

## **1. Political and security situation**

### *1.1. Political developments*

- 1.1.1. What have been the main recent political developments in Afghanistan during the period under review?
- 1.1.2. Can you give a general overview of the Taliban administration? What is the composition of the government at national level formed by the Taliban? How inclusive is the government in terms of women and people from ethnic and religious minorities?
- 1.1.3. Can any insight be given into the Taliban's internal organisation? Please describe the relationship between the Taliban leadership, the national Taliban government and Taliban administrators at local level. To what extent do local Taliban members follow policy as set by the Taliban at national level and to what extent does the Taliban leadership ensure that they do? How much scope do local Taliban administrators have to act autonomously?
- 1.1.4. Do persons who occupied important political positions before August 2021 still play a role of significance in the current situation? If so, which persons and in what way?
- 1.1.5. What is the relationship between the Taliban and Islamic State Khorasan Province (ISKP)?
- 1.1.6. What is the relationship between the Taliban and al Qa'ida in Afghanistan?
- 1.1.7. Please indicate which countries recognise the Taliban government as the legitimate government of Afghanistan.
- 1.1.8. Please indicate which countries have reopened their embassy in Afghanistan (whether or not this has been formally recognised) and in which countries the Taliban have posted their people at embassies.
- 1.1.9. Please briefly describe the relationship between the Taliban and the neighbouring countries of Iran and Pakistan.

### *1.2. Security situation*

- 1.2.1. Is armed conflict still taking place in Afghanistan? If so, where, on what scale and between which parties?
- 1.2.2. Please indicate with regard to bomb and other attacks that take place in Afghanistan where and how often they take place, what party or parties carry them out and who they are aimed at. How much scope does ISKP still have to carry out attacks? Are such attacks actively combated and are the perpetrators prosecuted by the Taliban?
- 1.2.3. Can you provide data on numbers of civilian casualties resulting from attacks and any armed conflict? Are up-to-date figures available, for instance from UNAMA?
- 1.2.4. Please indicate, for ISKP, al Qai'da and the National Resistance Front (NRF) at least, where in Afghanistan these groups are active. Please indicate, for ISKP, al Qai'da and the NRF at least, whether these groups have any areas under their control. If so, which areas?
- 1.2.5. Security organisations across Afghanistan
  - 1.2.5.1. Can you give a brief description of the security organisations (army, police, security service) under the Taliban?
- 1.2.6. Does the Taliban have compulsory military service?  
If so:
  - 1.2.6.1. Please describe the system of compulsory military service. Specifically:
  - 1.2.6.2. How are people recruited and called up for compulsory military service?
  - 1.2.6.3. What is the normal duration of compulsory military service? Are there any exceptions? If so, what exceptions?
- 1.2.7. Does forced recruitment by the Taliban occur?  
If so:
  - 1.2.7.1. On what scale, and are adult men the target of forced recruitment?
  - 1.2.7.2. Are minors also targeted? If so, on what scale?
  - 1.2.7.3. Does forced recruitment occur among ethnic groups other than the Pashtuns? If non-Pashtuns are also the target of forced recruitment, please specify the ethnic group(s) in question, and where and on what scale it occurs.

- 1.2.7.4. What is the position of people who have evaded forced recruitment or deserted after forced recruitment?
- 1.2.8. Is forced recruitment carried out by ISKP, al Qai'da and other armed resistance movements such as the NRF? If so, where and on what scale are minors the target of forced recruitment?
- 1.2.9. Please describe the methods the Taliban have used or could use to track down people they are looking for.
  - 1.2.9.1. Which databases with personal details do the Taliban have?
  - 1.2.9.2. Do the Taliban have a system that enables them track down people anywhere in Afghanistan?

### 1.3. *Humanitarian situation*

- 1.3.1. Please describe the humanitarian situation in Afghanistan in relation to the food supply, drinking water supply, shelter and healthcare.
- 1.3.2. Please indicate whether international aid or other organisations are active in Afghanistan. If so, which organisations from which countries?

