

# Country Guidance: Afghanistan



# **Country Guidance: Afghanistan**

## **Common analysis and guidance note**

**May 2024**





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# Introduction

The country guidance documents provide country-specific common analysis and guidance in relation to the assessment criteria established in the recast Qualification Directive (Directive 2011/95/EU)<sup>(1)</sup>. They are developed by the EUAA together with a network of senior-level policy officials from EU+ countries and represent their joint assessment of the situation in main countries of origin, in accordance with current EU legislation and jurisprudence of the Court of Justice of the European Union (CJEU). The European Commission and UNHCR provided valuable input in this process.

The aim of the country guidance documents is to assist decision-makers and policy-makers in their daily work and to foster convergence in the assessment of applications for international protection and the type of protection granted in the context of the Common European Asylum System.

The development, review and update of country guidance is regulated under [Article 11 of the EUAA Regulation](#)<sup>(2)</sup>.



In accordance with [Article 11\(3\) EUAA Regulation](#), Member States have the obligation to take into account the common analysis and guidance notes when examining applications for international protection, without prejudice to their competence to decide on individual applications.

This common analysis is based on country of origin information (COI) with a clearly indicated reference period. Each section of the country guidance documents also clearly states the timing of its last update.

The analysis and guidance within this document should be considered valid as long as current events and developments in the country fall within the trends and patterns described within the COI on which the assessment at hand is based.

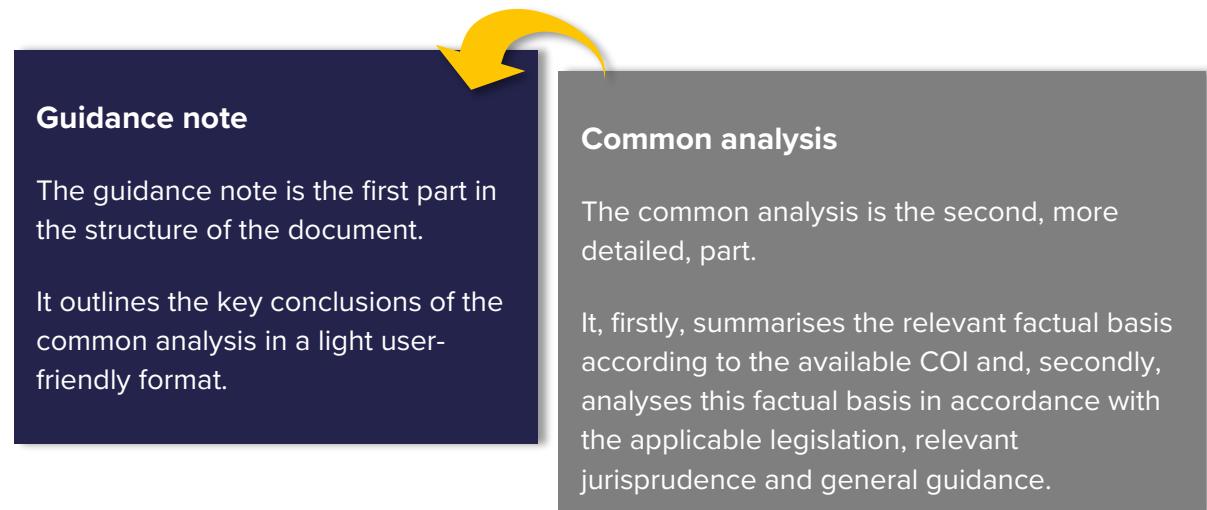
The analysis and guidance provided within this document are not exhaustive.

<sup>(1)</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

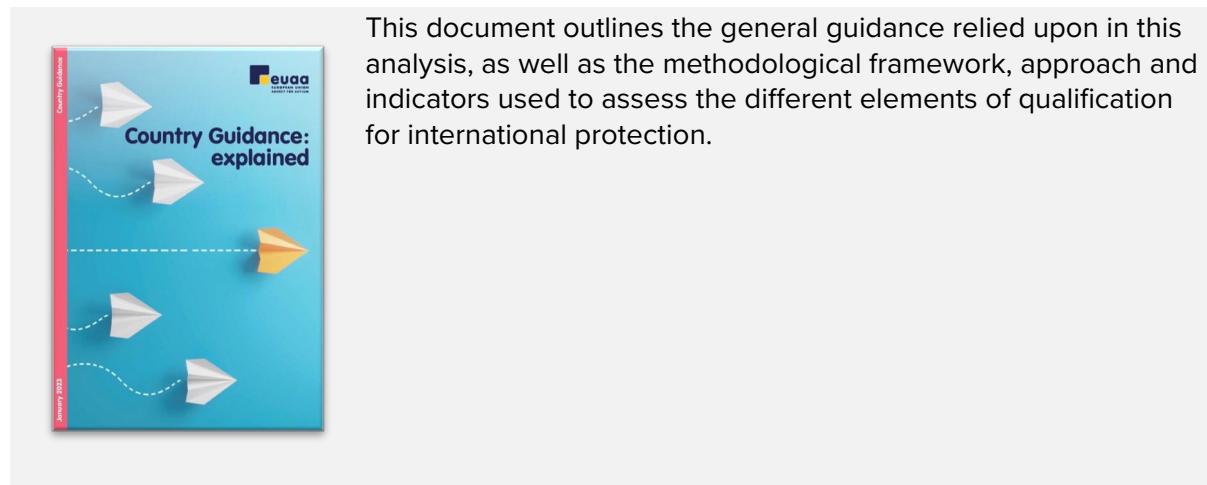
<sup>(2)</sup> Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010.

# Common analysis, guidance note and methodological approach

The country guidance document consists of two important components: the common analysis and the guidance note. These two parts focus on the situation in the country of origin and provide analysis and guidance on the assessment of relevant international protection needs.



They should be read in conjunction with the separate document '[Country Guidance: explained](#)'.



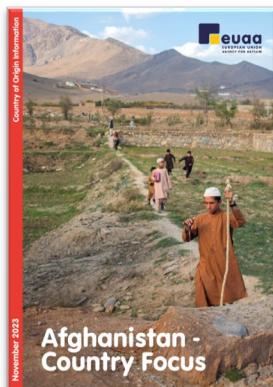
## Scope of this update

The current version of the guidance updates and replaces the ‘Country Guidance: Afghanistan’ (January 2023).

It constitutes a comprehensive update of the common analysis and guidance, where all sections have been reviewed in light of available relevant COI and the majority of them have been updated accordingly.

EUAA together with Member States will continue to monitor the situation in the country and to regularly review and update this country guidance.

This update is mainly based on the following recent COI:



### Country Focus 2023

EUAA COI Report:  
Afghanistan – Country Focus  
(December 2023)

### COI Update 2024

EUAA COI Query Response:  
Afghanistan - Major legislative, security  
and humanitarian developments in  
Afghanistan  
(January 2024)

In addition, the EUAA COI Query Response on Pakistan - ‘[Illegal Foreigners’ Repatriation Plan \(IFRP\)](#)’ (December 2023), and the COI Query Response on Afghanistan - [Situation of Afghan returnees from Pakistan amid the campaign linked to the ‘Illegal Foreigners’ Repatriation Plan \(IFRP\)](#)’ (December 2023) have been taken into account.

[Annex II: Country of origin information references](#) provides further details and links to all COI documents used as a basis for the analysis within this document. References within this document are to the respective sections of these COI documents.



To access EUAA COI reports, visit <https://euaa.europa.eu/coi-publications>

# Guidance note

Last update: May 2024

The current version of the document supersedes the one issued in January 2023 and introduces updates across most chapters of the analysis. This update is primarily based on country of origin information concerning the period from 1 July 2022 to 31 January 2024, unless differently specified.

The guidance note on Afghanistan is produced by the EUAA together with EU+ countries<sup>(3)</sup> in accordance with [Article 11 of the EUAA Regulation](#)<sup>(4)</sup>. It is based on and summarises the conclusions of a comprehensive common analysis. The aim of the guidance note and the common analysis is to assist EU+ countries in the examination of applications for international protection. The guidance note and the common analysis are a pivotal tool in the roadmap to greater convergence in the Common European Asylum System.

The guidance note is part of the ‘Country Guidance: Afghanistan’ and should be read in conjunction with the common analysis.

The Taliban *de facto* government, which is currently the sole entity exercising effective control of all parts of Afghanistan, remains a main **actor of persecution and serious harm** in the country. In addition, several non-State actors continue to be active. Notably, these includes the Islamic State Khorasan Province (ISKP) and other armed groups, such as the National Resistance Front (NRF). Clans, tribes, (locally) powerful individuals, family members, and criminal groups may also be relevant non-State actors of persecution or serious harm in the context of Afghanistan (see [Actors of persecution or serious harm](#)).

Among the commonly encountered profiles of applicants for international protection, the following would be **highly likely** to qualify for **refugee status**:

- [3.1. Members of the security institutions of the former government](#)
- [3.2. Judges, prosecutors and former court personnel](#)
- [3.3. Persons affiliated with foreign forces](#)
- [3.4. Individuals perceived as members or supporters of the National Resistance Front \(NRF\)](#)
- [3.5. Individuals perceived as members or supporters of the Islamic State in Khorasan Province \(ISKP\)](#)
- [3.7. Human rights defenders and activists](#)

<sup>(3)</sup> The assessment and guidance reflect the conclusions of the EUAA Country Guidance Network, which consists of EU Member States, Norway and Switzerland. The guidance note has been endorsed by the EUAA Management Board.

<sup>(4)</sup> Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 ([url](#)).



- [3.8. Journalists and media workers seen by the Taliban as critical of them or as not complying with conditions set by the Taliban](#)
- [3.11. Individuals considered to have committed blasphemy and/or apostasy](#)
- [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms by committing zina](#)
- [3.14.3. Hindus and Sikhs](#)
- [3.15. Women and girls](#)
- [3.17. LGBTIQ persons](#)
- [3.18.1. Men directly involved in blood feuds](#)

Further guidance is provided on potential **risk-impacting circumstances which may affect the probability of granting refugee status** to profiles such as:

- [3.2. Public officials and servants of the former government and judicial system \(other than judges, prosecutors and former court personnel, mentioned above\)](#)
- [3.6. Persons fearing forced recruitment](#)
- [3.8. Journalists and media workers \(other than those seen by the Taliban as critical of them or as not complying with conditions set by the Taliban\)](#)
- [3.7. Others perceived as critical of the Taliban \(others than human rights defenders and activists\)'](#)
- [3.9. Educational personnel](#)
- [3.10. Humanitarian workers](#)
- [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms \(other than those perceived to have committed zina, mentioned above\)](#)
- [3.13. Individuals \(perceived as\) influenced by foreign values \(also commonly referred to as 'Westernised'\)](#)
- [3.14.2. Individuals of Hazara ethnicity and other Shias](#)
- [3.14.4. Salafis](#)
- [3.14.5. Tajiks](#)
- [3.16. Children](#)
- [3.18.1. Individuals involved in blood feuds: women, children and men who are farther removed from the feud](#)
- [3.18.2. Individuals involved in land disputes](#)
- [3.19. Persons living with disabilities and persons with severe medical issues](#)

The treatment faced by 3.20. Individuals who were born in Iran or Pakistan and/or who lived there for a long period of time' would in general **not amount to persecution**.

Where refugee status is not granted, **subsidiary protection** needs under Article 15 QD should be examined.

[Article 15\(a\) QD](#) may, for example, be relevant in case of real risk of capital punishment and execution by the Taliban *de facto* justice administration or execution by other non-State actors.

[Article 15\(b\) QD](#) may also apply, such as in the cases of deliberate denial of or unequal access to healthcare, certain socio-economic conditions, forced evictions, arbitrary arrests and detentions, life-threatening prison conditions, corporal punishments, and violent crimes.

With regard to subsidiary protection under [Article 15\(c\) QD](#), indiscriminate violence is taking place in the provinces of Badakhshan, Baghlan, Kabul, Panjshir and Takhar. However, this violence does not reach a high level. Moreover, a significant proportion of the civilian fatalities in these provinces is considered to be the result of security incidents of a targeted nature. Therefore, **a high level of individual elements is required** in order to substantiate subsidiary protection needs under Article 15(c) QD. In the remaining provinces, there is currently no real risk for a civilian to be personally affected by indiscriminate violence within the meaning of Article 15(c) QD. This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.

The protection needs of Afghan applicants are further compounded by the general lack of protection in the country, with the Taliban not being considered an **actor of protection** fulfilling the requirements of Article 7 QD and no other relevant actors identified in the country. See [Actors of protection](#).

It is assessed that, in accordance with Article 8 QD, [Internal protection](#) alternative would in general not be applicable to any part of Afghanistan.

Additionally, [Exclusion](#) considerations may be relevant in a number of cases concerning applicants from Afghanistan. Examples include members of the Taliban *de facto* authorities and affiliated groups, members and supporters of ISKP, members of armed groups opposing the Taliban, members of the security institutions of the former government, persons affiliated with foreign forces, individuals involved in blood feuds.



## Common analysis

# 1. Recent developments

Last update: May 2024

## 1.1. The Taliban takeover<sup>(5)</sup>

In the period of 2001-2021, an armed conflict took place in Afghanistan involving the former government (the Islamic Republic of Afghanistan), which was backed by the US and an international military coalition, and the Taliban. Moreover, 'multiple and overlapping non-international armed conflicts' involved the Taliban and other armed groups such as the ISKP. After signing a peace agreement with the Taliban in 2020, US forces were less involved in direct conflict in Afghanistan. The Taliban intensified their attacks against the Afghan National Defence and Security Forces (ANDSF), launching their final offensive on 1 May 2021, on the same day as international forces initiated their withdrawal. In the summer months that followed, the Taliban swept over Afghanistan and swiftly took control over the provincial capitals. On 15 August 2021, President Ashraf Ghani fled the country as Taliban forces entered the capital Kabul. Taliban leaders entered the presidential palace and declared the war to be over, while foreign countries organised emergency evacuations [[Security September 2021](#), 1.1.1., p. 11; 1.1.3., p. 14; [Security June 2021](#), 1.3., p. 57; [State structure](#) 1.1., pp. 13-14].

Since the Taliban takeover, several armed groups, including the NRF, have been resisting the Taliban by force. In addition, the ISKP remains active in Afghanistan, carrying out attacks against both Taliban and civilian targets [[Country Focus 2023](#), 1.1., p. 17; 2.2.1., p. 31]. Nevertheless, the levels of armed violence significantly dropped following the Taliban takeover in 2021 compared to the previous years of conflict [[Country Focus 2023](#), 1.1.1., p. 17; 2.1., pp. 29-30; 2.2.2., p. 32; [COI Update 2022](#), 3., pp. 10- 11; [Security 2022](#), 3.2., p. 64].

## 1.2. State building and political system

Soon after their takeover, the Taliban declared the re-establishment of the 'Islamic Emirate of Afghanistan', which was previously in power in Afghanistan between 1996 and 2001 and announced an *interim* government. As of December 2023, no state had recognised the Islamic Emirate of Afghanistan or its *de facto* government, however, some diplomatic missions have maintained or re-established presence in Kabul and some neighbouring countries have accredited Taliban-appointed ambassadors at Afghan embassies [[COI Update 2024](#), 1., p. 2; [Country Focus 2023](#), 1.1.2., p. 18].

The Taliban have announced their intention to govern through 'a strong Islamic government', based on their principles, religion, and culture. Their *interim* government has been 'modelled

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<sup>(5)</sup> In this document the Afghan authorities operating under the Taliban (since August 2021) are described as the *de facto* authorities, as the announced state or *interim* government have not been internationally recognised.



on the same system' as in the 1990s, with both a spiritual leader and a prime minister heading the government, and with a decision-making structure that can be described as a religious theocracy. The Taliban have further stated that 'nothing should be against Islamic values' under their rule and have issued numerous instructions calling on people to observe Islamic law (*sharia*). Although consensus has been a key element of the movement's decision-making, the ultimate authority lies with the Supreme Leader Mullah Haibatullah Akhundzada and his authority has become increasingly notable. The human rights situation has gradually deteriorated, and sources have described Afghanistan as developing into a theocratic police state, which is ruled through an atmosphere of fear and abuse [[Country Focus 2023](#), 1.2., p. 21; 1.3., p. 17; [Country Focus 2022](#), 1.1.3., p. 17; [KSEI 2022](#), 1.1., p. 13].

The Taliban *de facto* government suspended the previous Islamic Republic of Afghanistan's constitution and announced a review of the compliance of existing Afghan laws with *sharia* [[Security 2022](#), 1.2.3., p. 29]. However, as of December 2023, no formal legal framework has been enacted in Afghanistan. The Taliban have referred to *sharia* as the legal system to be enforced, but there are various interpretations of *sharia* which create legal uncertainties. Moreover, the Taliban have issued few instructions in writing, and have used various channels to communicate their directives, including on social media, and during public statements. The legal nature of such instructions is unclear, and sometimes they have been contradictory or not enforced [[Country Focus 2023](#), 1.2.1., pp. 21-22].

