

## AFGHANISTAN

The constitution states that Islam is the "religion of the state" and that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam." The constitution and other laws and policies restrict religious freedom and, in practice, the government enforced these restrictions. In 2004 the constitution accorded both Shia and Sunni Islam equal recognition. The constitution proclaims, "Followers of other religions are free to exercise their faith and perform their religious rites within the limits of the provisions of law."

The government's level of respect for religious freedom in law and in practice declined during the reporting period, particularly for Christian groups and individuals. Residual effects of years of jihad against the Soviet Union, civil strife, Taliban rule, popular suspicion regarding outside influence and the motivations of foreigners, and weak democratic institutions remained serious obstacles. In May 2010 video footage of Christian converts being baptized aired on an Afghan television station and was re-aired every night for a week due to its popularity with the public. The station did a series of follow up segments as well. In response, inflammatory public statements were made against Christian converts by two members of parliament. These incidents led to targeting of Christian groups and individuals. At least two individuals who converted from Islam remained in detention at the end of the reporting period. (Note: All individuals detained for conversion from Islam were released after the reporting period ended.) Negative societal opinion and suspicion of Christian activities led to targeting of Christian groups and individuals, including Muslim converts to Christianity. The lack of government responsiveness and protection for these groups and individuals contributed to the deterioration of religious freedom.

In July 2009 President Karzai signed the Shia Personal Status Law (SPSL), a civil law governing family and marital issues for the Shia minority. The constitution recognizes the right of the Shia minority to adjudicate personal and family matters according to Shia jurisprudence. The first version of the law attracted widespread criticism because of restrictions on the rights of women. The Ministry of Justice amended the text to remove the most controversial phrases; President Karzai signed the amended bill. Many international partners and civil society groups continued to object strongly to certain articles in the law after it was amended.

The country's population is almost entirely Muslim. Non-Muslim minority groups, particularly Christian, Hindu, and Sikh groups, were targets of discrimination and

persecution. Conversion from Islam was understood by Shia and Sunni Islamic clergy, as well as many citizens, to contravene the tenets of Islam. Within the Muslim population, relations among the different sects continued to be difficult. Historically the minority Shia community has faced discrimination from the majority Sunni population. This discrimination continued during the reporting period. Local Hindu and Sikh populations, although allowed to practice their religion publicly, continued to encounter problems obtaining land for cremation and historically have faced discrimination when seeking government jobs, as well as harassment during major celebrations. Most local Bahais and Christians did not publicly state their beliefs or gather openly to worship.

The U.S. government regularly discusses religious freedom with government officials as part of its overall policy to promote human rights. The U.S. embassy continued to send political, civil society, and religious leaders to programs in the United States. Some Provincial Reconstruction Teams (PRTs) provided community assistance through the U.S. military's Commanders Emergency Response Program (CERP) funds by repairing madrassahs (Islamic schools).

### Section I. Religious Demography

The country has an area of 402,356 square miles; population estimates ranged from 24 to 33 million. Reliable data on religious demography is not available because an official nationwide census has not been conducted in decades. Observers estimate that 80 percent of the population is Sunni Muslim, 19 percent Shia Muslim, and other religious groups comprise less than 1 percent of the population. According to self-estimates by these communities, there are approximately 3,000 Sikhs, more than 400 Bahais, and 100 Hindu believers. There is a small Christian community; estimates on its size range from 500 to 8,000. In addition there are small numbers of adherents of other religious groups. There is one known Jewish citizen.

Traditionally the dominant religion has been Islam, specifically the sect of Sunni Islam that follows the Hanafi School of jurisprudence. For the last 200 years, much of the population adhered to Deobandi-influenced Hanafi Sunnism. The Dar-ul-Ulum (Institute of Higher Religious Education) at Deoband is a prominent Asian center of Sunni religious education. Many local Sunni religious scholars have either studied at Dar-ul-Ulum Deoband or were trained by scholars who studied there. A sizable minority also adhered to orders of Islamic spirituality and mysticism, generally known as Sufism. Sufism is organized by orders or brotherhoods (both Sunni and Shia) that follow charismatic religious leaders. During the 20th century, influence of the "Wahhabi" form of Islam grew in certain

regions.