## **2. Identity, nationality and documents**

### 2.1. *Compulsory identification and identity documents*

- 2.1.1. Are there laws on compulsory identification, applicable either to everyone or to specific groups?
  - 2.1.1.1. If so, for whom and from what age is identification compulsory?
  - 2.1.1.2. How strictly is compulsory identification enforced in practice?
  - 2.1.1.3. What documents can be used for identification purposes?
- 2.1.2. Please answer the following questions for the digital *tazkera*, paper *tazkera* (also referred to as an ID card) and passport:
  - 2.1.2.1. How long are these documents valid?
  - 2.1.2.2. Who can apply for and obtain these documents?
  - 2.1.2.3. From what age can people obtain these documents?
  - 2.1.2.4. From what age can people independently apply for these documents?
  - 2.1.2.5. To what body are applications and renewal requests for these documents submitted, and what procedures must be followed? What are the requirements for obtaining a *tazkera*/digital *tazkera* and for obtaining a passport?
    - 2.1.2.5.1. Are applicants required to apply for these documents in person?
    - 2.1.2.5.2. Are people required to provide biometric data (such as fingerprints or an IRIS scan) when applying for a passport, digital *tazkera* or paper *tazkera*?
  - 2.1.2.6. Can a woman be issued with her own identity document (*tazkera* or digital *tazkera*) and her own travel document (passport)?
    - 2.1.2.6.1. If so, from what age?
    - 2.1.2.6.2. If so, can a woman apply for these documents independently or do they need to have the permission of or be accompanied by a family member/male family member or spouse?
  - 2.1.2.7. As of which moment, and where in the country, did the Taliban resume issuing *tazkeras* after they took power on 15 August 2021? In there a distinction to be made in this regard between paper *tazkeras* and digital *tazkeras*?
  - 2.1.2.8. As of which moment, and where in the country, did the Taliban resume issuing passports after they took power on 15 August 2021?
  - 2.1.2.9. Can Afghan *tazkera* be applied for from abroad? If so, what is the procedure for doing so? Please specifically discuss the situation regarding Iran and Pakistan.
  - 2.1.2.10. Can Afghan passports be applied for from abroad? If so, what is the procedure for doing so? Please specifically discuss the situation regarding Iran and Pakistan.
  - 2.1.2.11. Can Afghan passports be extended from abroad? If so, what is the procedure for doing so? Please specifically discuss the situation regarding Iran and Pakistan.
- 2.1.3. Are the biometric data/fingerprints/passport photos etc. people provide when applying for a passport or *tazkera*/digital *tazkera* saved in a central database? If so, what bodies are charged with this task? What bodies have access to this central database?

- 2.1.4. Please describe the procedure for issuing civil status documents such as birth, death and marriage certificates. In the past these were not often issued. What is the current situation under the Taliban? Which procedures are followed in practice?
- 2.1.5. Please describe the practical means available for committing document fraud. Please also discuss corruption in that respect.
  - 2.1.5.1. Please describe the most prevalent forms of document fraud for the purpose of asylum applications submitted abroad.

### **3. Human rights**

#### *3.1. Position of specific groups*

What is the current position of the following groups of people in Afghanistan? Please also indicate UNHCR's current position with regard to asylum seekers/refugees from Afghanistan.

- 3.1.1. Which employees of the previous government (civil servants, police officers, members of the judiciary, members of the security services, military personnel) have grounds to fear reprisals from the Taliban or from armed groups such as ISKP? Are the Taliban prosecuting these persons? Please specifically discuss the position of women who held important or other positions within these government bodies. Please also discuss the position of their family members in this connection.
  - 3.1.1.1. Please indicate whether public servants/people who worked for the previous government now work for the Taliban. If so, please indicate on what scale this happens, within which government bodies this is taking place and what kinds of positions are affected. If so, does this include women?
  - 3.1.1.2. Which language/languages do government bodies use in different parts of Afghanistan?
- 3.1.2. Human rights activists who do/did research/investigation into human rights and human rights violations or who work/worked for organisations that do/did such research/investigation. Please indicate what persons have grounds to fear the Taliban or armed groups such as ISKP, and to what extent. Please also discuss the position of their family members in this connection.
- 3.1.3. Journalists who report about matters that the Taliban or an armed group like ISKP would rather not have reported. Please indicate what persons have grounds to fear the Taliban or armed groups such as ISKP, and to what extent. Please also discuss the position of their family members in this connection.
- 3.1.4. Persons who are associated with/have worked for foreign military forces that were previously in Afghanistan or foreign/Western governments in general or with foreign/Western organisations/companies that were or are currently still in Afghanistan. To what extent is the degree of a person's past or present association with foreign military forces/a foreign/Western government, organisation and/or company and public visibility of this association relevant in this regard? Please also discuss the position of their family members in this connection. Please also discuss Afghans who have worked for the following:
  - 3.1.4.1. International/Western NGOs and UN organisations.
  - 3.1.4.2. Western governments, for instance as security guards, legal staff, cooks or drivers.
  - 3.1.4.3. Fixers who worked for Western journalists.
- 3.1.5. Ethnic groups/minorities
  - 3.1.5.1. What is the current situation of the country's main ethnic groups (Pashtuns, Tajiks, Hazaras, Uzbeks and Turkmen)? If your answer to the previous question noted that a particular ethnic group experiences problems, please describe these problems by indicating where and when and on what scale they occurred and who caused them. Please also indicate, by way of a comparison to other ethnic groups, whether the reason for those problems lies purely in that group's ethnicity or whether other ethnic groups face similar problems, and if so, where and when and on what scale those other groups have experienced those problems, and who caused them.
  - 3.1.5.2. How are the Taliban currently treating the Hazaras? Does it happen that the Taliban target the Hazar purely because of their ethnicity? If so, on what scale does this happen? If so, please provide examples of incidents that document this in your country report. If so, please indicate whether other ethnic groups are also targeted by these kinds of incidents and, if so, on which scale.