Additionally, the Taliban have reopened courts across Afghanistan, replacing all former judges with male Taliban judges. There have been reported instances of public executions since the Taliban takeover, and verdicts that include floggings have seen an increase since 14 November 2022. On this date, the Taliban supreme leader ordered all judges to fully implement *sharia*, including *hudud* and *qisas* punishments that include execution, stoning, flogging and amputation [[Country Focus 2023](#), 1.2.3., pp. 25-26; 4.1.6., p. 63].

The Taliban used the previous government's state structures but abolished ministries monitoring human rights and democratic institutions. Public servants of the previous administration were asked to return to work in August 2021, but many had already been evacuated or did not resume work due to non-payment of salaries [[Targeting 2022](#), 1.1.4.(a), p. 25; 1.1.4.(c), p. 26].

The *de facto* state administration has been operating in arbitrary and unpredictable ways with multiple repressive bodies such as the Taliban General Directorate of Intelligence (GDI) and the Taliban Ministry for the Propagation of Virtue and Prevention of Vice (MPVPV). Policy implementation has also varied across the country due to differences in the interpretation of decrees as well as the influence of local contexts and local stakeholders [[Country Focus 2023](#), 1.2.1., pp. 21-22; 1.2.2., p. 24].

The Taliban have also started to build up formal security institutions and indicated plans to recruit 300 000 – 350 000 individuals to the *de facto* ministry of defence and the ministry of interior [[Targeting 2022](#), 13.1.1., p. 189].

### 1.3. Humanitarian situation

Already before the Taliban takeover, Afghanistan faced an economic and humanitarian crisis due to multiple parameters, including drought, the COVID-19 pandemic and decreased international military spending. The crisis escalated after the Taliban takeover, as international aid and international trade were interrupted. Moreover, financial sanctions paralysed Afghanistan's economy, which entered a stage of 'free fall' with the collapsing of the banking system as well as public services – including the healthcare system. In January 2022, the UN launched the largest single country aid appeal in history, as 24.4 million people were estimated to be in need of humanitarian assistance. The number of people in need of humanitarian assistance increased to 28.3 million people in 2023, while the funding for humanitarian assistance decreased [[Country Focus 2023](#), 3.1., pp. 45-46; [Country Focus 2022](#), 3.4., p. 66; [COI Update 2022](#), 3., p. 13; [KSEI 2022](#), 1.1., pp. 14-16].

Aid delivery became increasingly complicated after the takeover, *inter alia* because Taliban individuals under UN sanctions held key *de facto* government positions. It was also impacted by increased costs and difficulties in transferring money into Afghanistan. The situation was further complicated when the Taliban banned women from working for NGOs and for UN offices [[Country Focus 2023](#), 3.1., p. 46].

The Afghan economy started to stabilise in mid-2022, but at a lower equilibrium than before. Living conditions marginally improved, although the situation continued to be dire. Afghanistan remains one of the poorest countries in the world and, in April-June 2023, the World Bank estimated that 48.3 % of the Afghan population lived on assets below the poverty threshold, while monetary poverty was estimated to impact 70 % of the population [[Country Focus 2023](#), 3.2., p. 45-47].

The situation continues to be vulnerable due to spillover effects from global and regional challenges, as well as disasters related to climate change. In 2024, Afghanistan entered its third consecutive year of drought, and on 7 October 2023, the province of Herat was hit by a powerful earthquake and at least 35 additional aftershocks. Reportedly, entire villages were destroyed, with almost all inhabitants being wiped out. Additionally, on 12 October 2023, a sandstorm destroyed hundreds of tents housing victims from the earthquake. [[COI Update 2024](#), 5., p. 8; [Country Focus 2023](#), 3.1., p. 46].

As of June 2023, Afghanistan was one of the most food insecure countries in the world; according to the WFP almost 90 % of the population experienced inadequate food consumption in the reference period. Food insecurity particularly impacted households headed by persons with lower education, persons with disabilities, and women. Moreover, since the Taliban takeover, the number of children under five being admitted into health facilities due to severe acute malnutrition has increased [[Country Focus 2023](#), 3.3., pp. 50-52].

The already weak public health system was heavily impacted by the halt in aid flows. Multiple infectious diseases have spread, including heavy outbreaks of measles and acute watery diarrhoea. Main issues included the lack of skilled medical staff, shortages in supplies and



medication, and harassment by the Taliban against staff members and women seeking care. Especially maternal and child healthcare have deteriorated, and mortality is expected to increase [[Country Focus 2023](#), 3.5., pp. 53-54].

To cope with the dire humanitarian situation people have been forced into reducing the quality and quantity of food, getting into heavy debt, selling property, begging, marrying off girls, taking children out of school, child labour, and in extreme cases, organ trafficking [[Country Focus 2023](#), 3.2., p. 49].

## 2. Actors of persecution or serious harm

### Article 6 QD



The contents of this chapter include:

- [2.1. Taliban \*de facto\* authorities and affiliated groups](#)
- [2.2. Islamic State Khorasan Province \(ISKP\)](#)
- [2.3. Other armed groups opposing the Taliban](#)
- [2.4. Other non-State actors](#)

In Afghanistan, a wide range of different groups and individuals can be considered as actors of persecution or serious harm, and a clear distinction between State and non-State actors within the meaning of Article 6 QD may be difficult to make.

The following subsections highlight the main actors of persecution or serious harm in Afghanistan in a non-exhaustive manner.

### 2.1. Taliban *de facto* authorities and affiliated groups

Last update: May 2024

#### Taliban *de facto* authorities

After years of insurgency, on 7 September 2021, the Taliban announced the restoration of the Islamic Emirate of Afghanistan and the creation of a ‘caretaker cabinet’ under the leadership of Mullah Hibatullah Akhundzada [[Security 2022](#), 1.2.1, p. 23].

The Taliban claimed to control all of the Afghan territory by October 2021, after they struck down the NRF in Panjshir Province. A source, however, suggested that the Taliban were not in full control until June 2023 [[Country Focus 2023](#), 1.1.1., p. 17]. As of December 2023, the Islamic Emirate of Afghanistan remained unrecognised by countries worldwide, while the Taliban continue to exercise territorial control of Afghanistan [[COI Update 2024](#), 1., p.2].

The Taliban is currently the sole entity exercising effective control of all parts of Afghanistan through a *de facto* administration led by all-male and predominantly Taliban members. The *de facto* government considers itself a guiding body, with the clear and declared objective to ensure that the people live in accordance with *sharia* and to ‘purify’ Afghan society. The *de facto* state administration has been described as working in arbitrary and unpredictable ways through repressive bodies such as the Taliban General Directorate of Intelligence (GDI) and



the MPVPV, as well as a number of other *de facto* state institutions. Moreover, policy implementation and local governance has varied across the country due to various interpretations of decrees issued by the central *de facto* government, and the influence of local contexts and stakeholders [[Country Focus 2023](#), 1.1.1., p. 18; 1.1.2., p. 19, 1.2.2., p. 24; 4.12.1., p. 101].

After assuming power, the Taliban dismissed the previous judiciary and issued several decrees and general guidance regarding the implementation of *sharia* [[Security 2022](#), 1.2.3., pp. 29-31]. Nevertheless, various interpretations of *sharia* laws exist and, since no formal legal framework has been enacted, there is uncertainty among the population about which laws apply. The Taliban have issued some instructions in decrees and general guidance, but few have been issued in writing. Moreover, the issued instructions have tended to be vaguely formulated, which leaves space for different interpretations. Sources have suggested that issued instructions are purposefully vague to, *inter alia*, leave space for adjustments [[Country Focus 2023](#), 1.2.1., pp. 21-22].

Additionally, some rules have not been enforced and there have been local variations in the implementation, for example, of the ban on secondary education for girls and the requirement of women to be accompanied by a *mahram*. Moreover, there have been instances where Taliban officials have contradicted each other in public statements, or where it has been possible to work around some announcements [[Country Focus 2023](#), 1.2., pp. 21-22]. Sources have pointed at ideological differences between factions within the Taliban and tensions between an ‘older’ and a ‘younger’ generation; nonetheless, the group has also been described as largely cohesive and unified [[Targeting 2022](#), 1.1.1., pp. 18-19; [Country Focus 2022](#), 1.3., pp. 23-24].

Taliban members sometimes used force towards the population, for instance in the implementation of *sharia* and when dispersing protests [[Targeting 2022](#), 1.1.2., 1.3.1., pp. 38-39, 42]. The Taliban Ministry of Interior instructed the *de facto* security forces to take precautions in their interactions with the civilian population. There were however reports, after these instructions were issued, of civilian deaths and injuries following excessive use of force by *de facto* security institutions [[Targeting 2022](#), 1.1.4.(e), p. 32].

It has been reported that the human rights situation has gradually deteriorated, and sources noted the tendency of the *de facto* administration in developing into a theocratic police state, ruling through an atmosphere of fear and abuse [[Country Focus 2023](#), 1.2., p. 21]. Human rights violations by the *de facto* authorities or by Taliban members included intimidation, ill-treatment, excessive use of force, arbitrary arrests, incommunicado detention, use of torture in detention, killings, abductions, enforced disappearances and corporal and capital punishments, including following a *de facto* court judgment. Moreover, it was reported that free speech and peaceful political activity have been violently suppressed and the civil space has shrunk [[Country Focus 2023](#), 1.1.3., p. 20; 4.1.2., p. 58; 4.4.2., p. 73; [Targeting 2022](#), 1.1.4.(g), pp. 34-35; 1.2.2., pp. 38-39].

## Haqqani Network

The Haqqani Network, which is a designated terrorist organisation in the EU, UK and the US, has been described as the Taliban's 'best militarily equipped faction'. The network largely controls security in Afghanistan, including the security of the capital, Kabul, where Haqqani special forces operate military bases. Besides the post of *de facto* minister of interior, the Haqqani Network secured control of the *de facto* government's intelligence, passports and migration portfolios [[Country Focus 2023](#), 1.1.2., p. 19; [Security 2022](#), 1.2.1., pp. 24-25; 2.1.1. b, p. 39].

The Haqqani Network is on the UN Security Council's sanctions list and is known for having carried out high-profile attacks and suicide missions in Kabul in the past. As of May 2022, the Haqqani Network was viewed to maintain the closest ties to Al-Qaeda among the Taliban [[Security 2022](#), 1.2.1., pp. 24-25].

## Al-Qaeda

The Taliban denied Al-Qaeda's presence in Afghanistan [[Country Focus 2022](#), 3.1.2, p. 62], while the UN Sanctions and Monitoring Team claimed that Al-Qaeda was based in its historical areas of presence in the south and east, with a possible shift of some members to locations further west in the provinces of Farah and Herat. The same source estimated Al-Qaeda's size to several dozen fighters affiliated to its core organisation, and its operational capabilities as limited to advising and supporting the Taliban [[Security 2022](#), 2.4, p. 55].

Al-Qaeda continued to maintain a low profile, while the links between them and the Taliban reportedly remained close and their relationship was underscored by the fact that Al-Qaeda's core leadership was residing in eastern Afghanistan [[Security 2022](#), 2.4, pp. 54-55].

Al-Qaeda in the Indian Subcontinent (AQIS), an organisation subordinate to Al-Qaeda's core, has also been reported to keep a low profile inside Afghanistan, where most of its fighters were based. AQIS includes individuals from several south and southeast Asian countries. They were reportedly based in Helmand, Kandahar, Ghazni, Nimroz, Paktika and Zabul. Some AQIS fighters were embedded in Taliban combat units, and the group has been fighting alongside the Taliban, including during the sweeping takeover of Afghanistan in 2021 [[Security 2022](#), 2.4, p. 55].



For further information on human rights violations committed by the Taliban and actors related to the Taliban, and their relevance as potential exclusion grounds, see [7. Exclusion](#).



## 2.2. Islamic State Khorasan Province (ISKP)

Last update: May 2024

ISKP's activity has traditionally been concentrated in Kabul and in the country's eastern provinces, notably Kunar and Nangarhar where the group used to have a strong foothold, especially in rural areas. Although attacks have been recorded beyond these core areas (such as suicide attacks against Shia mosques in Kunduz, Kandahar and Mazar-e Sharif), most security events involving ISKP continued to be recorded in Kabul, Kunar, and Nangarhar [Country Focus 2023, 2.2.2., p. 33].

Primary targets of ISKP have been Taliban fighters, Taliban officials and religious leaders, in its strive to undermine the Taliban rule. However, the deadliest attacks attributed to or claimed by ISKP have been against certain ethno-religious groups, in particular the Shia Hazara community. In December 2022, the UN Secretary General called on the *de facto* authorities to implement adequate protection measures due to the improvised explosive device (IED) attacks against civilian targets and in civilian areas, and specifically mentioned places of worship and education facilities, and Hazaras as a community 'facing heightened risk'. In August 2023, it was reported that ISKP appeared to have shifted away from carrying out attacks against civilian and Shia Hazara neighbourhoods, as they have predominantly attacked Taliban targets [Country Focus 2023, 2.2.2., p. 34].

In the period from 1 July 2022 to 30 September 2023, conflict data provided by both ACLED and the UN Secretary General indicated a significant decrease in ISKP activity, a trend which was affirmed by other sources that describe ISKP's capacities as 'limited' and 'degraded' [Country Focus 2023, 2.2.2., p. 32-34]. ACLED data also indicate a decrease of events involving the ISKP in 2023 (49 events in total) compared to 2022 (199 events). The UN Secretary-General noted an overall decrease in attacks claimed by or attributed to ISKP. In the period 1 August – 7 November 2023, the UN recorded 8 ISKP attacks carried out in 3 provinces. In 2023, no sectarian attacks against the Shia Hazara community had been recorded, until a suicide bomber attacked a Shia Mosque in Pul-e Kumri (Baghlan Province) on 13 October 2023. Estimates of the number of deaths and injured vary. UNAMA reported 21 deaths, and 30 injuries. ISKP claimed responsibility for the attack. Moreover, a series of IED attacks claimed by the ISKP took place in Dash-e Barchi, a Hazara dominated area in Kabul City [COI Update 2024, 4., p. 6-7].



For further information on human rights violations committed by the ISKP and their relevance as potential exclusion grounds, see [7. Exclusion](#).

## 2.3. Other armed groups opposing the Taliban

Last update: May 2024

According to the UN, there were claims of at least 22 armed groups opposing the Taliban in 26 provinces by September 2022. In 2023, UNAMA recorded claimed attacks by three main groups (the NRF, the Afghanistan Freedom Front (AFF) and the Afghanistan Liberation Movement (ALM)) in eight provinces [[Country Focus 2023](#), 2.2.1., p. 31]. Limited information is available on the size and capacity of the resistance, but it has been assessed as lacking enough coordination and resources to seriously contest Taliban rule [[Country Focus 2023](#), 1.1.1., p. 17]. The report of the UN Secretary General noted an intensification of armed opposition activities against the Taliban in 2022. Sources, however, reported on a drop in activities by armed groups opposing the Taliban in 2023 and the NRF has been described as 'weak' after Taliban operations against the group [[Country Focus 2023](#), 2.2.2., p. 31]. On the other hand, the AFF claimed an increased number of attacks against Taliban targets. The UN Secretary-General described the AFF as 'the most active group' in his latest reporting period (18 September–1 December 2023), while describing the NRF as 'much less active than in 2022' [[COI Update 2024](#), 4., p. 5].

The NRF is led from headquarters located in Tajikistan, and most of the group's members are ethnic Tajiks. Based on its own account, NRF emerged in Panjshir Province and Andarab District of neighbouring Baghlan Province. NRF was formed after the Taliban conquered Kabul in mid-August 2021. The group was reported to consist of former civilians, former ANDSF personnel, including many low-ranking ex-officers, and former opposition members who have in common that they all supported the previous Islamic Republic of Afghanistan and are strong opponents of the Taliban [[Security 2022](#), 2.2.1., pp. 45-47]. ACLED data indicated that the activity of NRF and/or other resistance groups was concentrated in the northeast of Afghanistan, with most events taking place in either the provinces of Panjshir, Takhar, Badakhshan, Baghlan, Kapisa, or Parwan, although such groups were involved in or claimed to be involved in attacks in 14 additional provinces (Kabul, Kandahar, Ghazni, Kunduz, Laghman, Balkh, Nangarhar, Samangan, Badghis, Helmand, Jawzjan, Nuristan, Paktya, and Zabul) [[Country Focus 2023](#), 2.2.1., p. 31].