Historically members of the same religious groups have concentrated in certain regions. Sunni Pashtuns dominate the south and east. The homeland of the Shia Hazaras is in the Hazarajat, the mountainous central highland provinces around Bamyan province. Northeastern provinces traditionally have Ismaili populations. Other areas, including Kabul, are more heterogeneous and include Sunni, Shia, Sikh, Hindu, and Bahai populations. The northern city of Mazar-e Sharif includes a mix of Sunnis (including ethnic Pashtuns, Turkmen, Uzbeks, and Tajiks) and Shia (Hazaras and Qizilbash), including Shia Ismailis.

In the 20th century, small communities of Bahais, Buddhists, Christians, Hindus, Jews, and Sikhs lived in the country, although most members of these communities emigrated during the years of civil war and Taliban rule. By the end of Taliban rule, non-Muslim populations had been virtually eliminated except for a small population of native Hindus and Sikhs. Since the fall of the Taliban, some members of religious minorities have returned, many settling in Kabul.

Nuristanis, a small but distinct ethno linguistic group living in a mountainous eastern region, practiced an ancient polytheistic religion until they converted to Islam in the late 19th century. Some non-Muslim religious practices survive today as folk customs.

There are two active gurdwaras (Sikh places of worship) in Kabul and 10 in other parts of the country; there were 64 gurdwaras throughout the country before the war. There are four Hindu mandirs (temples) in three cities: two mandirs are located in Kabul, one of which shares a wall with a mosque; one is in Jalalabad; and one in Ghazni. Eighteen others were destroyed or rendered unusable due to looting during the mujahidin civil war.

There is one synagogue, located in Kabul, which is not in use for lack of a Jewish community. There is no longer a public Christian church; the courts have not upheld the church's claim to its 99-year lease, and the landowner destroyed the building in March. Chapels and churches for the international community of various faiths are located on several military bases, PRTs, and at the Italian embassy. Some citizens who converted to Christianity as refugees have returned.

The Bahai Faith has had followers in the country for approximately 150 years. The community is predominantly based in Kabul, where more than 300 Bahai members live; another 100 reportedly live in other parts of the country.

## Section II. Status of Religious Freedom

### Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

Full and effective enforcement of the 2004 constitution was a continued challenge due to its potentially contradictory commitments and the lack of a tradition of judicial review.

The constitution includes a mandate to abide by the Universal Declaration of Human Rights and obliges the state to "create a prosperous and progressive society based on social justice, protection of human dignity, protection of human rights, realization of democracy, and to ensure national unity and equality among all ethnic groups and tribes." Followers of other religions are "free to exercise their faith and perform their religious rites within the limits of the provisions of the law."

The constitution requires that the president and vice president be Muslim and does not distinguish in this respect between Shia and Sunni. This requirement was not explicitly applied to government ministers or members of Parliament, but each of their oaths includes swearing allegiance and obedience to the principles of Islam.

The constitution also declares that Islam is the official "religion of the state," that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam," and that "the provisions of adherence to the fundamentals of the sacred religion of Islam and the regime of the Islamic Republic cannot be amended." For situations on which the constitution and penal code are silent, including apostasy and blasphemy, courts relied on their Islamic law interpretations, some of which conflict with the country's international commitments to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights to which the country is a party.

The constitution states that when there is no provision in the constitution or other laws that guide ruling on an issue, the courts' decisions shall accord with Hanafi jurisprudence in the way that would serve justice in the best possible manner. The constitution also grants that Shia law would be applied in cases dealing with

personal matters where all parties are Shia. There was no separate law applying to non-Muslims.

In July 2009 the president signed a revised version of the SPSL. President Karzai signed the first version of law in April 2009. Some prominent Shias supported the law for officially recognizing Shia jurisprudence, and some Shia groups hailed the law for officially recognizing the Shiite minority; however, the April law was controversial both domestically and internationally for its failure to protect women's rights, specifically to protect women from marital rape. Following a mid-2009 review of the law, the Ministry of Justice removed some of the controversial articles in the original version; President Karzai signed the amended version in July, which became public law. Many observers inside and outside the country continued to object to articles in the law that conflicted with women's constitutionally protected rights and international human rights treaties and conventions to which the country was a signatory. Articles in the law of particular concern included minimum age of marriage, polygamy, inheritance rights, right of self-determination, freedom of movement, sexual obligations, and guardianship.