- 3.1.5.2.1. Can the Hazaras call on the Taliban for protection under certain circumstances?
- 3.1.5.3. Is ISKP targeting the Hazaras for the sole reason that they are Hazara? If so, please provide examples of incidents that document this in your country report. And if so, what is the Taliban's response?
- 3.1.5.4. Are there any other parties that are targeting the Hazaras for the sole reason that they are Hazara? If so, please specify which parties and provide examples of incidents that document this in your country report. And if so, what is the Taliban's response?

#### 3.1.6. Shiites

- 3.1.6.1. How are the Taliban currently treating Shiites? Are there cases in which the Taliban targets Shiites for the sole reason that they are Shiites? If so, on what scale? If so, please provide examples of incidents that document this in your country report.
  - 3.1.6.1.1. Can the Shiites call on the Taliban for protection under certain circumstances?
- 3.1.6.2. Is ISKP fighting a sectarian conflict against Shiites for the sole reason that they are Shiite? If so, please provide examples of incidents that document this in your country report. And if so, what is the Taliban's response?
- 3.1.6.3. Are there any other parties that are fighting a sectarian conflict against Shiites for the sole reason that they are Shiite? If so, please specify which parties and provide examples of incidents that document this in your country report. And if so, what is the Taliban's response?
- 3.1.6.4. In relation to these questions, is there a difference in the situation of Shiite Hazaras and Shiites from other ethnic groups?

#### 3.1.7. Non-practising Muslims

- 3.1.7.1. Is there scope for non-practising Muslims to live in Afghanistan? Is everyone expected to observe all the practices of Islam, or are there cases where the rules are not as strict? If problems emerge, who would be the cause, and what would be the nature of the problems?
- 3.1.7.2. During the period under review were any people punished for not observing one or more Islamic practices? If so, how often did this happen, for non-observance of which practices, what was the nature of the punishments imposed and were they actually carried out?

#### 3.1.8. Non-Muslims

Please answer the questions below with regard to non-Muslims. In describing their position and any problems they may face in Afghanistan, please distinguish between those who have practised another religion since birth and converts/apostates who left Islam later in life.

- 3.1.8.1. Please describe, with regard to the current situation, the position of Afghans who are non-Muslim from birth (such as Sikhs and Hindus). In practice are they able to profess their faith freely? What problems do Hindus and Sikhs face in their daily lives, and are these problems specifically related to the fact that they are Hindus or Sikhs?
- 3.1.8.2. What is the position of Afghans who were raised as Muslims but later converted to another faith, e.g. Christianity, either in the country or abroad, or who have abandoned religion entirely, and whose conversion/apostasy is public knowledge? What problems do they encounter? Are these problems the result, in whole or in part, of the fact that they have renounced Islam?