While sources mentioned that NRF was the primary or 'most well-developed' anti-Taliban resistance movement, there was a lack of clarity as to which groups were affiliated with it. It has no clear chain of command and its capabilities appeared to be limited [[Security 2022](#), 2.2.1., pp. 45-46]. Limited information is available on the size and capacity of the resistance, but it has been assessed as lacking enough coordination and resources to seriously contest Taliban rule [[Country Focus 2023](#), 1.1.1., p. 17]. Neither ACLED nor UCDP recorded any events involving the NRF in Panjshir Province in the period 1 October 2023–12 January 2024, but recorded events involving the group in other parts of Afghanistan [[COI Update 2024](#), 4., p. 5].

Other groups that have been mentioned in reporting on anti-Taliban resistance are the Turkestan Freedom Tigers, the National Resistance Council, the National Liberation Front of Afghanistan (NLFA), the Unknown Soldiers of Hazaristan, the allegedly Hazara-centred Freedom and Democracy Front and the Freedom Corps [[Security 2022](#), 2.2.2., pp. 48-49].



## 2.4. Other non-State actors

Last update: May 2024

Human rights violations are also committed by other non-State actors, such as clans, tribes, (locally) powerful individuals, family members, criminal groups, etc.

Customs and customary law in the Afghan society can result in a number of harmful traditional practices, such as forced marriage and family violence against women, including honour killings committed by family members [[Country Focus 2023](#), 4.4.7., p. 80, [Society-based targeting](#), 3.4. - 3.7., pp. 39-53; [Criminal law and customary justice](#), 3., pp. 29-33].

For further guidance see also the following profiles [3.11. Individuals considered to have committed blasphemy and/or apostasy](#), [3.12 Individuals perceived to have transgressed religious, moral and/or societal norms](#), [3.15. Women and girls](#), [3.17. LGBTIQ persons](#).

Non-State traditional justice, which is dominant in large parts of Afghanistan [[Country Focus 2023](#), 1.2.3., p. 26], involves different actors such as *jirgas* and *shuras*, including religious scholars, jurists, community elders and local powerbrokers, etc. Certain human rights violations are associated with such traditional justice mechanisms, including in relation to the absence of due process and the nature of the imposed punishments [[Criminal law and customary justice](#), 1.7., pp. 18-19; [Society-based targeting](#), 1.5., pp. 21-22; 6.4.2., pp. 78-82; [Conflict targeting](#), 2.6., pp. 77-78].

Other human rights violations committed by non-State actors can be a consequence of land disputes between different actors, such as communities (including tribes and clans), ethnic groups, or individuals, or can be a result of blood feuds or other forms of private disputes [[Criminal law and customary justice](#), 2., 3.; [Society-based targeting](#), 1.5., 6.4, 7]. See also the profile [3.18. Individuals involved in blood feuds and land disputes](#).

Criminal groups and individuals committing crimes can also be non-State actors of persecution or serious harm in accordance with [Article 6\(c\) QD](#). The crime levels have reportedly risen in Afghanistan after the Taliban takeover, concurrently with the deepening of the humanitarian and economic crisis, particularly affecting the capital and other big urban areas. According to one source, the reason for the reported increase in crime might as well be the growing attention to the problem [[Country Focus 2023](#), 2.4., pp. 41-42; [Security 2022](#), 1.2.4., p. 32].

In 2023, the Global Organised Crime index scored the criminality rate of Afghanistan as the 9<sup>th</sup> highest in the world. The report of the UN Secretary General mainly reported incidents related to robbery, theft, and murder. According to analysis by the Protection Cluster and UNHCR, increased crime levels, the economic crisis, and intimidation related to debt issues, were among the most common reasons for feeling insecurity among Afghan households [[Country Focus 2023](#), 2.4., pp. 41-42].



The reach of a specific non-State actor depends on the individual case. The assessment may include aspects such as their family, tribal or other networks for tracing and targeting the applicant. The individual power positions of the applicant and the actor of persecution or serious harm should be assessed, taking into consideration their gender, social status, wealth, connections, etc.



### 3. Refugee status

[Article 2\(d\) QD](#)

[Article 9 QD](#)

[Article 10 QD](#)

This chapter provides analysis and guidance on the potential international protection needs of 20 particular profiles of applicants. The profiles are selected based on their relevance in the caseload of EU Member States.

The list of profiles addressed in this chapter is non-exhaustive and the fact that a certain profile is included in it or not is without prejudice to the determination of their protection needs. Furthermore, the order of listed profiles does not reflect any assessment of the potential level of risk of persecution for the respective profile.



The contents of this chapter include:

[General remarks](#)

[3.1. Members of the security institutions of the former government](#)

[3.2. Public officials and servants of the former government and judicial system](#)

[3.3. Persons affiliated with foreign forces](#)

[3.4. Individuals perceived as members or supporters of the National Resistance Front \(NRF\)](#)

[3.5. Individuals perceived as members or supporters of the Islamic State in Khorasan Province \(ISKP\)](#)

[3.6. Persons fearing forced recruitment](#)

[3.7. Human rights defenders, activists and others perceived as critical of the Taliban](#)

[3.8. Journalists and media workers](#)

[3.9. Educational personnel](#)

[3.10. Humanitarian workers](#)

[3.11. Individuals considered to have committed blasphemy and/or apostasy](#)

- [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms](#)
- [3.13. Individuals \(perceived as\) influenced by foreign values \(also commonly referred to as 'Westernised'\)](#)
- [3.14. Ethnic and religious minorities](#)
- [3.15. Women and girls](#)
- [3.16. Children](#)
- [3.17. LGBTIQ persons](#)
- [3.18. Individuals involved in blood feuds and land disputes](#)
- [3.19. Persons living with disabilities and persons with severe medical issues](#)
- [3.20. Individuals who were born in Iran or Pakistan and/or who lived there for a long period of time](#)

## General remarks

Last update: May 2024

While the conclusions under this common analysis could provide general guidance, the protection needs of each applicant should be **examined individually**. The non-exhaustive lists of examples regarding sub-profiles at a differentiated risk and of factors which would normally increase or decrease the risk, are to be taken into account in light of all circumstances in the individual case.

In some cases, even if the applicant no longer belongs to a certain profile, they may still be targeted and have a well-founded fear of persecution related to their **past belonging to such a profile**. In the individual assessment, it may be relevant to take into account the time that has passed and whether the applicant has remained in Afghanistan for a long period of time without encountering persecution.

**Family members**, merely due to their relation to an individual with a certain profile, may be at risk of persecution in such a manner that could constitute the basis for refugee status.

The individual applicant could fall under **more than one profile** included in this common analysis. The protection needs associated with all such circumstances should be fully examined.



**The considerations under each profile should, furthermore, be viewed without prejudice to the credibility assessment of the applicant's claims. This common analysis deals solely with issues of risk analysis and qualification.**



For more guidance on how to read the following subsections, please refer '[Country Guidance: explained](#)': [Refugee status](#).

For each profile, the sections below provide:

### COI summary

This is an outline of the factual basis of the analysis and the main elements taken into account when reaching the respective assessment of protection needs.



For more guidance on how to read the following subsections, please refer '[Country Guidance: explained](#)': [Using country guidance](#).

### Conclusions and guidance

#### Persecution: legal qualification

This part answers the question:

**Do the acts qualify as persecution under Article 9 QD?**



#### Well-founded fear: risk analysis

This part answers the question:

**What is the level of risk of persecution (would a well-founded fear be substantiated)?**

Further guidance is provided with regard to circumstances which should be taken into account in the individual assessment, including circumstances which would in general increase the risk for an individual.



#### Potential nexus to a reason for persecution

This part answers the question:

**Are the reasons for persecution falling within Article 10 QD (nexus)?**

## 3.1. Members of the security institutions of the former government

Last update: May 2024

This profile includes members of the former ANDSF, including former Afghan Local Police (ALP) and pro-government militias.

### COI summary

During the years of the conflict, ANDSF personnel, both on and off-duty, was a priority target of the Taliban. Attacks against government forces at army bases, police stations and checkpoints, deliberate killings, executions, abductions and torture against detainees, including ANDSF personnel, were reported, and explicitly legitimised by the Taliban *Layeha* (code of conduct) [[Anti-government elements 2020](#), 1.2.1., pp. 13-15; 2.5., pp. 21-22; 2.6.1., pp. 22-23; [State structure](#), 2.1., pp. 26-27; [Security 2020](#), 1.1.1., p. 20; 1.3., pp. 30-31; 1.5.2., p. 51]. During the summer of 2021, cases were reported in which the Taliban committed killings of ANDSF members who had surrendered or were detained [[Targeting 2022](#), 2.1., p. 56]. Sources reported that, as of June 2022, former ANDSF members, including former ALP and pro-government militias, continued to be a primary target of Taliban violence [[Targeting 2022](#), 2.1., pp. 57-63; 2.7., p. 72].

After the takeover, the Taliban issued an amnesty for all who fought against them. The content of the amnesty has not been available beyond general reference to its existence, including from senior Taliban officials, leading to uncertainties around the temporal scope and consequences for breaching it. Sources suggest that the Taliban do not have any policy in place of targeting former Afghan security forces. Nevertheless, there have been continuous claims of Taliban members breaching the amnesty and subjecting former ANDSF members and their relatives to human right violations across the country, including killings, enforced disappearance, and torture [[Country Focus 2023](#), 4.1.1., p. 56].

Although the Taliban have called upon their members to respect the amnesty, there is limited information on individuals facing any consequences for breaching it. Despite the fact that certain elements have been identified as possibly playing a role in the targeting, such as 'revenge culture', personal disputes, and retaliation following the conflict, it is not possible to discern any clear patterns on who is being targeted among former government personnel and who is not. Sources emphasised that it has been hard to discern motives behind the killings, and that people may be targeted due to personal disputes. The Taliban have also claimed that violations of the amnesty have taken place due to personal animosities. One source further reported that the most important thing for the Taliban is that individuals are loyal to them today, rather than their allegiances from before the takeover [[Country Focus 2023](#), 4.1.1., p. 56; 4.1.3., p. 59].

Available data over killings and ill-treatments include victims who held different positions within the former government's security forces. The Taliban's practices towards former officials have been 'inconsistent', 'ad hoc' and a 'mixture of contradictory policies'. On one



hand, some former security personnel have been able to work in the Taliban's *de facto* forces, return from abroad through the Taliban's return commission, and stage open protests against the non-payment of pensions. On the other hand, some former security personnel have been living in hiding since the takeover, while killings and various forms of ill-treatment have occurred. Moreover, single sources have suggested that some killings have been carried out with the 'tacit approval' of senior Taliban commanders, and that Taliban operations against resistance groups and the ISKP might in fact be a way to target former ANDSF members [[Country Focus 2023](#), 4.1.2., pp. 56-57].

As of 30 June 2023, according to UNAMA, since the takeover the *de facto* authorities had committed at least 800 cases of human rights violations against former civilian and military personnel. Violations recorded included 218 killings, 14 instances of enforced disappearance, 424 arbitrary arrests and detentions, 144 instances of torture, and multiple threats. Most cases took place in the 4 months immediately following the takeover in 2021, however killings and other human rights violations have continued in 2022 and 2023. In 2022, the NGO Safety and Risk Mitigation Organization (SMRO) recorded 76 killings and 57 detentions of former security forces, while an increase was noted in 2023 with 27 killings and 55 detentions recorded in the first quarter alone. In the second quarter of 2023, SMRO logged 2 instances of rape, 15 killings and 35 detentions of former security forces personnel in multiple provinces [[Country Focus 2023](#), 4.1.2., pp. 58-59].

The Taliban also declared that they wanted former Afghan National Army (ANA) personnel to join their ranks and launched campaigns to recruit former ANDSF personnel. Although some former ANDSF members did join the Taliban ranks, it was reported that these efforts were of little success due to fear of retribution. Many former personnel remained in hiding or left the country [[Security 2022](#), 1.2.2., p. 27; 2.1.2., pp. 39-41; [Targeting 2022](#), 2.3., pp. 65-66; 2.5., pp. 69-70].

Efforts were made by Taliban members to track down former security officials through local informants, registration campaigns of former ANDSF personnel and possibly the use of former governments databases. In February 2022, the Taliban began to conduct house-to-house searches in different parts of the country which, according to some sources, also focused on finding former government employees and members of ANDSF [[Security 2022](#), 1.2.4., p. 33; [Targeting 2022](#), 2.2., pp. 63-65].

Cases of non-fighting army personnel being detained and killed have also been reported [[Targeting 2022](#), 2.4., p. 68].

There were reports of targeting of former female members of the ANDSF by the Taliban or by their own relatives [[Targeting 2022](#), 2.8, p. 73].

There have also been sporadic reports of family members of former ANDSF members being killed, detained, forcibly disappeared, tortured, and raped. Some family members were reportedly 'caught up' in Taliban raids targeting former ANDSF members, while others were targeted in the search for such individuals [[Country Focus 2023](#), 4.1.2., p. 58-59; 4.1.5., pp. 62; [Targeting 2022](#), 2.1., pp. 5, 63; 2.2., p. 64; 2.4.-2.7., pp. 67-73; [Security 2022](#), 3.2.(c), pp. 68-69; [Country Focus 2022](#), 2.5., p. 46].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. summary executions, torture, enforced disappearances).



### What is the level of risk of persecution (well-founded fear)?

For applicants who were members of the security institutions of the former government, well-founded fear of persecution would in general be substantiated.

Family members may also have a well-founded fear of persecution, for example in the context of the Taliban searching for the individual they are related to.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

## 3.2. Public officials and servants of the former government and judicial system

Last update: May 2024

This profile refers to individuals affiliated with the previous government and members of the judiciary, including court personnel and civil servants.

### COI summary

During the years of conflict, employees of certain ministries (for example the Ministry of Defence, the Ministry of Interior Affairs, and the Ministry of Justice) and judicial staff, including



judges and prosecutors, were regularly targeted by the Taliban. To a lesser degree, employees of other ministries not involved directly in the fight against insurgents were also targeted. Personal enmities or open statements against the Taliban could be seen as relevant circumstances in this regard. There were also reports of civilians being threatened and/or killed for being employees or (perceived) supporters or spies for the former government [[Anti-government elements](#), 2.6.2., pp. 24-26; [Security 2020](#), 1.3.3., pp. 33-34; 1.3.4., pp. 34-36; 2.; [Conflict targeting](#), 1.2.2., p. 31; 1.5.1.1., p. 68].

Individuals under this profile were also seen as a legitimate target by other insurgent groups, for example the ISKP and foreign armed groups [[Security 2020](#), 1.2.2., p. 30; [Anti-government elements](#), 3.5., p. 34; 3.6.3., p. 35; 4.3., pp. 38-39].

After the takeover, the Taliban issued a general amnesty for individuals serving the former government, saying that they had pardoned 'all of those who had fought against [them]' [[Country Focus 2023](#), 4.1.1., p. 56, [Security September 2021](#), 1.1.2., p. 13]. Nevertheless, Taliban's policies have been described as *ad hoc*, inconsistent, and contradictory. Sources report that senior officials, including former president Karzai, have been able to stay in Afghanistan [[Country Focus 2023](#), 4.1.1., p. 56].

Most civilian former public officials, except female civil servants, have been able to resume their duties within the new *de facto* administration in Kabul. However cases are reported in which threats or pressure were used in this regard [[Country Focus 2023](#), 4.1.1., p. 56; [Targeting 2022](#), 4.1., pp. 78-81].

Female government workers have not been asked to resume their work, with the exception of some positions for which the Taliban have assessed that men cannot replace women, including education and healthcare workers, and positions in passport and post offices, and at Kabul's international airport [[Targeting 2022](#), 1.1.4., p. 27; 4., pp. 80-81; [Country Focus 2022](#), 1.1.4., p. 19; 1.2.1., p. 20]. The Taliban have also tried to bring in their own members to be trained by former officials and then replace them [[Country Focus 2023](#), 4.1.1., pp. 56-57].

Despite the amnesty and the call on former government officials to resume work, retaliatory acts by Taliban members against persons under this profile were reported, albeit to a lesser extent than against former ANDSF personnel [[Targeting 2022](#), 4., pp. 78-84; [Country Focus 2022](#), 2.5., pp. 45-48].