Conversion from Islam is considered apostasy and is punishable by death under some interpretations of Islamic law in the country. The criminal code does not define apostasy as a crime, and the constitution forbids punishment for any crime not defined in the criminal code; however, the penal code states that egregious crimes, including apostasy, would be punished in accordance with Hanafi religious jurisprudence and handled by an attorney general's office prosecutor. Converting from Islam to another religion was considered an egregious crime, and fell under Islamic law. Male citizens over age 18 or female citizens over age 16 of sound mind who converted from Islam had three days to recant their conversion or be subject to death by stoning, deprivation of all property and possessions, and the invalidation of their marriage. In recent years neither the national nor local authorities have imposed criminal penalties on converts from Islam. During the year, according to the Attorney General's Office, no penalties have been imposed, although two men were in detention for conversion to Christianity.

Blasphemy is a capital crime under some interpretations of Islamic law in the country, and according to such interpretations, an Islamic judge could punish blasphemy with death, if committed by a male over age 18 or a female over age 16 of sound mind. Those accused of blasphemy are given three days to recant their actions or face death. In recent years this sentence has not been carried out.

The General Directorate of Decrees and Fatwas under the Supreme Court ruled in

May 2007 that the Bahai Faith is distinct from Islam and a form of blasphemy. It held that all Muslims who converted to the Bahai Faith were apostates and all followers of the Bahai Faith were infidels. Bahais who accepted the Muslim declaration of faith were not expected to be subject to the ruling. The ruling created uncertainties for the country's small Bahai population, particularly on the question of marriages between Bahai women and Muslim men. Citizens who converted from Islam to the Bahai faith faced risk of persecution, similar to that of Christian converts, in theory, up to and including the death penalty. Also unclear was how the government would treat second generation Bahais who were born into families of Bahai followers. Although they technically have not converted, some may still view them as having committed blasphemy. The ruling was not expected to affect foreign national Bahais.

According to government officials, although the courts consider all citizens to be Muslims by default, in practice non-Muslims can be married as long as they do not publicly acknowledge their non-Muslim beliefs. In addition the judges stated that a Muslim man may marry a non-Muslim woman, but the woman must first convert if she was not "of the book," that is not Christian or Jewish. Moreover, a Muslim woman is not allowed to marry a non-Muslim man.

The government continued to update the existing criminal and civil legal codes to bring them in line with the country's international treaty obligations. The 1976 penal code addresses "Crimes against Religions," although it does not address blasphemous remarks. The penal code also says persons who forcibly stop the conduct of religious rituals of any religion and persons who destroy or damage permitted places of worship where religious rituals are conducted or who destroy or damage any sign or symbol of any religion shall be subject to a medium-term prison sentence (defined in the criminal code as confinement in a jail for not less than one, nor more than five years) and/or a cash fine of between 12,000 and 60,000 Afghanis (\$240 and \$1,200). There is nothing in the penal code related to the spoken or written utterance of insults or profanity against God, religion, sacred symbols, or religious books.

The media law prohibits publicizing and promoting religions other than Islam. Many authorities and most of society viewed proselytizing as contrary to the beliefs of Islam. There were unconfirmed reports of harassment of Christians thought to be involved in proselytizing. Some Christians avoided situations in which they might be viewed as seeking to spread their religion to the larger community.

The constitution protects freedom of expression and of the press. The mass media law, which included negative articles with respect to the freedoms of religion and expression, was published in the official gazette in September 2009.

Under chapter 10 of the mass media law, "Works and Materials Prohibited to be Produced, Printed and Published/Broadcast," Article 45 prohibits production, reproduction, print, and publishing of the following materials: works and materials that are contrary to the principles of Islam; works and materials offensive to other religions and sects; works and materials humiliating or offensive to real or legal persons; works and materials considered libelous to real and legal persons and that may cause damage to their personality and credibility; works and materials that are contrary to the constitution and are considered a crime by the penal code; publicizing and dissemination (promotion) of religions other than Islam; disclosure of identity and pictures of victims of violence and rape in a manner that damages their social dignity; and articles and topics that harm the physical, spiritual, and moral well-being of persons, especially children and adolescents. Also under the media law, the proprietors of newspapers, printers, and electronic media companies must be licensed by and registered with the Ministry of Information and Culture.

The ambiguity surrounding what constitutes offensive material offered the potential for abuse to restrict press freedom and intimidate journalists. These rules also applied to non-Muslims and foreign-owned media outlets. The amended media law instructs National Radio and Television Afghanistan (RTA), the state run media outlet, to provide balanced broadcasting that reflects the culture, language, and religious beliefs of all ethnic groups in the country. According to the law, RTA was obligated to adjust its programs in light of Islamic principles and national and spiritual values.