#### 3.1.9. Women

Please provide an overview of the position of women, and address the following questions in particular:

- 3.1.9.1. In general terms, what changes have the Taliban introduced and what measures have they taken that affect the position of single and other women?
- 3.1.9.2. What are the rules regarding clothing for women (including the use of the burqa), both formally speaking and in practice? What are the consequences of breaking these rules or customs?
- 3.1.9.3. How much freedom of movement do women still have outside the home in Afghanistan? Is any distinction drawn between women who have never been married, married women and widows? Is there a difference in this respect between the situation in the cities and the countryside? From what age can a son accompany

- his mother outside the home as a *mahram*? What are the consequences of breaking the Taliban's rules regarding women's freedom of movement?
- 3.1.9.4. Please report the current situation regarding the Ministry for the Propagation of Virtue and the Prevention of Vice's activities for enforcing the measures taken by the Taliban, in any case where this concerns the rules on clothing for women and women's freedom of movement.
  - 3.1.9.5. Do women need permission to leave Afghanistan? If so, from whom?
  - 3.1.9.6. Are women's organisations still active in Afghanistan? If so, what is the Taliban's attitude towards them and their activities?
  - 3.1.9.7. What jobs are women still allowed to have? To what extent are women still represented in public positions (senior or otherwise) in society? Do any women work for the government?
  - 3.1.9.8. To what extent do women still take part in political activities, and what roles do they play?
  - 3.1.9.9. Do women/girls have equal access to primary, secondary and higher education and healthcare?
  - 3.1.9.10. Do women have legal capacity?
    - 3.1.9.10.1. Does this depend on a woman's marital status, i.e. whether she is married, has never been married, widowed, etc.?
    - 3.1.9.10.2. How is this manifested in practice, for instance with respect to marriage contracts?
  - 3.1.9.11. What is the position of Westernised Afghan women/girls?<sup>1</sup> Can men/boys who are perceived as 'Westernised' experience problems? If so, what sort of problems and from whom? Is having a tattoo seen as a sign of being Westernised? If so, does this cause problems? If so, what problems, and for whom?
  - 3.1.9.12. How many women have been arrested by the Taliban for 'moral offences' since the Taliban took power?
  - 3.1.9.13. Can women report violence, including sexual violence, perpetrated by a government official or another party? Is any protection available to women against such violence?
    - 3.1.9.13.1. If so, are these options generally available to women in practice?
    - 3.1.9.13.2. Does the above also apply if the perpetrator is the victim's spouse?
    - 3.1.9.13.3. If not, is it normally possible for women to live with relatives elsewhere in the country to escape violence?
    - 3.1.9.13.4. In such a case, what would the position of the woman concerned be?
  - 3.1.9.14. Are there any other ways of obtaining protection?
  - 3.1.9.15. Are there state-sponsored or privately run shelters for women seeking to escape violence?
- 3.1.10. Blood feuds and honour-related disputes
    - 3.1.10.1. How common are blood feuds and honour-based violence in Afghanistan?
    - 3.1.10.2. When answering the questions below, please indicate if differences exist between ethnic groups.
      - 3.1.10.2.1. If blood feuds and honour-based violence do occur, are they offences under the criminal law currently in force in Afghanistan? If so, what is the prescribed penalty? Are perpetrators convicted in practice?
    - 3.1.10.3. How are blood feuds and honour-based violence dealt with in practice?
      - 3.1.10.3.1. Are there alternative solutions to blood feuds and honour-related disputes?
      - 3.1.10.3.2. If so, what are they? Are they actually used in practice? Are the authorities involved in such solutions? If not, are these solutions accepted by the authorities?
    - 3.1.10.4. How do the authorities respond if someone requests protection in respect of a blood feud or honour violence?
    - 3.1.10.5. What measures do the authorities take if someone requests protection in this regard?

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<sup>1</sup> For the definition of this term, see the Administration Jurisdiction Division's judgment of 21 November 2018, <https://www.raadvanstate.nl/@111690/201701423-1-v2/>.

### 3.1.11. LGBTI persons

In your description please be specific about the various subcategories involved. If no information is available on one or more subcategories, please mention this specifically.