Incidents of summary executions, torture and detentions of persons affiliated with the former government have been reported in various parts of the country, and such individuals have reportedly been living in hiding [[Country Focus 2023](#), 4.1.1., p. 57; [Targeting 2022](#), 2.1., pp. 58-60; 3.2., pp. 76-77; 4., pp. 78-80]. Out of the 800 human rights violations against former government officials and former security personnel that UNAMA documented in the period between 15 August 2021 and 30 June 2023, 22 % of targeted individuals were affiliates to the former provincial and district departments and 4 % belonged to the former central government and former national authorities. Other sources have recorded cases of servants of various former civilian departments being targeted, as well as their relatives. According to UNAMA, individuals on 'differing level of affiliation to the former government' fell victim to such acts, 'from senior officials to drivers, bodyguards and relatives' [[Targeting 2022](#), 2.1., p. 31]

57; 4.1., p. 80; [Country Focus 2023](#), 4.1.4., p. 61; 4.1.5. p. 62]. Furthermore, the prevalence of enforced disappearances was believed to be much higher, with reports about the Taliban threatening family members not to speak to human rights organisations [[Country Focus 2023](#), 4.1.4., p. 62].

In Spring 2022, the Taliban set up a return commission in order to facilitate the return of exiled political and military personalities and announced that former officials returning from abroad would have been ensured safety. Several former high-ranking persons returned to the country, although sources cited that some may have left again. It was reported that in general the initiative was met with scepticism. Some reports indicate that Taliban officials detained individuals despite having been assured of their safety upon return [[Country Focus 2023](#), 4.1.1., pp. 56-58, [Targeting 2022](#), 4.3., p. 83].

Former judges, prosecutors and defence lawyers remained mostly excluded from the *de facto* justice system. After the takeover, the Taliban fired all judges. However, few former male judges working in administration and considered ‘professional’ had reportedly been asked to return to temporary or limited roles. Nevertheless, these reports remained unconfirmed. The legal and operational status of prosecutors have remained unclear and ‘varied substantially from region to region’ [[Country Focus 2023](#), 4.1.6., p. 63; [Targeting 2022](#), 4.2., pp. 81-82].

Servants of the former judicial system were reportedly subjected to house searches, harassment, death threats and killings. Many prosecutors and judges, especially female judges, have reportedly been living in hiding or have left Afghanistan. The Office of the United Nations High Commissioner for Human Rights (OHCHR) deemed the situation of former judicial personnel a matter for particular alarm. Female judges were claimed to be at added risk due to their gender as the Taliban do not accept that women have the right to judge men [[Country Focus 2023](#), 4.4.5., p. 77, [Country Focus 2022](#), 2.5., p. 48; [Security 2022](#), 3.2.(c), p. 69]. Furthermore, criminal offenders released by the Taliban have sought to carry out reprisals against prosecutors and judges who had sentenced them [[Country Focus 2023](#), 4.1.6., p. 64].

Cases were also reported where family members were targeted. Family, friends, and neighbours were said to have been pressed to reveal judges’ whereabouts. One source also reported that at least 28 former prosecutors and their family members have been killed since the Taliban takeover [[Country Focus 2023](#), 4.1.6., p. 64; [Targeting 2022](#), 2.1., p. 63; 2.2., p. 64; 4., p. 81; 4.2., p. 82; [Country Focus 2022](#), 2.5., p. 46].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. summary executions, killing, torture, enforced disappearances).



## What is the level of risk of persecution (well-founded fear)?

For judges, prosecutors, and former court personnel well-founded fear of persecution would in general be substantiated.

For others under this profile, the individual assessment should take into account the institution they were employed by and their role and functions. Being female and possible personal enmities may also constitute risk-impacting circumstances.

Family members may also have a well-founded fear of persecution, for example in the context of the Taliban searching for the individual they are related to.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In some cases, membership of a particular social group and/or religion could also be seen as relevant grounds, such as in the case of former female judges and other female public officials.

### 3.3. Persons affiliated with foreign forces

Last update: May 2024

This profile refers to individuals who are associated with the foreign troops which were present in Afghanistan, such as interpreters, security guards, civilian contractors, administrators and logistics personnel.

#### COI summary

During the years of conflict, personnel working for foreign military troops, in particular interpreters, were a top priority target for the Taliban. Article 11 of Taliban's *Layeha* (code of conduct) orders the execution of individuals working for *Kofaar* (foreign infidels), including *Tarjoman* (interpreters). Members of forces collaborating with foreign troops, contractors and 'spies' were seen by the Taliban as responsible for killing Afghan civilians. They were publicly defined as criminals and targeted. Individuals not on the payroll of the foreign forces but doing general maintenance jobs, have not been as systematically targeted, although attacks occurred [[Anti-government elements](#), 2.6.2.3., pp. 26-27; [Conflict targeting](#), 1.2.3., pp. 35-36].

After the Taliban takeover, thousands of interpreters who worked for international and US forces applied for special visa arrangements to leave the country [[Security September 2021](#), 1.1.4., p. 16]. It was reported that the US managed to evacuate most of its Afghan spies and

informants and their relatives, and many individuals that were affiliated with foreign forces left Afghanistan during the evacuation efforts following the takeover. However, tens of thousands of interpreters and other foreign forces collaborators reportedly remained in Afghanistan. Individuals who were working for foreign military troops, e.g. interpreters, were reportedly living in hiding apart from their families, moving location every month to escape the Taliban, and being searched for. Reportedly, as of November 2023, 24 cases of targeting were identified of which 6 killings carried out by the Taliban and unidentified actors, and 3 cases of torture in Taliban custody [[Country Focus 2023](#), 4.1., p. 64; [Security 2022](#), 3.1., p. 74].

Despite the announced amnesty for individuals who had fought against them, the Taliban were either unable or unwilling to restrain their soldiers from engaging in retaliatory acts against persons under this profile [[Country Focus 2023](#), 4.1.1., p. 56; [Security September 2021](#), 1.1.2., p. 13; [COI Update 2022](#), 3., pp. 4-5; [Country Focus 2022](#), 2.5., pp. 45-48; [Targeting 2022](#), 2.1., p. 56; 3., pp. 74-76].

Incidents of threats, summary executions, detentions, torture, abuses and enforced disappearances of persons affiliated with foreign forces have been reported [[Country Focus 2023](#), 4.2., pp. 64-65; [Targeting 2022](#), 2.1., p. 56; 3., pp. 74-76; [Country Focus 2022](#), 2.5., pp. 45-48].

Efforts were made by the Taliban to track down persons under this profile through local informants, the use of existing databases and intimidation [[Security 2022](#), 1.2.4., p. 33; [Targeting 2022](#), 2.2., pp. 63-64; 3., pp. 74-76].

Relatives of individuals who worked with foreign troops also faced threats. Family members of interpreters were in particular reported to be in hiding due to fear of reprisals [[Targeting 2022](#), 2.2., p. 64; 3., pp. 75-77].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).



### What is the level of risk of persecution (well-founded fear)?

For individuals affiliated with foreign forces, well-founded fear of persecution would in general be substantiated.

Family members of such individuals may also have a well-founded fear of persecution.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

### 3.4. Individuals perceived as members or supporters of the National Resistance Front (NRF)

Last update: May 2024

With reference to NRF as a potential actor of persecution or serious harm, see section [2.3. Other armed groups opposing the Taliban](#) of this common analysis.

#### COI summary

The Taliban have responded to armed opposition with force, including reports of summary executions, detentions and ill-treatment of detainees, as well as collective punishment and abuses of civilians suspected of supporting anti-Taliban groups. Civilians perceived as associated with NRF, mainly in Tajik dominated areas in the northeast provinces, have been subjected to house searches, arbitrary arrests, detentions, extrajudicial killings, torture and displacement. In September 2022, the Taliban extrajudicially executed several men who appeared to be NRF fighters who had surrendered. In 2022, the Taliban mainly carried out reprisal attacks, which included arbitrary arrests and killings of civilians in areas associated with resistance groups. This took place mostly in the province of Panjshir, while cases were also reported in Baghlan, Takhar, and Daykundi [[Country Focus 2023](#), 4.3., p. 65; 4.3.1., p. 66].

Some sources identified an ethnic dimension to the targeting and ethnic Tajiks as prone to violations, also in Kabul City, while other sources have discarded such accounts. As the armed opposition has declined in areas of resistance, the situation for the civilian population has reportedly improved in 2023, although the *de facto* authorities still showed suspicion when interacting with residents of Panjshir – e.g. in border control situations. Suspected NRF affiliates have moreover continued to be subjected to severe human rights violations, and one source pointed out the risk of ‘guilt by association’ for individuals seen with suspected NRF affiliates [[Country Focus 2023](#), 4.3.1., p. 67].

It was reported that Taliban forces had engaged in the beating and arbitrary arrests of civilians in Panjshir who were accused of supporting the NRF [[Targeting 2022](#), 6.5.2., pp. 146–

148]. Individuals originating from Panjshir province have also been arrested in Kabul City for suspected links to NRF [[Country Focus 2023](#), 4.3.1., p. 67].

According to a representative of an international NGO in Kabul, the purpose of the Taliban's actions was to intimidate the local population so that they would not support the NRF. In June 2022, there were news reports about the forced evictions of residents in certain districts of Baghlan province as well as in Panjshir province. Freedom House also noted that the Taliban have engaged in discrimination against members of ethnic minority groups, including Tajiks [[Country Focus 2023](#), 4.3.1., p. 66; [Targeting 2022](#), 6.5.2., pp. 146-147]. Between March 2022 and August 2023, UNAMA documented 408 arbitrary arrests and detentions of individuals perceived as NRF affiliates. Several other sources have also reported on extrajudicial executions of individuals suspected to be NRF members, including prisoners of war, as well as arrests and mistreatment of detainees [[Country Focus 2023](#), 4.3.1., pp. 65-67; [COI Update 2022](#), p. 7].

On 6 September 2022, the UN Special Rapporteur on the situation of human rights in Afghanistan, stated that the conflict between the Taliban and NRF had caused significant suffering and violations of international humanitarian and human rights law. He especially pointed out Panjshir province and Andarab district (Baghlan province), from where he had received reports of civilians being subjected to arbitrary arrests, extrajudicial killings and torture, which sometimes appeared to be collective punishments. Following a visit to Afghanistan in October 2022, the UN Special Rapporteur stated that communities in, *inter alia*, Panjshir province were being 'heavily suppressed' [[Country Focus 2023](#), 4.3.1., p. 66].

In November 2022, a source reported that around 150 families were forced to flee seven villages in Panjshir in the previous months due to crossfire between the Taliban and NRF as well as due to Taliban's demands for information about NRF fighters (assuming kinship ties) [[Country Focus 2023](#), 4.3.1., pp. 66-67].

See also the profile [3.1. Members of the security institutions of the former government](#), under the Refugee Status chapter.

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. collective punishments, torture, execution, arbitrary arrest).



### What is the level of risk of persecution (well-founded fear)?

For individuals perceived by the Taliban as being involved with or as supporting NRF well-founded fear of persecution would in general be substantiated. The individual assessment



whether the applicant would be perceived to have such affiliation could take into account their place of origin and ethnic background, with Tajiks from Panjshir and Andarab district (Baghlan province) being particularly at risk.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

## 3.5. Individuals perceived as members or supporters of the Islamic State in Khorasan Province (ISKP)

Last update: May 2024

With reference to ISKP as a potential actor of persecution or serious harm, see [Islamic State Khorasan Province \(ISKP\)](#), section 2.2 of this common analysis.

### COI summary

The Taliban launched operations to restrain ISKP, and instances of targeting of individuals perceived as supporting ISKP were reported from Nangarhar Province, including killings, cases of enforced disappearances, torture, and ill-treatment [[Targeting 2022](#), 1.4., pp. 49-50]. In the reporting period between 15 August 2021 – 15 June 2022, UNAMA recorded 59 extrajudicial killings, 22 arbitrary arrests and detentions, and 7 incidents of torture and ill-treatment of accused ISKP affiliates. Human rights violations against individuals accused of ISKP affiliation still occurred in Nangarhar as of 31 May 2022, although the frequency was less than the previous year [[Targeting 2022](#), 1.4., pp. 49-50].

Since their takeover in August 2021, the Taliban have generally acted harshly against the Salafi community due to their perceived ties to ISKP. The Afghan Salafi community has been a recruitment ground for ISKP. Despite that, many Salafis in the country were opposing the group. According to some analysts, the ISKP has tried to provoke the Taliban to pursue indiscriminate security policies towards the Afghan Salafi communities to gain from this in the long run. This has allegedly already resulted in ill-conceived policies of the Taliban, including collective punishment of Salafis suspected of ties to ISKP. Whole Salafist communities in the

provinces of Kunar and Nangarhar were subjected to night raids, disappearances, summary executions and detentions of men and sometimes boys, even if they had no relation to ISKP [[COI Update 2022](#), 3., p. 7; [Targeting 2022](#), 6.6.6., p. 155]. In July 2022, Human Rights Watch released a report on extensive killings of alleged ISKP affiliates in eastern Afghanistan. The investigation suggested that only in the Darunta Canal in Nangarhar Province, over 100 bodies were dumped between August 2021 and April 2022 [[COI Update 2022](#), 3., p. 7].

The Taliban's efforts to restrain ISKP has impacted the situation of the Salafist communities in Nangarhar and Kunar. Most attacks were recorded in October and November 2021, including killings, beheadings, mutilation, and torture. Recorded cases have decreased since, but the topic is severely underreported and single cases of violations have continued to be reported [[Country Focus 2023](#), 4.3.2., pp. 67-68].

The Taliban's approach towards Salafists has varied in different locations, with efforts to distinguish between members with or without links to ISKP. Social and communal profiling mainly took place in the above-mentioned provinces but has also occurred in Kunduz and Badakhshan. Moreover, according to one source, Salafists in Nangarhar stated that they avoided praying in certain ways and going to the Salafi Mosque. An international analyst stated that violations against Salafists occurred in 2023 as well, and that women and children had been arrested without charges [[Country Focus 2023](#), 4.3.2., pp. 68-69].

However, in October 2023, a source reported that, in Nangarhar, the *de facto* security forces had adopted a much more conciliatory approach, with Salafi *madrassas* re-opening in an attempt to prevent Salafists having no other option to protect themselves from supporting ISKP [[Country Focus 2023](#), 4.3.2., p.69].

There were also instances of targeted violence against the Ahmadiyya community in November and December 2021. 28 members of the Ahmadiyya community were reportedly detained by the Taliban in Kabul in November and December 2021, falsely accused of being members of ISKP [[Targeting 2022](#), 6.6.5., p. 154].

In addition, there have been some arrests of teachers and students at Kabul University which had suspected links to ISKP [[Country Focus 2023](#), 4.3.2., pp. 68-69].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. arbitrary arrest and detention, ill-treatment, torture, execution).



## What is the level of risk of persecution (well-founded fear)?

For individuals perceived by the Taliban as being involved with or as supporting ISKP well-founded fear of persecution would in general be substantiated. The individual assessment whether the applicant would be perceived to have such an affiliation could take into account their religious affiliation (especially the Salafi community), province of origin (especially Nangarhar and Kunar), as well as additional individual elements implicating the applicant as being supportive of ISKP.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

## 3.6. Persons fearing forced recruitment

Last update: May 2024

This profile refers to persons who claim to be targeted by the Taliban or ISKP in order to be recruited by force and against their will.

For the topic of child recruitment, see the separate section [3.16.2. Child recruitment](#).

### COI summary

#### a) Forced recruitment by the Taliban

During the conflict, the Taliban typically recruited unemployed Pashtun males from rural communities who were educated and trained in Afghans and Pakistanis mosques and camps. It was reported that they had no shortage of volunteers and recruits. The Taliban only made use of forced recruitment in exceptional cases. Pressure and coercion to join the Taliban were not always violent and were often exercised through the family, clan, or religious network, depending on the local circumstances. It can be said that the consequences of not obeying were generally serious, including reports of threats against the family of the approached recruits, severe bodily harm, and killings [[Anti-government elements](#), 2.2., 2.4., p. 21;

[Recruitment by armed groups](#), 1.5., p. 22; 5.2.1.3., pp. 43-44; 5.2.1.4., p. 44; [Society-based targeting](#), 8.2., p. 94].

Since the takeover, the Taliban have been creating a national *de facto* military by voluntarily recruiting their own members and, to a limited extent, specialist members of the former Afghan security forces. No sources reported on forced recruitment taking place and instead described a situation where joining the *de facto* security structure is desirable as there are few job opportunities. On the other hand, one source emphasised that some former security officials might have returned to work out of fear of the Taliban, perceiving it as a measure to mitigate the risk of reprisals by Taliban members and sympathisers [[Country Focus 2023](#), 2.5., pp. 42-43].

#### **b) Forced recruitment by ISKP**

Before August 2021, in rural areas with firm ISKP presence and/or where fighting was taking place, there was pressure on communities to fully support and help the group [[Anti-government elements](#), 3.4., p. 33; [Recruitment by armed groups](#), 2.1.4., p. 30; 5.2., p. 41].

