

1.2. Implementation of sharia

1.2.1. Religious freedom

The Taliban is a Sunni Islamic movement that adheres to the Hanafi School of Jurisprudence[143] and the Deobandi school of thought.[144] They follow an 'ultra-conservative' interpretation of Sunni Islam.[145] During the insurgency after 2001, a main aim of the Taliban's armed struggle was to establish 'a true Islamic system' in Afghanistan,[146] and amid their takeover in August 2021, they declared that *sharia* would serve as the legal system in the country.[147] In this context, the Taliban, as the de facto state, do not see their main function as guarding individual civil rights, but rather as a guiding body[148] existing to ensure that the people follow *sharia*.[149] Only a limited number of edicts and decrees issued by the de facto authorities have 'ostensibly' aimed at protecting personal rights.[150]

The de facto authorities impose their religious ideology on the general population through numerous restrictions.[151] Although Shia or Sufi practices have not been explicitly prohibited, [152] celebrations of some holy days of the Shia community have been restricted.[153] Some religious and cultural practices have moreover been restricted,[154] including non-Islamic celebrations such as the Persian new year (*Nowruz*).[155] Restrictions also regulate the behaviour and appearance of the population,[156] including a prohibition of wearing non-Islamic symbols such as crucifixes,[157] and obligations to pray and follow Islamic dress codes.[158] The most comprehensive set of restrictions are included in the Propagation of Virtue and Prevention of Vice Law (colloquially referred to as the 'Morality law'[159]) published on 31 July 2024.[160] The MPVPV is the main body policing people's private lives and compliance.[161] More information is available in section 1.2.7. Enforcement of selected restrictions on personal freedoms.

The 'Morality law' is based on the Hanafi school of thought, which effectively excludes other schools of Islam and disregards 'beliefs and practices of other Muslim groups, including Shias, Ismailis, Salafis and Sufis', as noted by the UN Special Rapporteur on human rights in Afghanistan.[162] More information is available in section 4.8. Ethnic and religious groups.

According to Human Rights Watch, the de facto authorities 'view anyone who has left Islam as having committed apostasy',[163] which is punishable by death.[164] Human Rights Watch further reported on individuals suspected of converting from Islam facing 'threats of violence, forced conversion, and imprisonment'. Such religious minorities, including Christians, live 'in constant fear of being disclosed' and operate in secret, without possibilities to gather, worship or openly express their beliefs.[165] Most Afghan Christians are reportedly converts from Islam, which makes it impossible for them to openly practice their faith, as turning away from Islam is punishable by death.[166] According to the human rights campaign organisation Humanists

International, ‘very few incidents are recorded’ in relation to non-believers and apostates in Afghanistan, which the organisation believes is because converts and dissenters from Islam do not speak out. Criticising, abandoning or denouncing Islam is a ‘taboo’, even among many ‘who adhere to broadly democratic values’.167 The UN Secretary-General reported on arbitrary arrests of individuals being accused of promoting atheism or other religions than Islam.168

Blasphemy is punishable by death according to Hanafi jurisprudence, and ‘may include anti-Islamic writings or speech’ as reported by the United States Department of State (USDOS).169 There have been reported cases of individuals being arrested on accusations of blasphemy.170 In 2023, Islamic scholar and activist Rasool Parsi was sentenced to 16-month imprisonment for ‘blasphemy’171 and propagandising against the government, after having criticised the Taliban on social media.172 Although Parsi has served his sentence no updates have indicated his release.173 In June 2025, an individual was sentenced to death in eastern Paktika Province for alleged blasphemy, reportedly after making comments on the value of modern education.174 According to Amu TV, the man was a high school teacher, and was accused of having insulted the Prophet Muhammad, while colleagues and acquaintances claimed that personal enmities were behind the accusations.175 United Nations Assistance Mission in Afghanistan (UNAMA) reported that the man’s death sentence had been reduced to a two-year imprisonment but pended a de facto Supreme Court hearing.176 Kabul Now reported on an individual being flogged with 39 lashes and sentenced to imprisonment in Paktika Province in January 2025 for ‘insulting religious rituals and Islamic values’.177

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