The Ulema Council is a group of influential Sunni and Shia scholars, imams, and Muslim jurists from across the country reflecting the network of provincial ulema councils. Its senior members met regularly with the president and advised him on Islamic moral, ethical, and legal problems. The council was nominally independent of the government, but its members received financial support from the state. Through contacts with the presidential palace, the parliament, and ministries, the council or its members advised on the formulation of new legislation or the implementation of existing law. Although it was well represented in provincial capitals, the council had much less outreach in villages and rural areas.

In 2007 the Ulema Council called for limits to freedom of expression and press. The Council urged individuals to avoid conduct that may be perceived as insulting

to local traditions and religious values on the grounds that "safeguarding our national honors and Islamic values is the obligation of every citizen." This declaration mirrors article 1 of the constitution, enforced in high-profile cases such as the 2007 case of Parvez Kambakhsh, sentenced to 20 years imprisonment for distributing material from the Internet questioning the condition of women in Islam. President Karzai pardoned Kambakhsh in August 2009. Many citizens, including the upper house of the parliament, condemned the pardon, which the international community strongly supported.

The Afghan Independent Human Rights Commission monitors high profile religious freedom cases and receives and investigates complaints from the public. During the reporting period, all provincial police departments instructed human rights officers to investigate abuses, although many, like most other institutions, lacked adequate personnel and other resources. During the year the number of human rights police officers at the provincial level did not change from the previous year 2010.

The Ministry of Hajj and Islamic Affairs is the primary ministry handling religious affairs. The ministry's responsibilities include sending citizens on the Hajj pilgrimage, collecting endowment-related revenues, identifying and acquiring endowment-related property, providing religious teaching to children, issuing fatwas, testing imams, and raising public awareness of religious problems.

Both Sunnis and Shias were permitted to go on the Hajj, and the government imposed no quota for either group. During the year a total of 35,000 pilgrims made the Hajj.

The licensing and registration of religious groups is not required, although the government registers mullahs (religious leaders). Mullahs working for the Ministry of Hajj and Islamic Affairs are generally proposed for registration by local residents and approved by the ministry. There are an estimated 160,000 mullahs working in the country. Of those, 3,500 are registered with and receive salaries from the ministry. There are an estimated 1,380 mullahs working in Kabul, of whom approximately 620 receive salaries from the ministry (and are counted as part of the 3,500 national total). The ministry did not hire additional mullahs during the year, but the government replaced 70 former mullahs because of vacancies due to resignation or death of the incumbents. The ministry assigned a total of 120 religious teachers to different private madrassahs, but the salaries were paid by the local residents. Many mullahs were not registered due to lack of capacity and funding to support more mullahs at mosques, as well as security

problems in the provinces. New mosques are either opened or built based on the government's development plans or based on proposals by local residents, which must be subsequently approved by the Ministry of Hajj and Islamic Affairs.

There were no explicit restrictions for religious minority groups to establish places of worship and training of clergy to serve their communities; however, very few public places of worship exist for minorities due to a strapped government budget.

The Ministry of Education considered it the government's responsibility to offer tolerant and modern Islamic education for youth. Since 2007 the government has run its own madrassahs to reduce the number of children studying at extremist madrassahs abroad and to counter the influence of extremist elements operating in the countryside, including those through independent madrassahs. These schools planned to offer an alternative to the Taliban's use of education as a weapon of violent extremism, but lack of funding has hindered these plans. There were 48 ministry of education-sponsored madrassahs throughout the country, including several in Kabul, Mazar-e Sharif, Nangarhar, and Herat provinces. The government established 14 high madrassahs (madrassahs that bestow a degree equivalent to a bachelor degree) in 2007 and eight in 2008, with the intention to open a new high madrassah in each of the country's 34 provinces as well as in each of the country's 364 districts. Insecurity has slowed progress in opening additional schools. The government implemented a program of 40 percent religious education, 40 percent general education, and 20 percent computer science and foreign languages in a number of madrassahs in the capital and other provinces where there was sufficient security.