The recruitment by ISKP increased in Afghanistan following the withdrawal of international forces. As of May 2022, the terrorist group had an estimated 1 500 to 4 000 fighters settled in rural areas of Kunar and Nangarhar provinces, with smaller covert cells in northern provinces [[Targeting 2022](#), 13., p. 188; 13.2., p. 190; [Security 2022](#), 2.3., pp. 53-54].

In terms of composition, half of the ISKP members were estimated to be foreigners. ISKP reportedly tried to recruit amongst the Tajik, Turkmen and Uzbek ethnic groups in northern Afghanistan, capitalising on the growing dissatisfaction among these communities with the Taliban rule. Furthermore, ISKP reportedly recruited individuals from influential political and warlord families, as well as urban middle-class men and women who joined the group for ideological reasons. Taking advantage of its significant support in Kabul, the group recruited in the capital, especially among university students and Salafis [[Targeting 2022](#), 13.2., pp. 190-192; [Security 2022](#), 2.3., pp. 50, 52-54].

ISKP reportedly sought to recruit individuals with a militant Salafi profile and particularly religious students, especially those known to have experienced harassment from 'extremist Hanafi students' or from the Taliban in their repression of ISKP. Recruitment hotspots were mainly in Kabul and Gulbahar, and also in Nangarhar and Badakhshan Universities. Moreover, it was reported that the new ISKP leader was focusing on recruiting more educated individuals and had extended recruitment to non-Salafists. Recruitment methods included sending recruitment videos. If the student did not react positively to such approaches, the recruitment attempt was allegedly stopped [[Country Focus 2023](#), 2.5., p. 44].

A source reported that the Taliban fear that non-Pashtun communities in Takhar might be exposed to recruitment campaigns of both armed groups opposing the Taliban (NRF and ISKP) and of radical Islamist groups only loosely aligned with the movement (such as Jundullah) [[Country Focus 2023](#), 4.3.3., p. 69].



No information about forced recruitment by ISKP or other armed groups opposing the Taliban was found in the reference period July 2022 - September 2023 [[Country Focus 2023](#), 2.5., p. 44].

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Forced recruitment is of such severe nature that it would amount to persecution. The consequences of refusal of (forced) recruitment could also amount to persecution (e.g. severe bodily harm, killing).



#### What is the level of risk of persecution (well-founded fear)?

The likelihood of being approached for forced recruitment by the Taliban or ISKP is generally low. Risk-impacting circumstances could include: area of origin (in relation to potential ISKP recruitment), military background, etc.



#### Are the reasons for persecution falling within Article 10 QD (nexus)?

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal could, depending on individual circumstances, substantiate such a nexus, among other reasons, to (imputed) political opinion.

### 3.7. Human rights defenders, activists and others perceived as critical of the Taliban

Last update: May 2024

This profile refers to persons who, individually or in association with others, act to promote or protect human rights and fundamental freedoms. It also addresses the broader topic of perceived criticism of the Taliban, including in relation to protests and other open criticism of the Taliban, such as criticism expressed via social media.

#### COI summary

In Afghanistan, human rights concepts are often seen as an alien, Western, or a non-Islamic concept. Intimidation, harassment, threats and violence against human rights defenders and

activists were committed by all parties in the previous conflict. [[COI query on journalists, media workers and human rights defenders](#), 2., pp. 7-12; [State structure](#), 1.8.1., p. 23; [Conflict targeting](#), 1.2.9., pp. 48, 51; 1.5.1., p. 65; 2.3., p. 74]. The Taliban have persistently shown intolerance of any dissent, by silencing any criticism against them and limiting the fundamental rights and freedoms of Afghans [[Targeting 2022](#), 1.2.1., pp. 36-38; 2.1., p. 57].

Since the Taliban takeover, civic space has narrowed down significantly. Although the Taliban have expressed their commitment to respect human rights, they have claimed to do so ‘within the framework of *sharia*’. Several edicts have moreover prohibited criticism of Taliban officials and limited the possibilities to stage protests and to conduct critical reporting. Although criticism occurs, the Taliban have suppressed some dissenting voices. Even seemingly minor actions, such as private persons posting content on social media, have led to detentions. One source pointed out that anyone can face consequences, and in some cases also family members to activists have been detained [[Country Focus 2023](#), 1.1.3., p. 20; 4.7., pp. 92-93].

Civil society organisations have been targeted by the Taliban raiding their offices, freezing bank accounts and forcing organisations to close their offices. Human rights defenders and other civil society actors have largely halted their activities out of fear of repercussion, and many have left the country. The Taliban reportedly perceive some activists and critics as being under Western influence, which ‘justifies’ their repression. Particularly women activists have been targeted, but also men who have voiced their concerns regarding women’s rights. Two identified repressive actors within the *de facto* state administration are the Taliban GDI and the Taliban MPVPV [[Country Focus 2023](#), 1.2.2., p. 24; 4.7., p. 91].

Media and human rights organisations have been under pressure, *inter alia* by rules limiting media content, a ban on defamation and ‘unproven criticism’ of *de facto* government officials, as well as ‘open criticism’. The *de facto* state authorities have interfered with the work of media outlets and have detained journalists as well as human rights activists [[Country Focus 2023](#), 1.1.3., p. 20]. Human right violations such as killings, arbitrary arrests, incommunicado detentions, torture and ill-treatment, and threats or intimidation were attributed to the *de facto* authorities [[Targeting 2022](#), 8.2., p. 168].

The situation for activists and protestors deteriorated following the December 2022 decree banning women from university. There were reports of ‘protestors in Kandahar being chased away and potentially being shot at on the street’, and protests in Kunar and Khost provinces were met with violence, while beatings of female protestors were also reported in Kabul City and Herat City. Prominent Afghan education activist and founder of a local NGO, Matiullah Wesa, was arrested on 27 March 2023 and detained until 26 October 2023 on unspecified charges, as it had become publicly known that he was meeting with foreigners and going abroad. Also his family was targeted, his house was raided and at least two of his brothers were also briefly detained, while another fled the country. During March 2023, university lecturer, Islamic scholar and activist Rasool Parsi was also arrested, after having criticised the Taliban on social media. He was sentenced to 16 months in prison in October 2023, for blasphemy and for propagandising. The Taliban have also arrested other male activists advocating for girls’ education, including Ahmad Fahim Azimi and Sadiqullah Afghan, who



were arrested in mid-October 2023 [[COI Update 2024](#), 3., pp 3-4; [Country Focus 2023](#), 4.7., pp. 91-92].

Reports of arrests and detentions included family members of individuals perceived as critical of the Taliban [[Country Focus 2023](#), 4.7., p. 93]. One female activist was held in custody together with her son, and another together with her husband and four-year-old child [[COI Update 2024](#), 3., p. 4].

Sources reported that family members of activists and journalists have been targeted by the *de facto* authorities to obtain information and for intimidation purposes. Reportedly, family members of individuals participating in women's rights protests during 2022 were arrested and asked to provide all the names of male relatives of the family [[Country Focus 2023](#), 4.10., 95-96].

Although since the takeover some deadly attacks on human right defenders were also attributed to ISKP and unknown perpetrators, no specific information on ISKP attacks against activists and human right defenders was found within the reference period July 2022 – September 2023 [[Country Focus 2023; Targeting 2022](#), 8.2., p. 168].

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, abduction, arbitrary arrest and detention, beatings, torture).



#### What is the level of risk of persecution (well-founded fear)?

For human rights defenders and activists, well-founded fear of persecution would in general be substantiated.

For others who may be perceived as critical of the Taliban, the individual assessment should take into account the visibility of the applicant, the sensitivity of the topic of criticism and the extent of its public nature. Other risk-impacting circumstances, such as gender and ethnicity, may also be relevant to the assessment.

Family members of individuals under this profile may also have a well-founded fear of persecution. Family members of female activists may particularly be at risk.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.

### 3.8. Journalists and media workers

Last update: May 2024

This profile concerns the situation of journalists and other media workers.

#### COI summary

Prior to the takeover, journalists, media workers, commentators and human rights defenders were targeted by anti-government armed groups as well as by former State actors, warlords, powerful local figures, and organised criminal groups. This was especially the case for those who expressed opinions and monitored or reported on human rights issues (especially women's rights), critically covered activities of parties in the conflict, exposed corruption, criticised impunity, etc. There were reports of killing, beating, intimidation, detention and mistreatment of journalists [[COI query on journalists, media workers and human rights defenders](#), 1., pp. 2-7; [State structure](#), 1.8.1., p. 24; [Conflict targeting](#), 1.2.9., pp. 48-51; 1.5.1., pp. 65, 67; 2.3., pp. 74-75].

After the Taliban takeover, numerous journalists fled Afghanistan or went into hiding, most female media workers lost their jobs and Afghan journalism has been facing challenges related to the restrictions imposed by the Taliban, violence, and financial problems [[Country Focus 2023](#), 4.6., p. 89].

The Taliban have issued national decrees and instructions limiting the work of media and journalists including prohibitions of indecency and profanity in the media, communications and letters (6 May 2017), unauthorised assemblies (8 September 2021), defamation and unproven criticism of *de facto* government officials (2 July 2022). They have also issued instructions for the media not to address topics in conflict with Islam or 'insulting national personalities', and to produce reports in coordination with the Taliban government's media office (23 September 2021). It was also ordered that female news presenters 'must' wear headscarves when appearing on screen, and that male news presenters 'must' wear proper clothes (22 November 2021) [[Country Focus 2023](#), Annex 3, p. 160].

In March 2023, the *de facto* minister of higher education warned that 'all those who undermine the regime, whether that is via tongue, pen or practically, are considered rebellious and deserve death' [[Country Focus 2023](#), 4.6., pp. 89-90].

According to the monitoring project Afghan Witness (AW), opposition largely dispersed during the Taliban's second year of rule. Media and human rights organisations have been under pressure, *inter alia* by rules limiting media content, a ban on defamation and 'unproven criticism' of *de facto* government officials, as well as 'open criticism' according to a Taliban



official's statement. *De facto* state authorities have interfered with the work of media outlets and have detained journalists as well as human rights activists [[Country Focus 2023](#), 1.1.3., p. 20].

The issued restrictions on media were vague, and difficult for media workers to follow in practice. The media that were still operating reportedly adjusted their reporting in general by decreasing potentially provocative content, while content praising the Taliban increased. Moreover, there have been reports of increased self-censorship among Afghan journalists as a result of continuous harassment. Reporting on certain topics and events, particularly women's rights issues and women's protests, might lead to abuse [[Country Focus 2023](#), 4.6., p. 90].

Women journalists have been banned from state-run media outlets and those in the private sector have been allowed to work within certain restriction, such as covering their faces when appearing on TV and working in gender-segregated offices. Also, female journalists have been barred from attending press conferences, and from interviewing male government officials. Since the Taliban takeover, 80 % of women journalists are estimated to have lost their jobs [[Country Focus 2023](#), 4.4.5., pp. 77-78].

During the reference period, the media landscape and press freedom have further deteriorated in Afghanistan, and journalists have increasingly faced surveillance, intimidation, threats, violence, arrest, and detention from the *de facto* authorities. Sources reported that, across the country, journalists have been held for questioning for hours or days and then released and have been beaten up by the *de facto* security forces on the streets of Kabul, Herat and Kandahar. From 15 August 2021 until 15 August 2023, the civil society organisation Afghanistan Journalists Center (AFJC) documented a total of 366 violations against media freedom, including the case of 3 journalists who were killed in Kabul and Balkh, 23 cases of journalists being injured, 176 cases of temporary and mid-term detentions, with frequent reports of insult, physical violence, and even torture during detention. At least 139 cases of threats and 25 cases of physical harassment and beatings were also reported. From March 2022 until August 2023, UNAMA documented arbitrary arrests and detentions of at least 115 media workers. Between July and August 2023, the Taliban carried out a series of raids against journalists and independent media outlets 'at an astonishing pace', leading to the closure of some media platforms and the arrests of journalists, including the arbitrary arrest by *de facto* GDI of nine journalists from six provinces in August 2023. The nine journalists were subsequently released [[Country Focus 2023](#), 3., p. 4; 4.6., pp. 90-91].

In March 2023, ISKP carried out a bomb attack in Mazar-e Sharif during a ceremony marking 'Afghan Journalists Day', killing 2 journalists and a security guard and injuring at least 15 other journalists [[Country Focus 2023](#), 4.6., p. 91].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, arbitrary arrest, incommunicado detention, beatings, torture, enforced disappearance).



### What is the level of risk of persecution (well-founded fear)?

For journalists and media workers seen by the Taliban as critical of them or as not complying with conditions set by the Taliban, well-founded fear of persecution would in general be substantiated.

For other journalists and media workers, the individual assessment should take into account risk-impacting circumstances, such as: gender (i.e. women), origin from areas where ISKP have operational capacity, personal enmities, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.

## 3.9. Educational personnel

Last update: May 2024

This profile refers to people working in educational facilities, including schools and universities. Students could also be affected by association. In some cases, reports on targeting concern educational facilities and educational personnel as well as students. Therefore, it cannot always be discerned whether the targeting was intentionally directed towards educational personnel.

See also the sub-section [Access to education](#) under the profile [3.15 Women and girls](#).

### COI summary

Following the Taliban takeover, primary and elementary schools were reopened after being closed during the Covid-19 pandemic. Girls have however been denied education beyond primary level, as girls' secondary schools were ordered to remain closed. Some sources noted



that initially secondary schools for girls were able to remain open in some provinces as well as private institutions, but as of September 2023 all secondary schools have closed again, including private secondary schools. Reportedly, underground secret schools have been running in parts of the country despite the ban and ‘adaptive and creative methods’ have emerged to support girls’ education, including online. Nevertheless, these efforts have not been sustainable or equally accessible, *inter alia* due to the poor internet connection across Afghanistan [[Country Focus 2023](#), 4.4.4., pp. 75-76].

Some changes were introduced in the Afghan educational system, including the revision of school curriculum, with the aim to make it ‘compatible’ with *sharia*. A source explained that the supreme leader is determined to implement the Taliban’s version of *sharia* to ‘purify’ Afghan society, and that the issue around education is not only about the assault against female education but also against Western education altogether. This ‘purification’ campaign and efforts to eradicate secular education are reported to have intensified during the reference period. For instance, teachers have been required to take religious tests, with the alleged intention by the Taliban to dismiss those who are not *madrassa*-educated [[Country Focus 2023](#), 4.9., p. 94].

According to reports, the Taliban MPVPV have subjected teachers to harassment and intimidation. On some instances, teachers have been arrested for working in underground schools, and for criticising the Taliban’s ban on education for women and girls [[Country Focus 2023](#), 4.9., p. 95]. Several education rights activists were also arrested by the Taliban in 2023, see [3.7. Human rights defenders, activists and others perceived as critical of the Taliban](#) [[COI Update 2024](#), 3., pp 3-4; [Country Focus 2023](#), 4.7., p. 92].

During the first half of 2022, bomb blasts targeting crowded places, including education facilities, and leading to casualties were also reported [[Security situation 2022](#), 3.2., p. 67].

On 30 September 2022, a suicide IED attack was carried out against the Kaaj educational centre in Dasht-e-Barchi, a Hazara dominated area in Kabul City, killing 54 people and injuring another 114. The attack was not claimed by any actor. On November 2022, an explosion in a *madrassa* in Samangan led to 23 civilian deaths [[Country Focus 2023](#), 4.9., p. 95; 2.3., p. 39].

In June 2023, between 60 and 90 schoolgirls and their teachers were poisoned and hospitalised in two separate targeted poison attacks against two primary schools in Sangcharak District in Sar-e Pul Province. A Taliban education official claimed that a ‘personal grudge’ was behind the attack [[Country Focus 2023](#), 4.4.4., p. 77].

In Kabul Province, cases of detonation of IEDs and other explosions directed at both Taliban and civilian targets, including schools, were reported. Some attacks were claimed by or attributed to ISKP, while in other cases the actor behind the attack remained unknown [[Country Focus 2023](#), 2.2.3., p. 34].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing).

When the acts in question are restrictions on the exercise of certain rights of less severe nature or (solely) discriminatory measures, the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender (i.e. female teachers), origin from areas where ISKP has operational capacity, the individual or the institution not following Taliban directives and/or curriculum, speaking out against the Taliban, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion. In some cases, religion could also be seen as a relevant ground, such as in the case of individuals persecuted for using a curriculum perceived as contravening the actor's interpretation of Islam.

## 3.10. Humanitarian workers

Last update: May 2024

This profile includes individuals working for national and international NGOs.