- 3.1.11.1. Is a gay male or lesbian orientation in itself a criminal offence and/or is the performance of homosexual acts an official criminal offence? If so, what is the statutory penalty?
- 3.1.11.2. Are LGBTI persons ever actually prosecuted in Afghanistan on the grounds of their sexuality?
  - 3.1.11.2.1. In the period under review were there any convictions handed down for consensual (i.e. non-coerced) sexual acts between two adults of the same sex, specifically two adult men? Or were there also/only convictions handed down for coercive/abusive sexual acts between two people of the same sex and/or for sexual acts between two people of the same sex where one of the parties was a minor?
- 3.1.11.3. Is it the policy of the Taliban to actively criminally prosecute LGBTI persons? If so, on what scale does this take place? What form do police and criminal investigations take?
- 3.1.11.4. What penalties are imposed in practice?
- 3.1.11.5. If someone is known (or alleged) to be LGBTI or to engage in related behaviours, can this in practice lead to disproportionate or discriminatory sentencing for a criminal offence or to disproportionate or discriminatory enforcement of such a sentence? If this is the case, has this actually happened in practice? If so, please give some examples.
- 3.1.11.6. Please describe any serious cases of discrimination against LGBTI persons by the authorities and/or other members of the public. If LGBTI persons experience serious problems at the hands of members of the public, with the consequences referred to here, do the authorities offer active protection?
- 3.1.11.7. Are there civil society organisations which defend LGBTI rights? If so, please list them and give details of their activities.

### 3.1.12. People who refuse to perform compulsory military service

Please only answer the following questions on people who refuse to perform compulsory military service if there is compulsory military service in Afghanistan.

- 3.1.12.1. Is refusal to perform compulsory military service a statutory offence? If so, according to which legislation, regulation or decree?
- 3.1.12.2. And if so, what is the statutory penalty? Are those who refuse to perform compulsory military service and deserters prosecuted in practice in Afghanistan?
- 3.1.12.3. What penalties are imposed in practice?
- 3.1.12.4. Is it the policy of the Taliban to actively track down and prosecute those who refuse to perform compulsory military service?
- 3.1.12.5. Are disproportionate or discriminatory sentences imposed on individuals (on grounds of ethnicity, religion, political affiliation or membership of a particular social group) for refusing to perform compulsory military service? If so, what groups are affected and in what way are the penalties disproportionate or discriminatory?

### 3.1.13. Deserters

- 3.1.13.1. Is desertion a statutory offence? If so, according to which legislation, regulation or decree?
- 3.1.13.2. And if so, what is the statutory penalty? In practice are deserters prosecuted in Afghanistan?
- 3.1.13.3. What penalties are imposed in practice?
- 3.1.13.4. Is it the policy of the Taliban to actively track down and prosecute deserters?
- 3.1.13.5. Are disproportionate or discriminatory sentences imposed on individuals (on grounds of ethnicity, religion, political affiliation or membership of a particular social group) for desertion? If so, what groups are affected and in what way are the penalties disproportionate or discriminatory?

### 3.1.14. Minors on their own

Where relevant, please draw a distinction between boys and girls.

- 3.1.14.1. What is the age of majority under Afghan law?
- 3.1.14.2. What is the age of legal capacity?
- 3.1.14.3. Are children required by law to attend school? If so, until what age?
- 3.1.14.4. Are there any specific provisions regarding minors aged 16 and older?
- 3.1.14.5. Can a minor be issued with an independent travel or identity document? If so, from what age?
  - 3.1.14.5.1. Can minors apply for these documents independently or do they need to have the permission of or be accompanied by an adult (specifically, an adult male relative)?
- 3.1.14.6. Do minors need permission to leave the country? If so, from whom?
- 3.1.14.7. As a rule, where and by whom are minors looked after if their parents are deceased or otherwise unable to care for them?
  - 3.1.14.7.1. Does the law determine who should take care of minors/act as guardian of a minor if both their mother and father are deceased/are no longer playing that role? What if only the father is deceased/no longer playing that role? If so, what is the procedure for gaining legal guardianship of a minor?
  - 3.1.14.7.2. Are there shelters for minors? If so, please list them.
  - 3.1.14.7.3. Are boys and girls separated in shelters?
  - 3.1.14.7.4. Until what age can children stay in a shelter? Is this the same for boys and girls?
  - 3.1.14.7.5. For what minors are such shelters intended?
  - 3.1.14.7.6. Are there, in general, enough places in such shelters?
  - 3.1.14.7.7. If there are shelters, please describe the facilities, access to education, quality of medical care, food quality, availability of overnight accommodation, clothing, and availability of sanitary facilities (bearing in mind local standards).
  - 3.1.14.7.8. How likely is it, given the structure of society in Afghanistan, that a minor will have no individual or institution to look after them?
  - 3.1.14.7.9. How are shelters supervised, legally and in practice?
  - 3.1.14.7.10. Are there government bodies charged with the care of minors on their own in general, and with the care of repatriated unaccompanied minors in particular?
  - 3.1.14.7.11. Which NGOs are active in caring for minors on their own and what do their activities consist of?
  - 3.1.14.7.12. Is there a system of foster care? If so, is it subject to statutory regulation and, if so, under what statute and how are they supervised?
  - 3.1.14.7.13. If the age at which someone is no longer considered a minor is lower than in the Netherlands, please describe whether special services in terms of education, medical care, food quality, overnight accommodation, clothing, and sanitary facilities (bearing in mind local standards) are available for the group of people who, in Afghanistan, are no longer considered minors but are still viewed as such in the Netherlands.
- 3.1.14.8. Have there been any significant developments with regard to *bacha bazi*?

