is perpetrated on significant gatherings of minorities. For instance, in July 2018, an ISIS terrorist group carried out a suicide bombing on a convoy of Afghan Sikhs and Hindus that were on their way to meet with Afghan President Ashraf Ghani, that killed 19 people and injured 20 others (BBC, 2018). Also, cultural heritage of minorities is also target of violent extremists. The whole world was deeply shocked when the magnificent Buddha statues at Bamiyan built in the sixth century about a hundred years before the arrival of Islam were destroyed in 2001 by the Taliban forces.

In the past, during the war against Soviets in 1980s and then during the civil war in 1990s, Sikhs and their gurdwaras came under heavy attack and many people had fled to India and other places (Kumar, 2017). Again, thousands of Sikhs and Hindus had left Afghanistan after the Babri structure episode in India, in 1992, in fear of threats from radical Muslims after large-scale looting of Hindu and Sikh temples all over Afghanistan. Their properties were looted, they were tortured and treated inhumanly, particularly in Kabul, with women reportedly raped (UNHCR, 2017). Afghan Sikhs and Hindus encountered widespread persecution, struggled with prejudice, and faced uphill battles to preserve their culture and religious tradition. The systematic targeting and illegal grabbing of their businesses and property added to the trauma of civil war and resulted in their en masse exodus in the early 1990s. Based on their ethnic and religious similarities to a segment of the Indian population, these communities found it more comfortable to seek asylum in India (Ghosh, 2016).

However, the worst phase for minorities was the Taliban rule. Many religious decrees were announced by Taliban regime. For example, Hindus were forced to wear yellow badges in public to identify themselves as non-Muslims and Hindu women were forced to wear burqas.

These decrees were condemned by the Indian and U.S. governments as a violation of religious freedom. Several influential lawmakers in the United States wore yellow badges with the inscription "I am a Hindu", on the floor of the Senate during the debate as a demonstration of their solidarity with the Hindu minority in Afghanistan (Malhotra, 2008). Under the Taliban rule, the Sikhs and Hindus were marginalised and were denied any role in the local economy as whatever little they were having earlier. These communities with their typical business acumen, had established factories in Kabul and operated a healthy exporting business, trading in Afghan goods such as dry fruit, textiles and precious stones. However, with Taliban, they had to resort to operating small shops selling food and textiles (UNHCR, 2011). Worship facilities for non-citizens of various faiths continued to be located at coalition military facilities and at embassies in Kabul.

Even today, international media continues to report efforts by local Muslim religious leaders to limit social activities they considered inconsistent with Islamic doctrine be it many minority religious ceremonies or female participation in sports. Many maulvis continue to support the Taliban or ISKP in their sermons. Many NGOs report that Muslim residents remain suspicious of development assistance or aid for minorities, which they often regard as efforts to undermine Islam. Another major tool for religious persecution is the issue of blasphemy which is covered under Sharia and is considered a capital crime. Converts from Islam to other religions reported they continue to fear punishment from the government as well as from family and society. The blasphemy tool is also used against religious minorities for forceful conversion or to settle personal scores.

Unit: 2 Persecution of Women and Children

As pointed out above, present day situation of basic human rights of Muslim women and children is no different from the women and children belonging to minority groups. The role and status of women in Afghanistan varies with their ethnic group, social and economic position, and whether they live in a rural or urban area. In the name of 'protection', women are segregated from all important political and social decisions and positions.

Also, they face public flogging and execution for violation of Sharia laws or codes by religious and extremist groups. In one such case, Taliban beat up an Afghan woman named Aziza just because the burqa she was wearing did not have a mesh to cover her eyes and subsequently she lost her consciousness due to excessive beating (The Guardian, 2019).