### COI summary

Before the takeover, there were cases of NGO workers being targeted by actors in the conflict as a result of their activities being perceived as non-neutral or in violation of cultural or religious norms. Examples included targeting of people active in polio vaccination campaigns (sometimes considered as spies) or in de-mining programs (considered as an activity contrary to the military interests of the Taliban). ISKP also considered humanitarian workers as



legitimate targets because of links with foreign organisations or donors [[Security September 2021](#), 1.4.2., pp. 31-32; 2.23., pp. 101-102, [COI query on humanitarian workers and healthcare professionals](#), pp. 1-16].

After the takeover, although the *de facto* authorities repeatedly stated their guarantees for the ‘safety and security of humanitarian staff’ and freedom of movement of humanitarian workers, including women, the overall environment in which they perform their activities was reported as ‘extremely challenging’ and precarious, with *de facto* local authorities routinely interfering and restricting their operations. Since the Taliban takeover, the number of arrests of humanitarian workers has increased, as the UN observed, from 3 cases in 2020 to 76 cases in 2022. In February 2022, there were reports of attacks against healthcare workers engaged in the polio vaccination programme by unknown gunmen, including the killing of 8 health workers. Between 6 February and 20 May 2023, the UN recorded a total number of 299 incidents involving interference in the implementation of humanitarian activities, which represents a significant increase compared to the same period in 2022, when 158 incidents were recorded. However, during the same period, 78 attacks against humanitarian personnel, assets and facilities were recorded, which represent a slight decrease from 91 incidents documented in the respective period of 2022 [[Country Focus 2023](#), 4.8., p. 93; [Targeting 2022](#), 9.1.2., p. 176].

According to one source, the Taliban GDI and MPVPV actively work to identify perceived opponents, including by posing obstacles to NGOs with staff that they suspect and/or with programmes contrary to the Taliban ideology. For example, in September 2023, 18 staff members of the NGO International Assistance Mission (IAM) in Afghanistan located in Ghor Province were arrested and detained under unclear circumstances [[Country Focus 2023](#), 4.8., pp. 93-94].

On 24 December 2022, the Taliban banned women from working for national and international NGOs. However, after major organisations suspended their operations, the Taliban on some occasions gave assurances on provincial or local level so that female staff would be able to carry out their duties. On 5 April 2023, the *de facto* authorities issued a countrywide ban on Afghan women working in the UN. Although not officially stated by the *de facto* authorities, many NGOs reported that exemptions of such bans were made for women working in the health, nutrition and educational sectors, however this was not reported countrywide [[Country Focus 2023](#), 3.1., p. 46; 4.4.5., p. 78; 4.4.6., p. 79].

There were no recorded incidents in which humanitarian workers were targeted by ISKP or unidentified armed group(s) within the reference period July 2022 – September 2023 [[Country Focus 2023](#), 4.8., pp. 93-94].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g., killing, arbitrary detention).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender (i.e. women), nature of activities (e.g. activities for national/international NGO related to polio vaccination, demining, or other activities being perceived as non-neutral or in violation of cultural or religious norms), link with the former government or foreign donors, speaking out or acting against the Taliban or another armed group, origin from areas where ISKP have operational capacity, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.

## 3.11. Individuals considered to have committed blasphemy and/or apostasy

Last update: May 2024

This profile covers persons who are considered to have abandoned or renounced the religious belief or principles of Islam (apostasy), as well as persons considered to have spoken sacrilegiously about God or sacred things (blasphemy). It includes individuals who have converted to a new faith, based on their genuine inner belief (e.g. converts to Christianity), as well as those who disbelieve or lack belief in the existence of God (atheists).

It can be noted that, often, the latter grounds would be invoked *sur place* ([Article 5 QD](#)).

### COI summary

The Taliban *de facto* government suspended the previous Islamic Republic of Afghanistan's Constitution and declared that *sharia* is to be enforced as the legal system in Afghanistan. The *de facto* government considers itself a guiding body, with the fundamental aim to ensure that people live in accordance with the religious laws. However, various interpretations of *sharia* laws exist, and no formal legal framework has been established, religious freedom conditions have deteriorated and a harsh interpretation of *sharia* has been enforced on all Afghans [[Country Focus 2023](#), 1.1.2., pp. 18-19; 1.2.1., pp. 21-24; 4.5.2., pp. 84-85].



Apostasy is a crime defined by *sharia* and includes conversion to another religion and proselytising to convince individuals to convert from Islam. According to the Taliban's interpretation of *sharia*, apostasy is punishable by death. Reportedly, 'appropriate' punishments for apostates in Sunni Hanafi jurisprudence are beheading for men and life imprisonment for women, unless the individual repents. Property may also be confiscated, and apostates can be prevented from inheriting property. It is reported that there has not been any formal Taliban policy on hunting down converts, as there is a general expectation that converts are killed by their own families rather than by the authorities [[Country Focus 2023](#), 4.5.2., pp. 84-85; [Targeting 2022](#), 1.3.1., p. 42].

The Taliban see those individuals who preach against them or contravene their interpretations of Islam as 'apostates' [[Country Focus 2022](#), 1.4., pp. 25-28; [Society-based targeting](#), 2.7., pp. 29-30; [Anti-government elements](#), 2., pp. 16-19]. According to the ISKP, Muslim allies of the West, but also those individuals who practice forms of 'impure' Islam, which includes non-Sunnis and Sunnis who practice Sufism or mystical schools of Islam, can be defined as 'apostates' [[Targeting 2022](#), 6.6.1., pp. 143-144, 149, [Society-based targeting](#), 2.8., p. 30; [Anti-government elements](#), 3., p. 29].

A few converts to Christianity have been visible in the past decade in Afghanistan [[Society-based targeting](#), 2.3., pp. 25-26]. One source pointed out that Afghans converting to Christianity were considered apostates and faced ostracism and the threat of honour killings by family and village members [[Targeting 2022](#), 1.3.1., pp. 42-43].

There is low societal tolerance in Afghanistan for criticism of Islam. Blasphemy is also considered a capital crime according to Sunni Hanafi jurisprudence and could include 'anti-Islamic writings or speech' [[Targeting 2022](#), 1.3.1., p. 42].

Individuals who hold views that can be perceived as having fallen away from Islam, such as converts, atheists and secularists, cannot express their views or relationship to Islam openly, at the risk of sanctions or violence, including by their family. Such individuals must also appear outwardly Muslim and fulfil the behavioural religious and cultural expectations of their local environment, without this being a reflection of their inner conviction [[Country Focus 2023](#), 4.5.2., p. 84; [Society-based targeting](#), 2.3., pp. 25-27; 2.4., pp. 27-28].

Baha'i practitioners and converts to the faith have also been viewed as 'infidels' or 'apostates' [[Targeting 2022](#), 6.6.2., p. 150; [Society-based targeting](#), 2.5., p. 28].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. capital punishment, killing, violent attacks).



## What is the level of risk of persecution (well-founded fear)?

For individuals considered to have committed blasphemy and/or apostasy, including converts, well-founded fear of persecution would in general be substantiated.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of religion.

## 3.12. Individuals perceived to have transgressed religious, moral and/or societal norms

Last update: May 2024

This profile refers to individuals whose actions, behaviours, or practices are seen as transgressing religious, moral and/or societal norms, irrespective of whether the perceived transgression of norms occurred in Afghanistan or abroad. Practices perceived as a transgression of these norms depend on several factors, such as local context, actors involved and their interpretation of these norms.

See also [3.11. Individuals considered to have committed blasphemy and/or apostasy](#), [3.13. Individuals \(perceived as\) influenced by foreign values \(also commonly referred to as 'Westernised'\)](#), [3.14.2. Individuals of Hazara ethnicity and other Shias](#), [3.15. Women and girls](#) [3.17. LGBTIQ persons](#).

### COI summary

Afghanistan's highly diverse society includes urban, rural, and tribal segments, each having norms and mechanisms to settle disputes. Islamic values, concepts, and practices influence many social and behavioural norms throughout society. Customs and customary law also continue to play an important role in Afghan society. It is a widely held perception among Afghans that customary laws are in line with the *sharia*. Transgression of a moral and/or societal norm may lead to honour-based violence, especially but not exclusively against women, which is a common occurrence in Afghanistan [[Country Focus 2023](#), 4.4.7., p.79-80; [State Structure](#), 3.3.1., p. 44; [Society-based targeting](#), 1.1., pp. 16-17; 1.5, pp. 21-22; 3.7., pp. 51-53; 7.2., pp. 84-85].

The Taliban's view of *sharia* is based on the Sunni Hanafi school of jurisprudence, but it is also influenced by local traditions and tribal codes. It is reported that various interpretations of *sharia* laws exist, and due to a lack of formal legal framework, there is uncertainty among the



population of which laws apply. After the takeover, the Taliban announced that they intended to act on the basis of their principles, religion and culture, and emphasised the importance of Islam and that ‘nothing should be against Islamic values’. Reportedly, initially after the takeover, there was a tendency among Taliban judges not to issue ‘too harsh’ punishments. However, on 14 November 2022 the Taliban supreme leader ordered all judges to fully implement the *sharia*, including *hudud* and *qisas* punishments that comprise execution, stoning, flogging and amputation. After that date there have been two cases of public executions being enforced, and verdicts that include floggings have seen an increase as well [Country Focus 2023, 1.2.1., p. 21; 1.2.3., pp. 25-26; 4.1.6., p. 63; Country Focus 2022, 1.1.3., p. 17].

The Taliban also re-established the MPVPV which has increased the enforcement of a wide range of directives related to extramarital relationships, dress code, attendance at prayers, and music. According to UNAMA, the mandate of the Taliban MPVPV is being interpreted with great variation, and in some provinces its local departments have issued and implemented their own instructions. [Country Focus 2023; 1.2.2., pp. 24-25; Targeting 2022, 1.3., pp. 41-43; Country Focus 2022, 1.4., p. 25]

The Taliban have been reported to threaten individuals to adhere to the expected religious practices. For example, as of January 2022, the Taliban have reportedly announced a requirement for all men to attend congregational prayers at mosques in parts of Kabul and Takhar provinces. In Herat City, the *de facto* security forces were reported to actively patrol the streets in some areas, looking for people not attending prayers during Ramadan and ‘assaulting bystanders, shopkeepers, medicine vendors’ [Country Focus 2023, 4.5.2., p. 84-85; Targeting 2022, 1.3.3., p. 45, 47-48; 6.3., pp. 128-130]. Moreover, it was reported that in some parts of the country, including in Balkh and Daykundi provinces, the Taliban forced Shia Hazara communities to perform Eid prayers one day earlier than their religious practice foresaw, and beat those who refused. Shia Muslims were allowed to perform their religious ceremonies, such as annual celebrations of the Ashura; however, in 2023, it was announced that, for security reasons, large gatherings would not be allowed during the celebration of Ashura [Country Focus 2023, 4.5.2., p. 84].

The text below provides a non-exhaustive list of actions, behaviours, or practices which can be perceived as potential transgression of religious, moral and/or societal norms by different actors in Afghanistan. Incidents mentioned below are illustrative examples and are not exhaustive.

### c) *Zina*

*Zina* concerns illicit sexual relations, adultery, pre-marital sex. *Zina* can also be imputed to a woman in case of rape or sexual assault.

Cases of *zina*, or perceived *zina*, may cause reactions from both the Taliban and the general public. In the period 15 August 2021 – 24 May 2023, UNAMA documented 394 cases of lashings, most of which related to *zina*, including adultery or ‘running away from home’. In general, 30 – 39 lashings were issued, but some punishments entailed up to 100 lashes.

Earlier reports from 2021-2022 also referred to *de facto* officials committing extrajudicial killings of individuals perceived as having committed *zina*, as well as societal targeting. One case included a group of women who were killed by their families after being raped while in custody. Women who have been detained may moreover face a 'life-long stigma' as the community tends to assume that all detained women are subjected to sexual violence. In another case, a boy and a girl were shot by a relative for having had sexual intercourses outside of marriage [[Country Focus 2023](#), 1.2.3., pp. 25-28; 4.4.2., pp. 73-74; 4.4.8., p. 81; [Targeting 2022](#), 1.1.4.(g), p. 35; 5.1.2., pp. 87-88; 5.1.6, p. 95; 5.1.7., p. 96].

#### **d) Dress code**

The Taliban took restrictive measures regarding the dress code of Afghan men and women. In May 2022, the Taliban issued a decree obliging Afghan women to be fully covered from head to toe (including their faces) when appearing in public. The decree stipulated a list of punishments for violations, including warnings and summons to a government office of a male head of the household and, in the case of repeated offences, short-term imprisonment and eventually a court case with further punishments for the male guardian. The compliance with the decree differed across the country, and some women who were not covering their faces could be seen in some urban areas. Sources reported *ad hoc* beatings and lashings carried out by, among others, members of the Taliban MPVPV and the *de facto* police against persons not conforming with issued instruction on social and dress codes [[Country Focus 2023](#), 1.2.3., pp. 27-28; [Targeting 2022](#), 5.2.5., pp. 119-124].

In January 2024 a series of arrests of women for not adhering to strict dress codes started in Kabul and expanded to some other provinces. Most arrests in Kabul reportedly took place in the Hazara dominated area of Dasht-e Barchi and in Khair Kahana area, which is mainly populated by Tajiks and communities from Panjshir. Reportedly, the release process required a *mahram* to sign a letter guaranteeing future compliance or else face punishments [[COI Update 2024](#), 2., p. 2]. It is also reported that female patients without a *hijab* were to be denied healthcare, while vehicle drivers were instructed not to pick up female passengers without a *hijab* covering their hair. Moreover, shopkeepers in Mazar-e Sharif were ordered not to sell to women without *hijab*. Cases of women being harassed or beaten up at checkpoints for not wearing *hijab* have reportedly occurred frequently [[Country Focus 2023](#), 1.2.1., p. 23; 4.4.1., p. 73]. Other decrees have also been issued by the Taliban regarding the way women have to dress and have to appear in public. Failure to comply with such rules may result in the woman's father or closest male relative facing reprimands, imprisonment or being fired from his employment [[Country Focus 2023](#), Annex 3, p. 160]

Although no general dress code for men has been issued, cases were reported in which men were stopped and harassed by Taliban fighters for wearing Western style clothes or shaving beards. Some sources indicated that Taliban have ordered government employees to grow beards and wear traditional clothing [[Country Focus 2023](#), 1.2.2., p. 25; 4.12.1., p. 101; [Targeting 2022](#), 1.3.2., pp. 43-44; 1.3.3., pp. 47-48].



### e) Alcohol and drugs

The Taliban have taken certain measures against alcohol and drug users.

Notably, on 3 April 2022, the *de facto* government issued a decree banning poppy cultivation, a plant which is, *inter alia*, used to produce opium. The decree, that reads that crops should be burned and farmers punished under *sharia*, has been enforced and led to clashes with the local population in some areas of Badakhshan and Nangarhar [[Country Focus 2023](#), 2.2.4., p. 35]. It further banned the production, use or transportation of other illicit drugs, including alcoholic beverages, heroin, 'Tablet K', and hashish. Since the takeover, Taliban fighters have rounded up drug addicts across Afghanistan and brought them to clinics or prisons to receive treatment. They used force, sometimes with whips and gun barrels, and the ensuing treatment lacked methadone and oftentimes counselling. In Kabul, the Taliban were also reported to sometimes inflict physical punishments on smokers, based on the group's general disapproval of smoking [[Security 2022](#), 1.2.3., p. 31; [Targeting 2022](#), 1.1.4.(g), p. 36; 1.3.4.(f), p. 34; 1.3.2., p. 44].

One source reported that, in February 2023, the Taliban announced that they had conducted a mass burial of over 100 corpses of deceased 'drug addicts'. However, this announcement has voiced concerns that the bodies in fact were the result of extra-judicial killings as no further details were provided about the identity nor the reason why they were in Taliban custody or the cause of death [[Country Focus 2023](#), 4.1.3., p. 60].

Moreover, in April 2022, seven men were flogged and sentenced to imprisonment by the Taliban Supreme Court, *inter alia* for drinking alcohol. Cases of lashing for consuming alcohol and for drug trafficking were also reported [[Country Focus 2023](#), 1.2.3., p. 27; 4.1.3., p. 60; [Security 2022](#), 1.2.3., p. 31; [Targeting 2022](#), 1.1.4.(f), p. 34; 1.1.4.(g), p. 36; 1.3.2., p. 44].

### f) Music

Even if the Taliban have not officially banned music after the takeover, sources have described music as banned in practice. Furthermore, formal restrictions from the *de facto* authorities have concerned certain areas, such as parts of Kabul and Kandahar, and also certain situations such as not playing music in cars, at weddings, and at other public events. It was also reported that the MPVPV had disallowed poetry with a musical rhythm, and in a video a member of the *de facto* authorities explained that music is forbidden as it 'destroys the roots of Islam'.