### 3.2. Observance and violations of human rights

Where relevant, please draw a distinction between men and women when answering the following questions.

#### 3.2.1. Freedom of expression

- 3.2.1.1. To what extent does freedom of expression exist in Afghanistan, in particular for members of the political opposition, human rights activists and journalists/members of the media?
  - 3.2.1.1.1. To what extent do journalists/the media have press freedom?
- 3.2.1.2. To what extent do Afghans have access to the internet, including social media?
  - 3.2.1.2.1. Do the authorities attempt to monitor the content of Facebook, Twitter accounts and online forums, and if so, in what way?
  - 3.2.1.2.2. Have the Taliban denied Afghans access to the internet or certain parts of the internet? If so, what parts and how often has this happened?
- 3.2.1.3. To what extent is it possible to protest?

- 3.2.2. Please discuss freedom of association and assembly in general, and for members of the political opposition, human rights activists and journalists/members of the media in particular.
- 3.2.3. To what extent does freedom of religion and belief exist in Afghanistan, in particular for religious minorities?
- 3.2.4. What is the situation for Afghans regarding freedom of movement?
  - 3.2.4.1. Is it possible to travel without difficulty in Afghanistan? Are there check points operated by the Taliban? If so, where are they situated in the country, and what do they check?
  - 3.2.4.2. How is the situation on Afghanistan's borders? Are there strict border controls? To what extent are Afghans able to leave the country, either legally or illegally? Are Afghans who have the right papers (a valid passport and if necessary a visa) able to leave the country without restrictions? Please specifically discuss the situation regarding the border with Iran and Pakistan.

### 3.3. *Law enforcement and legal protection*

- 3.3.1. Afghan legislation and law
  - 3.3.1.1. Please state which sources of law the Taliban recognise as applicable. Please discuss in particular Islamic law, customary law, official legislation and treaties.
    - 3.3.1.1.1. Please state which Afghan legislation is generally still applicable.
    - 3.3.1.1.2. Have there been any significant amendments to Afghan criminal or civil law? What importance do the Taliban attach to the criminal legislation that was applicable at least until they seized power in summer 2021? What importance do they attach to the Afghan Civil Code (1977) and the Shia Personal Status Law (2009)?
    - 3.3.1.1.3. Are there any relevant changes to report in relation to applicable nationality law? Is the nationality law predating August 2021 still applicable?
  - 3.3.2. What are the possible ways to report a criminal offence to the police?
    - 3.3.2.1. Are crimes reported orally or in writing?
    - 3.3.2.2. Can people in areas in which Dari is spoken report a crime in Dari?
    - 3.3.2.3. Are reported crimes followed up on?
      - 3.3.2.3.1. What factors does this depend on?
    - 3.3.2.4. As a rule, are criminal complaints handled expeditiously?
      - 3.3.2.4.1. What factors does this depend on?
    - 3.3.2.5. As a rule, do people who report a crime receive written confirmation of this?
    - 3.3.2.6. If the police fail to act properly, do people have recourse to protection from a different or higher authority?
    - 3.3.2.7. Is it effective in practice to seek protection from another authority?
      - 3.3.2.7.1. What factors does this depend on?
  - 3.3.3. Due process
    - 3.3.3.1. Please give a brief description of the official legal system the Taliban use.
    - 3.3.3.2. Please describe the legislation applied in the official legal system.
    - 3.3.3.3. Please indicate whether disputes can still be resolved via informal *shura/jirga* dispute resolution. If so, are these civil law matters only, or are criminal law matters dealt with too? If so, which law of persons and family law can/may be applied in civil matters?
  - 3.3.4. Arrests, custody and detention
 Please provide factual information on the situation in prisons and describe how people who are arrested and imprisoned are treated.
  - 3.3.5. Corporal punishment
    - 3.3.5.1. Have any corporal punishment sentences been handed down since the takeover by the Taliban? If so, how many and for what offences? Have any corporal punishment sentences been carried out since the takeover by the Taliban? If so, how many and what offences were found proven in those cases?
  - 3.3.6. Death penalty
    - 3.3.6.1. Have any death sentences been handed down since the takeover by the Taliban? If so, how many? Have any death sentences been carried out since the takeover by the Taliban? If so, how many and what offences were found proven in those cases?