The Taliban regime severely violated the human rights of women. They were excluded completely from all forms of public life, including from jobs as teachers, civil servants, and journalists. The Taliban in the name of religion and culture justified the violation of women's rights. However, the Taliban's decrees represent a striking departure from past religious and cultural practices in Afghanistan. Before the Taliban took control of Kabul, schools were co-educational, with women accounting for 70 per cent of the teaching force. Women represented about 50 per cent of the civil servant corps, and 40 per cent of the city's physicians were women. Afghan women who were once free to choose their dress, move about in public independently, and pursue their careers now were subjected to harsh punishment (Tomar, 2002).

Killings by armed political groups are one of the most heinous crimes that are committed against Afghan women. The armed political groups of Taliban regime deliberately and arbitrarily killed and raped many such young women, sometimes in front of their families. Several Afghan women committed suicide to avoid being raped. In one such case, a father who saw the Mujahideen guards coming for his daughter reportedly killed her before she could be taken away. There are scores of cases of abductions and sexual abuse by armed political groups. Commanders belonging to an opposition faction torture woman belonging to a particular religious or ethnic group. Also, several women are forcefully taken from their families in exchange for money and are sold into prostitution (Tomar, 2002). It is painful to even imagine mothers being forced to watch their young daughters being raped; girls and kids witnessing their parents being killed. However, these things happened to Afghan women. Thus, basic human rights of women were grossly violated during Taliban regime and continue to be violated by many extremist groups even today.

Since the ouster of the Taliban, the status of women has improved relatively, but not that much and in wake of eminent return of Taliban and rise of other extremist groups, women's progress

in public sphere remains threatened both by the Taliban and by the strong influence of religious traditionalists. Women who seek to engage in public life are often condemned as “immoral” and targeted for intimidation, harassment, or violence by the Taliban or other extremist groups. Marital rights of Muslim women are grossly violated. A Muslim man may marry a non-Muslim woman, but the woman must first convert if she is not an adherent of either Christianity or Judaism. It is illegal for a Muslim woman to marry a non-Muslim man (Human Rights Watch, 2019).

The Afghan government has undertaken some steps to protect women's human rights. Afghanistan Constitution has a provision on gender equality. Afghanistan is also party to Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). However, Afghan government's track record to back up these words with action is not clear and thus, has been unable to protect the basic rights of women in the country. Pervasive discrimination based on religious interpretations continues to place women in a second-class status and to limit their opportunities to obtain education, employment, and even medical care. Even today, local religious leaders continue to pressure women about their dress and most women wear burqa. Even political executive forces this on women. For example, in March 2011, President Karzai missed the deputy governor of Helmand province for organising a concert that featured female performers without headscarves.

Women in Afghanistan are denied equal access to legal representation and due process in the informal justice system. Many reports by the UN and other international observers have documented widespread and deeply-rooted problem of violence against women, including so-called “honour killings.” The aforementioned lack of access to the legal system hampers efforts to combat violence against women, particularly domestic violence, despite Article 398 of the Afghan penal code stipulating two years' imprisonment for perpetrators who kill female relatives alleged to have committed adultery (Human Rights Watch, 2019). However, women are continued to be stoned to death for such alleged crimes which are often perpetrated for many dubious reasons. The government has taken some steps to address this problem. According to the UN High Commissioner for Human Rights, Afghanistan's Law on the Elimination of Violence against Women was enacted in 2009 which explicitly criminalises rape, as well as underage and forced marriage, and other forms of violence against women.

There are concerns regarding on-going peace talk between insurgents and the Afghan government. It is feared that possibility of amending the constitution to accommodate certain Taliban demands could undermine human rights of Afghan women. Also, the widespread interpretation of the constitution that ignores human rights guarantees could seriously undermine religious freedom and women's human rights in the country, even if insurgents agree to abide by the constitution.