Music schools have closed, and several incidents targeting artists have been recorded, including arrests, physical aggression, public shaming, destruction and burning of music instruments, and house searches. Afghan media also reported on cases where the Taliban had detained, beaten, and killed individuals for playing music. Many musicians have left Afghanistan or stopped performing [[Country Focus 2023](#), 1.2.1., p. 23; 4.12.2., pp. 101-102; [Targeting 2022](#), 1.3.3.(a), pp. 48-49].

### **g) Other activities considered immoral**

Gender segregation between men and women was imposed in Taliban government ministry offices, education and health facilities, and recreational areas [[Country Focus 2023](#), 1.2.1., pp. 71-72; 4.4.5., pp. 77-78; [Targeting 2022](#), 1.3.2., pp. 43-45; 5.2.1., p. 99; 5.2.2., pp. 105-107; 5.2.3., pp. 111-115].

In November 2021, the Taliban issued media restrictions, which barred women from appearing in television dramas, soap operas and entertainment shows. Subsequently, in March 2022, foreign drama series were prohibited [[Targeting 2022](#), 1.3.2., pp. 43-44].

On 21 April 2022, the *de facto* government instructed the Taliban Ministry of Communications and Information Technology to restrict access to the social media platform TikTok and an online battle royale game, and to close channels with ‘immoral programs’ [[Targeting 2022](#), 1.3.2., p. 44].

Since August 2023, sorcery is prohibited [[Country Focus 2023](#), 1.2.1., p. 23]. Arrests of hundreds of individuals accused of sorcery were reported, mainly in Kabul [[COI Update 2024](#), 2., p. 3]

In June 2023, beauty salons were ordered to close within one month. Demonstrations in Kabul against the closure of beauty salons were responded with water cannons and beatings; some protesters said stun guns were also used against them and others said their phones had been confiscated. Four female protesters were arrested and released later the same day. Salons that have continued to operate beyond the deadline, have faced ‘harsh responses’ by the Taliban officials, for example in one case the owner was fined, her brother was arrested and physically assaulted, and the clients were forced to wash off their makeup [[Country Focus 2023](#), 4.4.1., p. 72; 4.4.2., p. 74; 4.4.5., p. 79].

A decision reportedly issued by the *de facto* government in December 2021 called on the Kabul municipality to remove all photos of women from signboards in shops and business centres in the capital. In the same month, shop owners were ordered to remove the heads of *mannequins* in Herat City, as they were considered ‘idols’ and thus ‘un-Islamic’. Some shopkeepers complied with the orders and sawed off the heads of their *mannequins* [[Targeting 2022](#), 1.3.3., p. 47].

In February 2022 and 2023 citizens were called on to avoid celebrating Valentine’s Day. It was also reported that the Taliban detained young men selling heart-shaped flowers [[Country Focus 2023](#), 1.2.1., p. 23; [Targeting 2022](#), 1.3.3., p. 47].

### **Conclusions and guidance**

#### **Do the acts qualify as persecution under Article 9 QD?**

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. imprisonment, corporal punishment, honour-based violence and killing). When the acts in question are restrictions on the exercise of certain



rights of less severe nature or (solely) discriminatory measures, the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

For individuals perceived to have committed *zina* well-founded fear of persecution would in general be substantiated.

For other individuals perceived to have transgressed moral and/or societal norms in Afghanistan or abroad, the individual assessment of whether there is a reasonable degree of likelihood to face persecution should take into account risk-impacting circumstances, such as: gender (the risk is higher for women), profession (especially artists, barbers, persons working in beauty salons), area of origin and conservative environment, visibility of the applicant and the transgression (also when the transgression took place abroad), etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of religion and/or (imputed) political opinion and/or membership of a particular social group. The latter could be based on shared characteristics, such as a common background which cannot be changed (perceived past behaviour) and a distinct identity in the context of Afghanistan, linked to their stigmatisation by the surrounding society, or a belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with them).

## 3.13. Individuals (perceived as) influenced by foreign values (also commonly referred to as 'Westernised')

Last update: May 2024

This profile refers to persons who may be (perceived as) influenced by foreign values (also commonly referred to as 'Westernised') due, for example, to their activities, behaviour, appearance and expressed opinions, which may be seen as non-Afghan or non-Muslim. It

may also include those who return to Afghanistan after having spent time in Western countries.

This profile may largely overlap with the profile [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms](#), for example in relation to norms associated with dress code. See also the sub-section [a. Restrictions of rights and freedoms under the Taliban](#) under the profile [3.15. Women and girls](#) and profile [3.11. Individuals considered to have committed blasphemy and/or apostasy](#).

## COI summary

After the takeover, the Taliban announced that they intended to act on the basis of their principles, religion and culture, and emphasised the importance of Islam and that ‘nothing should be against Islamic values’ [[Country Focus 2022](#), 1.2.3., p. 17].

The re-establishment of the MPVPV increased the enforcement of a wide range of directives related to extramarital relationships, dress code, attendance at prayers, and music [[Country Focus 2023](#), 1.2.2., pp. 24-25; [Targeting 2022](#), 1.3., pp. 41-43; [Country Focus 2022](#), 1.4., p. 25].

The Taliban’s views on persons leaving Afghanistan for Western countries remain ambiguous. On the one hand, the Taliban have said that people flee due to poverty and that it has nothing to do with any fear of them, adding that they were attracted by the economically better life in the West. Another narrative about persons leaving Afghanistan has been about the elites that left. They were not seen as ‘Afghans’, but as corrupt ‘puppets’ of the ‘occupation’, who lacked ‘roots’ in Afghanistan. This narrative could also include, for example, activists, media workers and intellectuals, in addition to former government officials. According to the source that described this, these narratives also existed among the general population, as there was an anger towards the previous government and elites due to corruption and failures [[Country Focus 2023](#), 4.11.3., pp. 97-98; [Targeting 2022](#), 1.5., p. 50].

Although the Taliban did not systematically restrict migration at overland crossing, obstacles have been created for people wanting to leave. For example, documents related to travelling abroad have become monetised, and bribes for passports have increased significantly. Senior Taliban officials called upon Afghans to stay in Afghanistan, and reportedly asked citizens to refrain from using smugglers and illegal pathways to go to foreign countries. The Taliban Deputy Minister for Refugees and Repatriations also stated that it was not ‘appropriate’ for Western nations to facilitate Afghans’ departure by inviting them and promising asylum. On 27 February 2022, the Taliban spokesperson Zabihullah Mujahid stated that persons leaving Afghanistan had ‘no excuse’ and that the Taliban were preventing them from leaving. On 1 March 2022, Mujahid clarified on social media that he had meant that persons with legal documents and invitations could travel from and return to Afghanistan [[Country Focus 2023](#), 4.11.3., pp. 97-98; [Targeting 2022](#), 1.5., pp. 50-52].

Taliban officials have repeatedly called on Afghans to return to Afghanistan. They have also communicated that former officials returning from abroad will be ensured safety and established a commission for the ‘Return and Communications with Former Afghan Officials and Political Figures’ in March 2022. There have been reports about Afghans returning



voluntarily to Afghanistan, to relocate there, for business, to visit family, and to go on holiday – including from Europe and the US [[Country Focus 2023](#), 4.1.1., pp. 57-58; 4.11.1., pp. 96-97].

It is reported that the Taliban have minimal background information on returning individuals and a source described the Taliban's approach towards returnees as 'lenient'. However, a human rights activist stated that high-profile individuals might face problems if they would return. An anonymous organisation with presence in Afghanistan stated that sometimes people were targeted when they returned to Afghanistan, but the source did not see any clear connections simply to the fact that these individuals had left the country. Rather, the targeting seemed to be connected to the reason for their initial departure from Afghanistan. Similarly, another source noted that it was not his impression that Afghans returning from the West would be subject to targeting by the Taliban, unless it was a result of a personal dispute or vendetta [[Country Focus 2023](#), 4.11.4., p. 99; [Targeting 2022](#), 1.5.2., p. 55].

Already before the Taliban takeover in 2021, there were accounts of a stigma of those being returned. There was reportedly a common perception that a person must have committed a crime to be deported, or that people returning from Europe were 'loaded with money'. Out of fear of being harassed or robbed, some did not disclose that they were returnees. A source noted that when people left for Europe, applied for asylum and then involuntarily returned or were deported, they could raise suspicion and questions as regards to what extent they had been 'contaminated' by European ways of living. After the takeover, many states suspended deportations of Afghans, while IOM and Frontex have stopped activities facilitating or accompanying returns to Afghanistan. Therefore, no recent information is available about individuals being deported or returned from the EU [[Country Focus 2023](#), 4.11.4., p. 98; 4.11.5., p. 100; [Targeting 2022](#), 1.5.1., p. 51].

One source reported that those who left after 2021 were often seen as traitors and sinners by the Taliban as, according to their vision, Afghans should stay to give their contribution to the country. The same source also reported that the Taliban have harassed family members of people who left the country and gave examples of neighbours asking questions about deported individuals' time in the West, inspecting behaviours, seeking for signs of change, and making assumptions about how they had been impacted. The same source emphasised that apparently minor accusations, such as someone having had a girlfriend or having drunk alcohol in Europe, easily spread and may lead to conflicts [[Country Focus 2023](#), 4.11.3., pp. 97-98; 4.11.5., p. 100].

The Taliban reportedly have the aim to 'purify' Afghan society and eject foreign influence from Afghanistan. Sources noted that individuals seen as 'Westernised' may be threatened by the Taliban, relatives, or neighbours. In some cases, men were reportedly harassed by Taliban fighters for wearing Western style clothes or attacked in public because they were seen as 'traitors' or 'unbelievers' [[Country Focus 2023](#), 4.12.1., p. 101; [Security 2022](#), 1.2.3, p. 31; [Targeting 2022](#), 1.5.1, pp. 50-53]. Even though no general dress code for men has been issued, some sources described cases of men stopped and harassed by Taliban fighters for wearing Western style clothes or shaving their beards, and reportedly the Taliban have imposed on government employees to grow beards and wear traditional clothing [[Country Focus 2023](#), 1.2.2., p. 25; 4.12.1., p. 101; [Targeting 2022](#), 1.3.2., pp. 43-44; 1.3.3., pp. 47-48].

Already before the takeover, women who worked outside the home could be seen as ‘Westernised’, faced frequent sexual harassment and abuse at the workplace and could be considered by society as transgressing moral codes, as bringing dishonour to the family (e.g. women in law enforcement), and as being non-Afghan or Western (e.g. women in journalism). Women in public roles commonly faced intimidation, threats, violence, or killings [[Targeting 2022](#), 5.1.3., pp. 88-89; [Country Focus 2022](#), 2.1., p. 33; [COI query on westernisation](#), 1.2., p. 8; [Society-based targeting](#), 8.10., p. 106]. Reportedly, the supreme leader is determined to implement the Taliban’s version of *sharia* to ‘purify’ Afghan society. In this view, the policy of the Taliban around education is not only against female education, it is against Western education altogether, and in this context, the *de facto* authorities have invested vast resources in building mosques and *madrassas* across the country [[Country Focus 2023](#), 4.9., p. 94; 4.12.1., p. 101].

Other links to the Western countries, such as the teaching and learning of English language could also lead to violence by the *de facto* authorities. On 18 August 2021, two students were reportedly beaten by the Taliban while attempting to go to English classes, as it was considered ‘infidels language’. [[Targeting 2022](#), 12.3., p. 187]. In March 2022, foreign drama series were also prohibited [[Targeting 2022](#), 1.3.2., pp. 43-44].

## Conclusions and guidance<sup>6</sup>

### Do the acts qualify as persecution under Article 9 QD?

Some acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. violence, or killings). When the acts in question are restrictions on the exercise of certain rights of less severe nature or (solely) discriminatory measures, the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: the behaviour adopted by the applicant, visibility of the applicant, area of origin and conservative environment, gender (the risk is higher for women), age, duration of stay in a western country, etc.



<sup>(6)</sup> Take note that a request for preliminary ruling concerning the topic is currently pending at CJEU, [Case C-646/21](#). See Opinion of the Advocate General Collins from 13 July 2023.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of religion, (imputed) political opinion, and/or membership of a particular social group. The latter could be based on shared characteristic, such as a common background which cannot be changed (perceived past behaviour) and a distinct identity in the context of Afghanistan, linked to their stigmatisation by the surrounding society, or a belief that is so fundamental to identity or conscience that they should not be forced to renounce it (opposition to cultural, social or religious norms and the unwillingness to comply with them).

## 3.14. Ethnic and religious minorities

In the context of Afghanistan, ethnicity and religion are often interlinked. This section focuses on some ethnic and/or religious minorities.

The contents of this section include:



[3.14.1. Overview](#)

[3.14.2. Individuals of Hazara ethnicity and other Shias](#)

[3.14.3. Hindus and Sikhs](#)

[3.14.4. Salafis](#)

[3.14.5. Tajiks](#)

### 3.14.1. Overview

Last update: May 2024

The 2004 suspended Constitution of the former government explicitly recognised 14 ethnic groups: Pashtun, Tajik, Hazara, Uzbek, Turkmen, Baluch, Pachaie, Nuristani, Aymaq, Arab, Qirghiz, Qizilbach, Gujur, Brahui, ‘and other tribes’. There are various estimates of the relative sizes of the ethnic groups. Estimates of the share of Pashtuns ranged from 40 to 50 % of the population, Tajiks 25–27 %, Hazaras 9–18 %, Uzbeks 6–15 %, and Turkmen 1.5–3 % [Targeting 2022, 6.1., p. 126].

The predominant religion in Afghanistan is Islam. More than 99 % of the population are estimated to be Muslims. The majority are Sunni of the Hanafi School of jurisprudence. 10–15 % of the population are Shia, most of whom are Hazara. Most Shia Muslims in the country adhere to the Jafari School of jurisprudence, but there is also a small community of Ismaili Shias [Targeting 2022, 6.1., p. 126].

The Taliban have not enacted any formal discriminatory policies against ethnic or religious groups. However, non-Pashtun groups are poorly represented in public positions. The lack of representation negatively impacts non-Pashtun groups and marginalises their possibilities to participate in decision-making processes [[Country Focus 2023](#), 4.5.1., p. 82].

Shortly after the takeover, the Taliban stated, that human rights in general would be respected in Afghanistan ‘within the framework of Islamic law’. No specific mention was made of religious freedom. Afghanistan experts observed that, in theory, the Taliban leadership generally respected minorities, but in practice Taliban rank-and-file often did not [[Country Focus 2023](#), 4.5.1., p. 82].

Since August 2021, religious freedom conditions have deteriorated. The *de facto* authorities have not only enforced a harsh interpretation of *sharia*, but have also failed to provide ethnic and religious communities with safety and security against violence perpetrated towards them by ISKP and by ‘factions of the Taliban itself’. Physical and verbal attacks against religious minorities have been reported. Furthermore, since 15 August 2021, a pattern of forced evictions and land grabbing based on ethnicity or political association was reported. Members of religious minorities, including Christians, Ahmadiyya Muslims, Baha’is, and nonbelievers have not been able to openly express their faith and belief [[Country Focus 2023](#), 1.2., p. 21; 4.3.3., p. 69; 4.5.2., p. 84].

### **3.14.2. Individuals of Hazara ethnicity and other Shias**

Last update: May 2024

This profile includes people who belong to the Hazara ethnicity and others belonging to the Shia religion. There are two main Shia communities in Afghanistan: the main Shia branch Ithna Ashariya (‘the Twelvers’) and the smaller Ismaili branch (‘the Seveners’). Mostly, persons of Hazara ethnicity are of Shia religion [[Targeting 2022](#), 6.1., p. 126].

The majority of the Hazara population inhabits the Hazarajat. There are also major Hazara populations in the cities of Kabul, Herat and Mazar-e Sharif [[Targeting 2022](#), 6.4.1., p. 130].

The Hazara ethnicity can usually be recognised by the person’s physical appearance.

#### **COI summary**

Hazaras have historically faced severe abuse, including enslavement, mass killings, and systematic discrimination under different rulers in Afghanistan. Under the previous Taliban rule in 1996-2001, several massacres of Hazaras took place [[Targeting 2022](#), 6.4.1., p. 132]. Since the fall of the Taliban regime in 2001, the Hazaras had improved their position in society. However, new security threats emerged for the Shia Muslim (Hazara) community from 2016 and onwards as the ISKP was established as a new armed actor in Afghanistan, carrying out attacks targeting, *inter alia*, Hazaras [[Country Focus 2023](#), 4.5.3., pp. 85-86; [COI query on Hazaras, Shias](#), 1.1., p. 3; 1.2., p. 4; [Country Focus 2022](#), 2.4., p. 41; [Targeting 2022](#), 6.4.1.,



p. 132]. In December 2022, the UN Secretary General called on the *de facto* authorities to implement adequate protection measures due to the IED attacks against civilian targets and in civilian areas, and specifically mentioned places of worship and education facilities and the Hazaras as a community 'facing heightened risk' [[Country Focus 2023](#), 2.2.2., p. 33].