The Ministry of Education required that independent madrassahs be accredited and disclose their funding sources. In 2009, 240 independent madrassahs opened throughout the country. During the year local residents built 30 additional madrassahs using private funds. The Ministry of Hajj provided four teachers to each new madrassah for a total of 120, and salaries are to be paid by those who have built the madrassahs.

Madrassahs must route funding from private or international donations through the ministry, or they are banned. This system allowed the government to monitor assistance to institutes of learning funded by its known allies. According to the Ministry of Education, the government solicited donations for the support of madrassahs of all levels from Muslim countries and private individuals, including a request that the Kingdom of Saudi Arabia support a madrassah. Saudi Arabia and other countries have supported madrassahs in the past.

The components of the educational system that survived more than 30 years of war placed considerable emphasis on religion. The constitution states, "The state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develop the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan." The public school curriculum included Islamic content but no content from other religious groups.

There was no restriction on parental religious teaching, and non-Muslims were not required to study Islam. The national curriculum and textbooks that emphasized moderate Islamic terms and principles steadily replaced the preaching of jihad in schools.

The post-Taliban government has not banned any political parties for religious reasons. The constitution allows for political parties provided that "the program and charter of the party are not contrary to the principles of the sacred religion of Islam."

Only Islamic holy days are celebrated as religious public holidays. The Shia community openly celebrated the birthday of Imam Ali. Observations of the Shia holiday of Ashura in December were widespread and peaceful.

### Restrictions on Religious Freedom

The government enforced existing legal restrictions on religious freedom selectively and in a discriminatory manner. In May 2010 a television journalist produced a program accusing Christian NGOs of proselytizing, relying on two-year-old footage depicting a group of Christian converts being baptized. In response the Minister of Economy, who regulates NGOs, temporarily banned two Christian-affiliated NGOs accused by the journalist of proselytizing. Although no evidence was found linking the groups to proselytizing activities, most of their activities remained suspended for two months. At the urging of the international community and Afghan leadership, the Ministry of Economy reinstated the NGOs on a temporary basis, reporting that no evidence of proselytizing was discovered in investigations by the Ministry of Interior, the National Directorate of Security (NDS), and the Attorney General's office. To date the humanitarian aid groups in question have quietly resumed their activities and are petitioning the government to register as permanent entities.

The right to change one's religion was not respected either in law or in practice.

Muslims who converted away from Islam risked losing their marriages, rejection from their families and villages, and loss of jobs. Legal aid for imprisoned converts away from Islam remains difficult due to the personal objection of Afghan lawyers to defend apostates.

During the reporting period, there were a few reported incidents involving individuals attempting to proselytize, although no prosecutions arose from those incidents. Some NGOs reported continued surveillance by NDS, including house searches for published religious materials or other evidence of proselytizing.

As in previous years, Hindus and Sikhs complained of not being able to cremate the remains of their dead in accordance with their customs, due to interference by those who lived near the cremation sites. The government did not protect Hindus' and Sikhs' right to carry out cremations. The community repeatedly petitioned the government for land on which to carry out cremations. Bahais also could not bury their dead in accordance with their customs, but they lodged no formal complaints as they sought to avoid government attention. Although community representatives expressed concerns over land disputes, they often chose not to pursue restitution through the courts for fear of retaliation, particularly when powerful local leaders occupied their property. There were no known reports of active discrimination against Hindus by the government.

The government provided free electricity to mosques. The Hindu and Sikh communities lobbied the government to provide free electricity to their gurdwaras and mandirs; however, the government had not addressed these concerns as of the end of the reporting period. Further, gurdwaras and mandirs were charged as business entities, paying at a higher rate.

The government does not designate religion on national identity cards and does not require individuals to declare belief in Islam to receive citizenship; however, the state, including the courts, traditionally considered all citizens to be Muslim. Therefore, some basic citizenship rights of non-Muslims were not explicitly codified.

#### Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees.

In 2007 the General Directorate of Fatwas and Accounts under the Supreme Court

issued a ruling on the status of the Bahai Faith, declaring it distinct from Islam and a form of blasphemy. There have been no cases cited under this ruling since its issuance.