Impunity for perpetrators of violence against women continues. Police routinely refuse to register cases. Afghan authorities pressure them to accept mediation, a process in which the abuser merely promises not to repeat the crime. Despite a 2016 pledge from President Ashraf Ghani to end imprisonment of women accused of running away from their families, in 2018 Afghan police and prosecutors continue to jail women and girls for “moral crimes” that include “running away” from home, and committing or attempting to commit zina (sex outside of marriage). Police also continues to subject girls and women to invasive and scientifically invalid vaginal and anal examinations by doctors, to determine whether a woman or girl is a virgin. Though many Afghan officials claim the government banned the examinations, but officials have told Human Rights Watch that the practice remains widespread, with authorities routinely ordering “virginity tests”(Human Rights Watch, 2019).

Women with disabilities in Afghanistan face formidable obstacles gaining access to education and health care. The concerned ministry offers limited financial assistance to those injured in the conflict, other services for survivors or people with disabilities are very limited. Afghanistan has ratified the UN Optional Protocol on the Convention against Torture, enacted legislation criminalising torture, and established a government commission on torture, however, it has not prosecuted any senior officials accused of torture yet (Human Rights Watch, 2019). Inhumane conditions in Afghan prisons and detention centres is another worrisome reason for rights violations of under trial women prisoners, many of whom have been imprisoned for so-called morality crimes and who are often imprisoned with their children, far from home.

Along with women, children are the worst victim of human rights violation in Afghanistan. They are denied access to education and are recruited for Islamic militia and also taken up for sexual exploitation and human trafficking. Insurgents attaching schools is a common feature there. Both the government and insurgent forces continue to use schools for military purposes. A June 2018 UNICEF report found that for the first time since 2002, the number of Afghan children in school was falling, with girls most affected. Up to 3.7 million children in Afghanistan—nearly half the children in the country—are out of school. In many provinces, fewer than 15 per cent of students are girls.

Unit: 3 Discrimination against Ethnic and Linguistic Minorities

The Sunni majoritarian discrimination is not limited to merely women and religious minorities but also extends to ethnic and linguistic minorities as is the case in most of the Islamic nations. The history of inter-ethnic relation in Afghanistan is one of unequal opportunities and conflict. The government of Afghanistan did not indicate tribe or ethnicity on ID cards so as to homogenise an Afghan identity. Presently, it does not record any such data. Minority rights in Afghanistan have improved since the 2001 Bonn agreement, but not by much. Historically, Hazaras have often been victims of discrimination and persecution by other ethnic groups for religious and racial reasons. They have been systematically excluded from government positions and education and have struggled to achieve social mobility. The Taliban regime was particularly brutal in its persecution of Hazaras. However, in the Constitution ratified in 2004, Hazaras were given equal rights to other ethnic groups. Most religions, apart from Sunni Islam, have been discriminated against in one time or another. Ethnic and linguistic and other non-Sunni groups are targeted as they face political killings, abductions, torture and coercion for social and religious conformity. It is feared that rising violence against these groups might turn into an 'ethnic motivated targeting' and massacre of 14 Shi'ite Hazaras in July 2014 by Taliban points to the same (USCIRF, 2015).

It can be said that minorities in Afghanistan can be divided into two categories namely 'neglected minorities 'and' prosecuted minority'. The neglected minorities are the smaller minorities in terms of number who are disappointed and have lost confidence in the government. They are trapped in the geographical prisons in remote mountainous areas of Afghanistan, such as the Pamiris, the Kyrgis, the Aimaqs, Balochs etc. The biggest prosecuted minority is the Hazaras who have been systematically discriminated against for 100 years.

The atrocities against ethnic and linguistic minorities have continued taking different forms and different magnitude. They are constantly targeted, abducted, intimidated and discriminated on the ground of their ethnicity and religion. The pattern of discrimination has also adversely affected lives of youth. For example, while the Hazaras comprise around 35 percent of the population in the capital city Kabul, the percentage of Hazaras occupying high level jobs in government institutions in Kabul is less than 2% (International Religious Freedom Report, 2017).