- 3.3.6.2. Has anyone been sentenced to death for atheism, blasphemy or apostasy since the takeover by the Taliban? If so, how many? Have any death sentences for atheism, blasphemy or apostasy been carried out since the takeover by the Taliban? If so, how many?
- 3.3.6.3. Has anyone been sentenced to death for adultery/*zina* since the takeover by the Taliban? If so, how many? Have any death sentences for adultery/*zina* been carried out since the takeover by the Taliban? If so, how many?
- 3.3.7. Maltreatment and torture
  - 3.3.7.1. Please indicate whether maltreatment and torture occur in Afghanistan. If so, on what scale and by whom is it committed?
  - 3.3.7.2. Are perpetrators/suspects generally prosecuted and sentenced for acts such as torture, serious ill-treatment or rape? If not, why do the authorities not prosecute and/or punish them for such offences?
- 3.3.8. Disappearances and kidnappings
  - 3.3.8.1. Are the Taliban and/or armed groups such as ISKP responsible for disappearances/kidnappings?
- 3.3.9. Extrajudicial executions and killings
  - 3.3.9.1. Do the Taliban and/or armed groups such as ISKP carry out extrajudicial executions or killings?

#### **4. Refugees and displaced persons**

In answering the following questions, please bear in mind the difference between the term 'refugee' as it is used in everyday conversation and the legal definition of the word.

- 4.1. *Flows of displaced persons and refugees*
  - 4.1.1. Please give a factual description of the flow of displaced persons in Afghanistan during the period under review.
    - 4.1.1.1. Please indicate the reason why people were displaced in this period.
    - 4.1.1.2. If any displaced persons have returned to their home regions during the period under review, please indicate how many and to what regions they returned.
    - 4.1.1.3. Please provide a general description of how many displaced persons there are in Afghanistan at the moment.
  - 4.1.2. Please give a factual description of the flow of displaced persons and refugees out of their countries of origin.
    - 4.1.2.1. Please indicate how many Afghans went to Iran and to Pakistan in the period under review.

#### **5. Return**

- 5.1. *Return to Afghanistan*
  - 5.1.1. Is the MoU on the repatriation of Afghans that the Afghan authorities and the Netherlands concluded some years ago still in force?
  - 5.1.2. Can you provide up-to-date information about the number of Afghans who returned from the Netherlands to Afghanistan, either voluntarily or forcibly?
  - 5.1.3. Can you provide up-to-date information about the number of Afghans who have returned from other European/Western countries to Afghanistan, either voluntarily or forcibly?
  - 5.1.4. Are the MoUs regarding the return of Afghans that were concluded between the Afghan authorities and neighbouring countries Iran and Pakistan some years ago still in effect?
  - 5.1.5. Can you provide up-to-date information about the number of Afghans who have returned from Pakistan and Iran to Afghanistan, either voluntarily or forcibly?
  - 5.1.6. Are there international or other organisations active in Afghanistan that provide support to returnees? If so, which organisations, on what scale and in what way?
  - 5.1.7. Are there known cases of Afghans who, having returned to the country (either voluntarily or forcibly), encountered problems with the Taliban?
    - 5.1.7.1. If so, please describe how often this happened, the details of the problems and their treatment and, if relevant, which group(s) was/were mainly involved. Please indicate whether the following points made a difference:
      - 5.1.7.1.1. The type of documentation the returning individual possessed.
      - 5.1.7.1.2. Whether the person had left the country illegally.
      - 5.1.7.1.3. The person's ethnicity.

- 5.1.7.1.4. Whether or not the person had resided in a Western country for a long or short period.
- 5.1.7.1.5. Whether or not the person had resided in Iran or Pakistan for a long or short period.
- 5.1.7.2. Please indicate whether there is a difference in the treatment of Afghans returning from countries neighbouring Afghanistan and from Europe.
- 5.1.8. What are the socioeconomic circumstances of Afghans returning to Afghanistan? To what extent do these circumstances differ from those of Afghans already living in Afghanistan?