In August 2009 President Karzai, in a case that attracted national and international attention, pardoned Sayed Perwiz Kambakhsh. In 2007 police had arrested Kambakhsh, a student at Balkh University and a journalist for *Jahan-e Naw* (*New World*) daily, after he allegedly downloaded and distributed information from the Internet regarding the role of women in Islamic societies. In 2008 a local court sentenced him to death for "insolence to the Holy Prophet," basing its decision on Sharia law. Kambakhsh immediately appealed the decision, and the attorney general's office moved the case to the appeals court. After several days of hearings, in October 2008 a Kabul appeals court in a closed proceeding commuted the death sentence to a 20-year prison sentence without notifying Kambakhsh's defense attorney. Many citizens, including members of the Upper House of Parliament, condemned Kambakhsh's pardon. Kambakhsh fled the country before news of his pardon reached the national media.

On March 20, 2010, President Karzai pardoned Ghaus Zalmai and Mullah Qari Mushtq, who had been sentenced to 20 years' imprisonment for publishing a Dari-language translation of the Qur'an without the accompanying Arabic verses for comparison. Members of the Ulema Council and parliament were among those who lobbied the president for the pardon. This action was a shift from previous reporting periods during which religious scholars alleged in court that the translation was un-Islamic for misinterpreting verses about alcohol, begging, homosexuality, and adultery. Zalmai and Mushtq's pardon overturned decisions by the Supreme Court in August 2009, an appeals court in February 2009, and a primary court in September 2008. There were no public protests following the pardon, although in 2007 protests calling for Zalmai's and Mushtq's punishment were held in various towns.

In the last year, inflammatory public statements made by members of Parliament, and television programming against religious minorities, particularly Christians, have led to targeting of Christian groups and individuals. In May one member of Parliament called on the Lower House to "order the court to take all those converts to the roundabout and execute them."

In May police arrested two Afghan citizens for converting away from Islam. At the end of the reporting period, one of the individuals denied converting away from Islam and was released. The other remained in detention.

In October 2010 another individual was arrested in Mazar-e-Sharif for reportedly converting away from Islam. At the end of the reporting period, the case remained with the prosecutor. The individual was also without legal representation at the end of the reporting period.

#### Abuses by Rebel or Foreign Forces or Terrorist Organizations

During the year there were reported abuses targeted at specific religious groups by terrorist organizations, including al-Qa'ida and Taliban networks. As in previous years, killings of religious leaders and attacks on mosques were attributed to al-Qa'ida and Taliban members. Sources reported that antigovernment elements continued to target religious leaders based on their links to the government or their particular interpretations of Islam.

Political, not religious, motivations appeared to be the primary impetus behind insurgent attacks on schools.

#### Improvements and Positive Developments in Respect for Religious Freedom

The government continued to emphasize ethnic and intrafaith reconciliation indirectly through support to the judicial, constitutional, and human rights commissions composed of members of different ethnic and Islamic religious (Sunni and Shia) groups. The Ministry of Women's Affairs and the Ministry of Hajj and Islamic Affairs worked together to give women the opportunity to attend mosques.

In Kabul foreign residents met regularly at Christian worship services in private locations. Buddhist foreigners were free to worship in Hindu temples.

The government provided limited funding or assistance for Sikh schools. The government assigned one teacher to a Sikh Gurdwara in Kabul to teach Dari and mathematics to Sikh and Hindu children.

One member of the Sikh community continued to serve as a member of the Upper House of Parliament. The Hindu and Sikh communities have lobbied to have one seat each designated for a Hindu and a Sikh representative in parliament. They pointed out that 10 seats are reserved for the ethnic minority Kuchi community and that their communities should also have reserved representation.

### Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

Relations between the different branches of Islam remained somewhat strained. Historically, the minority Shia faced discrimination from the Sunni population. Since Shia representation has increased in government, overt discrimination by Sunnis against the Shia community decreased. Sunni resentment over growing Shia influence was expressed widely and often linked to claims of Iranian efforts to influence local culture and politics. Since the fall of the Taliban, there has been no official discrimination by Sunnis against Shiites. The highest ranking officials of the government including the president and speaker of the lower house attended Shiite religious ceremonies in the month of Muharam.

Most Shia were members of the Hazara ethnic group, which was traditionally segregated from the rest of society for a combination of political, ethnic, and religious factors, some of which resulted in conflicts. The Hazaras accused the government of providing preferential treatment to Pashtuns and of ignoring minorities, especially Hazaras. The government made significant efforts to address historical tensions affecting the Hazara community. Although there were reported incidents of unofficial discrimination, and treatment varied by locality, Shia generally were free to participate fully in public life.

Three Ismailis serve as members of Parliament; members of the Ismaili community complained of being marginalized from positions of political authority.