Ismaili community leaders continue to report concerns about what they call the exclusion of Ismailis from the positions of political authority. Many reports found that attacks against Shia places of worship and/or worshippers constituted 83 percent of all civilian casualties from attacks against places of worship, religious leaders, and worshippers. Nearly one-third of the ISKP attacks targeted Shia Muslims, including six attacks directed at Shia places of worship.

Apart from Shia, Ahmadi Muslims reported harassment when neighbours or co-workers learned of their faith. Ahmad is maintain a place of worship but keep it unmarked, without minarets or other adornments identifying it as an Ahmadi Muslim community mosque. Other ethnic and linguistic minorities like Tajiks, Uzbeks, Nuristanis etc. report similar forms of violence and discrimination despite being Muslims.

The Afghan government has continuously failed to provide security to these communities. For example, followers of Baha'is faith went underground after the General Directorate of Fetwa and Accounts declared Baha'i faith blasphemous and its followers' apostates (USCIRF, 2015). Similarly, other faiths like Christians cannot practise their faith publicly. In this way, Tajiks are also facing political marginalisation, economic discrimination and deprivation, ethnic cleansing and the occupation of their land in Bamyan. All these communities are underrepresented in government spaces and school curriculum is biased towards them. For example, depiction of Amir Habibullah Kalakani who was a Tajik Amir in the modern history of Afghanistan is projected in a humiliating way. The 12th grade history textbook talks about his revolt against Amanullah and calls him an outlaw and rebellious (Ministry of Education, 2011).

Conclusion

Hence it is evident that minorities particularly women and religious minorities are the main victims of the continuing human rights crisis in Afghanistan. Two decades of war, economic destruction and religious fundamentalism have forced the religious minorities out of the country. Minorities in Afghanistan whether they are Hindus, Sikhs, Shias, Hazaras or other small ethnic groups are routinely discriminated and harassed systematically. Though 2004 Constitution promises equal rights to all citizens but religious and ethnic minorities continue to be discriminated against, both in law and in effect. Further, lack of socio-economic data disaggregated by minority groups is a serious barrier to efforts regarding protection of basic rights of minorities. There exists institutional, legal and societal discrimination and violations of basic rights and freedom of minority religious communities. The Afghan constitution also fails to protect the individual right to freedom of religion or belief. It also contains provisions and clauses stating that no law can be contrary to the tenets of Islam. These provisions are used by the government to limit fundamental freedoms on one hand and by fundamentalists to invoke apostasy and blasphemy to intimidate and harass minorities on the other hand. In addition, the Afghan government remains unable, as well as at times unwilling to protect women and minorities' groups against violence and intimidation by the Taliban and other illegal armed groups.

Thus, there is an urgent requirement of taking care of the human rights of these minority groups of Afghanistan. It is evident that there is a need for the Afghan government to define minority rights to protect minority groups from discrimination and harassment. Also, Afghanistan should ratify all relevant international obligations on socio-economic rights and align its national laws to international standards. Internal contradictions in the constitution and legal provisions of Afghanistan need to be resolved so as to not contradict or supersede other rights and laws. The government should also identify minorities for special attention and adequate resources should be allotted to them to empower them economically.

It is also the duty of international community concerned with the protection of human rights to take necessary measures. The international community of UN member states, various governments and non-governmental organisations should do the needful to prevent gross violations of rights of minorities. These measures become all the more important in wake of withdrawal of US troops from Afghanistan, rise of many more extremist groups like ISIS in Afghanistan and significant return of Taliban to power in Afghanistan. Today, violence and intimidation by the Taliban and other insurgents pose a serious threat to the human rights of women and all minority groups. Also, the potential implications for human rights protections in the efforts at national reconciliation with the Taliban and other insurgents are of serious concern. Therefore, the international community and Afghan government must ensure that in on-going peace talks with extremist Taliban, freedom and rights of women, religious and ethnic minorities should not be sacrificed at the altar of elusive peace.

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