Non-Muslim minorities such as Sikhs, Hindus, and Christians continued to face social discrimination and harassment and, in some cases, violence. This treatment was not systematic, but the government did nothing to improve conditions during the reporting period. Public opinion continued to be openly hostile toward Afghan converts to Christianity and to proselytizing by Christian organizations and individuals. Public protests occurred in several provinces after inflammatory public statements made by members of Parliament and television programming; one protest burned an effigy of Pope Benedict XVI, and another protest demanded the closing of all churches (although none exist). More than 1,000 individuals marched in Mazar-e Sharif, demanding the banning of organizations that proselytized. One Christian-affiliated NGO lost its office space when neighbors requested that its landlord evict them.

The Hindu population, which is less distinguishable than the Sikh population (whose men wear a distinctive headdress), faced less harassment, although both groups reported being harassed by neighbors in their communities. The Sikh and

Hindu communities, although allowed to practice their religion publicly, reportedly continued to face discrimination, including intimidation. Although Hindus and Sikhs had recourse to dispute resolution mechanisms such as the Special Land and Property Court, in practice the communities felt unprotected.

Many in the Sikh and Hindu communities did not send their children to public school because of reported abuse and harassment by other students. In previous years, Hindus and Sikhs sent their children to private Hindu and Sikh schools, but those schools have closed since the community's deteriorating economic circumstances have made private schooling unaffordable for most families. There is one school for Sikh children in Ghazni; one in Helmand; and since March, one in Kabul that only teaches Dari and Pashto. There is one school in Nangarhar provided by the government for the Sikh community. A few Sikh children attended private international schools. There were no Christian schools in the country. No Hindu children attended school in Kabul during the reporting period. The government took limited steps to protect and reintegrate these children into the classroom environment.

Local religious officials continued to confront women over their attire and behavior. In rural areas, many women wore a burqa (religious dress that covers the full body and face, including the eyes) in public. Since the fall of the Taliban, many women in urban areas no longer wore the burqa, but almost all wore some form of head covering either by personal choice or due to community pressure.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with government officials as part of its overall policy to promote human rights.

U.S. representatives met regularly with government officials and with religious and minority figures in a continued dialogue regarding the political, legal, religious, and human rights context of the country's reconstruction. The U.S. government worked with civil society organizations to promote religious tolerance.

The U.S. embassy actively promoted professional and cultural ties between local citizens and the United States. The public affairs section coordinated a variety of exchange, speaker, artistic, and information programs to generate an exchange of ideas between Americans and local citizens on democracy and civil society, human rights, Islam in America, and other subjects. The United States funded travel by local journalists, academics, politicians, government officials, religious scholars,

community leaders, women, youth, and NGO officials to engage with their U.S. counterparts.

Through the Ambassador's Fund for Cultural Preservation, the embassy supported the restoration of religious sites, including the ruins of the 9th century mosque at the Noh Gonbad archaeological site. One of the oldest buildings in the Islamic world and an impressive example of Abbasid architecture, Noh Gonbad was undergoing major structural repairs at the end of the reporting period. Some PRTs provided assistance through the U.S. military's CERP funds to assist local communities repair madrassahs. During the reporting period, the U.S. military assisted in repairing, refurbishing, or providing supplies, equipment, and facilities upgrades to six madrassahs and an unspecified number of mosques, including the Blue Mosque in Mazar-e Sharif. Public affairs also funded a grant to refurbish the historic Uleya Madrassah in Kabul; the Chief of Mission attended the reopening.

The U.S. government worked with civil society organizations to promote religious tolerance.

Under the United States Agency for International Development supported Initiative to Promote Afghan Civil Society, Counterpart Afghanistan undertook a project to engage Muslim religious leaders who were instrumental in the formation of public opinion throughout the organization. Counterpart Afghanistan organized eight roundtables with Ulema (four in Kabul, two in Herat and one each in Balkh and Nangarhar Provinces) in which 66 persons participated including 58 Ulema, nine of whom were females, and eight civil society representatives. The purpose of these roundtables was to initiate dialogue with the Ulema on their perceptions of civil society and the concept of democracy from an Islamic point of view, seek their opinions on the misperceptions and skepticism held by the general public regarding civil society, and solicit recommendations on eliminating negative views. During the year, Counterpart Afghanistan published a report on "How Ulema View Afghan Civil Society."