#### a) Treatment by the Taliban

In the months following their coming to power, the Taliban held a series of meetings with Shia Hazara leaders from various parts of the country, promising to provide security for all citizens and expressing the willingness to avoid sectarian divisions [[Country Focus 2023](#), 4.5.3., p. 85]. Shia Muslims were allowed to perform their religious ceremonies, such as annual celebrations of the Ashura. However, in 2023 it was announced that, for security reasons, large gatherings would not be allowed during the celebration of Ashura. Also, Hazaras were appointed to posts in the new Taliban administration at central and provincial level to a very limited extent, and it was debated whether these people were regarded as true representatives of the Hazara minority since they had already been part of the Taliban insurgency [[Country Focus 2023](#), 4.5.3., p. 85; [Targeting 2022](#), 6.4.2., p. 135].

Despite their promises to provide security, the Taliban failed to protect the Shia Hazara communities as several attacks have been carried out by the ISKP. Moreover, harassment and forced displacement of these communities have increased [[Country Focus 2023](#), 4.5.3., pp. 85-88].

Members of the Hazara community have been killed during Taliban raids claimed to be targeting 'armed rebels', and in Ghazni Province the Taliban *de facto* security forces opened fire against a group of mourners assembled to commemorate the Shia *Ashura* ceremony. After the Taliban struck down the dissident Taliban member Mawlawi Mehdi, who was Hazara, in June 2022, reports followed of summary executions of civilians in the district of Balkhab (Sar-e Pul Province), an area with a large Hazara population, where Mehdi based his uprising [[Country Focus 2023](#), 2.3., p. 40; 4.3.3., pp. 69-70; [Targeting 2022](#), 1.1.1, p. 19].

Sources noted a discrepancy between the Taliban leadership's public stance towards Hazaras/Shias and the actual treatment of these communities by Taliban rank-and-file security forces. Hazaras have been facing discriminatory acts from Taliban members in local *de facto* administrative bodies and from the Taliban rank-and-file. According to a source, while the Hazaras have not been facing 'targeted discrimination' by the *de facto* authorities, the local Taliban would 'view Hazaras negatively and treat them with contempt (in line with historical norms)' as 'there is a view' that Hazaras 'benefitted too much' under the previous rule, which must be 'corrected' now. As a result, Hazaras have been 'systematically treated differently' by the local Taliban according to the same source. The lack of representation has also caused barriers to Hazaras in accessing passport services, and in accessing justice - for example in land disputes. Thousands of Hazaras have been evicted since the Taliban takeover, and in many decade-old land disputes which have reopened, the Taliban have tended to side with (Pashtun) Kuchi nomads [[Country Focus 2023](#), 4.5.3., pp. 85-86; [Targeting 2022](#), 6.4.2., p. 134].

Since the takeover, 'a greater number' of Kuchi nomads, compared to previous years, has moved into Hazarajat, resulting in the forced evictions and displacement of local Hazara population. In some cases, these evictions have been ordered by Taliban local leaders, while in other cases Hazara residents were reportedly evicted by Kuchi nomads or by 'the Taliban and associated militias' [[Country Focus 2023](#), 4.5.3., pp. 87-88; [Targeting 2022](#), 6.4.2., p. 134].

#### **b) Treatment by ISKP**

Over recent years, attacks by insurgent groups have mainly been attributed to ISKP. Their intention to target Shias from 'Baghdad to Khorasan' has been stated in Telegram channels run by the Islamic State. ISKP consider Shia Muslims to be apostates and, hence, a legitimate target for killing [[Targeting 2022](#), 6.4.5., pp. 143-144]. In September 2022, the UN Special Rapporteur stated that the recent years' attacks on Hazaras and non-Muslim Afghans, often claimed by ISKP, appeared to be 'systematic in nature and reflect elements of an organisational policy, thus bearing the hallmarks of international crimes, including crimes against humanity' [[COI Update 2022](#), 3., p. 9].

It was described that there have been two patterns of attacks targeting Shia Hazaras after the Taliban takeover. The first pattern consists of attacks mainly targeting civilian passenger vehicles, particularly public transport minivans favoured by 'young, educated and professional Hazaras' such as government employees, journalists, and NGO staff. The second pattern consists of large-scale complex attacks, which have *inter alia* targeted Shia mosques, hospitals, and schools in Hazara-dominated areas, mainly in the cities of Kabul, Herat, Mazar-e Sharif, Kandahar, and Kunduz [[Targeting 2022](#), 6.4.3., p. 138].

According to the UN, from 30 August 2021 to 30 September 2022, there were 22 recorded attacks against civilians in Afghanistan, 16 of which targeted the Hazara population specifically. Attacks carried out by the ISKP and unknown actors have targeted the Shia Hazara community since the takeover. Human Rights Watch estimated that 700 individuals in total had been killed and injured in such attacks. Attacks in the form of IED explosions have targeted Shia Hazaras during the *Ashura* commemoration in 2022, and a deadly suicide IED attack targeted the Kaaj education center in a Hazara-dominated neighborhood on 30 September 2022. It caused 54 deaths and injured 114 - most were teenage Hazara girls and young women. [[Country Focus 2023](#), 4.5.3., pp. 87-88].

In 2023, the number of attacks against the Shia Hazara community decreased, and no major attacks were reported between January and September 2023 [[Country Focus 2023](#), 4.5.3., pp. 87-88]. However, ISKP claimed responsibility for a suicide attack against a Shia Mosque in Pul-e Kumri in Baghlan province in October 2023, in which UNAMA reported 21 deaths and 30 injured. Between October 2023 and mid-January 2024, ISKP claimed responsibility for a string of IED attacks in Dasht-e Barchi, a Hazara dominated area in Kabul city. Estimates vary, however around 100 casualties, killing at least 19 people, were reported by UNAMA, and examples of incidents' locations included a sport club, two minibuses and a commercial centre. Three targeted attacks killing five Shia religious leaders took place in Herat city in October, November and December 2023. No one has claimed responsibility for these attacks [[COI Update 2024](#), 4., pp. 6-7]. Attacks against the Hazaras by the ISKP could be related to



their Shia religion. Among other reasons, the ISKP also reportedly targets the Hazaras due to their perceived closeness and support for Iran and the fight against the Islamic State in Syria [[COI query on Hazaras, Shias](#), 1.3., p. 6; 1.4., p. 7; [Anti-government elements](#), 3.3., p. 32; 3.6.1., p. 34].

### c) Treatment by the society

Hazaras and Shias have reportedly faced discrimination under the Taliban rule. There is also the perception within conservative parts of the Afghan society that the Hazara minority has embraced a culture not in line with the Taliban's definition of Islam [[COI Update 2022](#), 3, p. 9]. A source reported that Hazaras have historically tended to face societal discrimination in Afghanistan, from Pashtuns and also from Tajiks, Uzbeks and others. [[Country Focus 2023](#), 4.5.3., pp. 85-86].

As a majority of the Shia Muslims in Afghanistan belong to the Hazara ethnic group, the Hazaras have been the main victims of sectarian targeting against Shias. However, other Shia groups have also become victims of targeted attacks, both before and after the Taliban takeover. For instance, some of the sectarian attacks against Shia Muslims have been carried out in areas that are not Hazara-dominated. A source also noted that the victims of the attack on a Shia mosque in Kandahar in October 2021 were not primarily Hazaras [[Targeting 2022](#), 6.4.5., p. 143].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. killing, abduction, sectarian attacks). When the acts in question are restrictions on the exercise of certain rights of less severe nature or (solely) discriminatory measures, the individual assessment of whether they could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for a Hazara and/or Shia applicant to face persecution should take into account their area of origin and whether ISKP has operational capacity there, with those from Hazara-dominated areas in larger cities being particularly at risk.

Being a Hazara may also be a risk-impacting circumstance in relation to other profiles, such as: [3.1. Members of the security institutions of the former government](#), [3.2. Public officials and servants of the former government and judicial system](#), [3.10. Humanitarian workers](#), [3.12.](#)

[Individuals perceived to have transgressed religious, moral and/or societal norms, 3.13.](#)  
[Individuals \(perceived as\) influenced by foreign values \(also commonly referred to as 'Westernised'\), 3.15. Women and girls, 3.16. Children.](#)



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile may be for reasons of religion, (imputed) political opinion (e.g. links to the former government, perceived support for Iran), and/or race (ethnicity).

## 3.14.3. Hindus and Sikhs

Last update: May 2024

This profile includes people who belong to the Hindu or Sikh religions.

### COI summary

The numbers of Hindus and Sikhs living in Afghanistan have steadily decreased over the past years. It is estimated that there were around 700 000 Hindus and Sikhs in Afghanistan in the 70s, around 220 000 in 1992, and approximately 150 at the end of 2021, compared to around 400 in the beginning of the same year. Out of those, fewer than 50 were reported to be Hindus. Reportedly, all of them were male and had their families in other countries. Most members of the small Sikh and Hindu communities resided in Kabul, but there were also smaller numbers in Ghazni and other provinces. Many Sikhs and Hindus sought to resettle outside of Afghanistan after the Taliban takeover, and in 2022 religious representatives estimated that less than 100 Hindus and Sikhs remained in the country - mainly to care for temples [[Country Focus 2023](#), 4.5.2., p. 85; [Targeting 2022](#), 6.6.3., pp. 150-152; [Security June 2021](#), 2.1., p. 84; [Security 2020](#), 2.1., p. 56; [COI query on Hindus and Sikhs](#), 1.1., p. 2; [Society-based targeting](#), 2.6., p. 29].

Hindus and Sikhs were recognised and protected as equal citizens with Muslims under the suspended Constitution of 2004. Following the Taliban takeover, the *de facto* authorities have promised to protect the rights of Sikhs and Hindus. Senior representatives of the Taliban met with Sikh and Hindu community leaders in December 2021. The Taliban gave security assurances and welcomed the communities to return to Afghanistan. There have been concerns, however, in the Sikh and Hindu communities over their physical security. The UN Special Rapporteur on the situation of human rights in Afghanistan also expressed concern about verbal and physical threats and attacks against religious minorities, including Sikhs, forcing some to flee the country. There were also reports in the fall of 2021 that armed Taliban members had harassed Sikhs at their central temple in Kabul. [[Society-based targeting](#), 2.6., p. 29; [Targeting 2022](#), 6.6.3., pp. 150-152]



Attacks on Hindus and Sikhs, including killings, by ISKP in places of worship have been reported in recent years. Furthermore, Hindus and Sikhs have encountered crime incidents because of their perceived wealth, land-grabbing, societal discrimination, harassment, and some reported instances of societal violence in Afghanistan [[Targeting 2022](#), 6.6.3., pp. 150-152; [COI query on Hindus and Sikhs](#), 1.1., pp. 2-4; 1.4., p. 6; [Anti-government elements](#), 3.6.2., p. 34].

Sources indicate that Hindus and Sikhs celebrated discreetly in order not to provoke the attention of Muslims and that they have inconspicuous places of worship [[COI query on Hindus and Sikhs](#), 1.1., p. 2; [Society-based targeting](#), 2.6., p. 29].

On 18 June 2022, an armed attack was carried out on a Sikh *Gurdwara* (place of worship) in Kabul. At least two persons were killed – a Sikh worshipper and a member of the *de facto* security forces, and seven others were injured. ISKP claimed the attack and furthermore stated that it was a response to a political debacle in India, where a politician previously had made remarks interpreted as an insult to the Prophet Mohammed. The *de facto* security forces intervened and tried to protect the *Gurdwara* [[Targeting 2022](#), 6.6.3., p. 151].

A bombing in a Sikh-owned shop close to a Sikh place of worship in Kabul City, which did not cause any casualties, was reported in July 2022 [[COI Update 2022](#), 3., p. 9]. A Sikh shop was also attacked by an explosion on 3 December 2022 in Jalalabad, causing six casualties according to local *de facto* authorities. However, several sources have noted that ISKP attacks had decreased and no major attacks against ethno-religious minorities had been reported in many months as of September 2023 [[Country Focus 2023](#), 2.2.2., pp. 33-34].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. sectarian attacks).



### What is the level of risk of persecution (well-founded fear)?

For individuals under this profile, well-founded fear of persecution would in general be substantiated.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of Hindus and Sikhs in Afghanistan is highly likely to be for reasons of religion.

### 3.14.4. Salafis

Last update: May 2024

#### COI summary

The Afghan Salafists, of whom there are several hundred thousand in Afghanistan, reside mainly in the eastern provinces of Nangarhar, Kunar, and Nuristan [[Security 2022](#), 4.25.1., p. 165].

Salafism in Afghanistan can be traced back to the nineteenth century although it first flourished during the anti-Soviet Jihadi era in the 1980s, when Saudi Arabia, among others, supported the ‘salafisation’ of the Afghan *mujahideen*. When the Taliban came to power in the 1990s, they inherited a traditional hostility towards Salafism. Consequently, Salafi teachings were banned, and the Taliban took other measures to prevent its spread [[Targeting 2022](#), 6.6.6., pp. 154-155].

Since August 2021, the Taliban have reportedly been cracking down on Salafis, allegedly arresting and killing members of their community and raiding and closing dozens of their mosques and *madrassas* [[Security 2022](#), 4.25.1, p. 165]. Salafi communities were also targeted, due to their perceived affiliation to ISKP. The Taliban’s approach towards Salafists has reportedly varied from location to location, with attempts by the Taliban to distinguish between Salafi members with links to ISKP and those who had no links to the group [[Country Focus 2023](#), 4.3.1., p. 68; 4.5.1., p. 83].

Violations against Salafists reportedly occurred in 2023 as well, and women and children have been arrested without charges. Social and communal profiling of Salafists took place especially in the east, in the provinces Nangarhar and Kunar, but then also increasingly in Kunduz and Badakhshan. In October 2023, sources stated that the *de facto* security forces in Nangarhar had adopted a much more conciliatory approach, with Salafi *madrassas* re-opening in an attempt to prevent Salafists having no other option to protect themselves than supporting ISKP. At the same time, limitations were imposed on Salafi communities on what they can teach. Teachers and university students with suspected links to ISKP were arrested from the university campus in Kabul City and subsequently released, and there were cases of high-level Salafi clerics being assassinated and imprisoned [[Country Focus 2023](#), 4.3.2., pp. 68-69].

For further guidance on the targeting of the Salafi community linked to their perceived support and affiliation to ISKP, see [3.5. Individuals perceived as members or supporters of the Islamic State in Khorasan Province \(ISKP\)](#).



## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. abduction, torture, execution).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: province of origin (especially Nangarhar and Kunar), additional individual elements implicating the applicant as being supportive of ISKP, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion and/or religion.



For those with links to ISKP, exclusion considerations could be relevant (see the chapter [7. Exclusion](#)).

## 3.14.5. Tajiks

Last update: May 2024

### COI summary

Mainly in Tajik-dominated areas in the northeast provinces, it was reported that civilians have been subjected to house searches, arbitrary arrests, detentions, extrajudicial killings, torture and displacement because of perceived association with the NRF. Some sources identified an ethnic dimension in the targeting and identified ethnic Tajiks as prone to violations, also in Kabul City, while other sources have discarded such accounts [[Country Focus 2023](#), 4.3.1., p. 67; 4.5.1., p. 83].

The Taliban have reportedly conducted reprisal attacks, including arbitrary arrests and killings of civilians in areas associated with resistance groups, mostly in Panjshir Province, but also in the provinces Baghlan, Takhar and in Daykundi [Country Focus 2023, 4.3., p. 65; 4.3.1. pp. 66]. Individuals originating from Panjshir Province have, according to several sources, been arrested in Kabul City for suspected links to NRF [Country Focus 2023, 4.3.1., p. 67].

Regarding the forced evictions of local communities, including Hazara, Tajik and Uzbek communities, in northeastern provinces as well as in Hazarajat, in favour of formerly displaced Pashtuns returning to their areas of origin and Kuchi nomads (also Pashtuns), a source noted that such a phenomenon could be attributed to the Taliban's strategy aimed at gaining political and military control over these areas rather than for the purpose of 'Pashtunisation' of the country. It was reported that, even in provinces with a homogenous ethnic composition, such disputes have re-emerged, often along tribal or clan-based lines. However, forced evictions and displacement of minority groups were reportedly facilitated or tolerated by the *de facto* authorities, and in the disputes involving returning Pashtun (mainly Kuchis) refugees from Pakistan, local Taliban authorities reportedly sided with the Pashtun Kuchis leading to the local population, mainly Uzbeks and Tajiks, being evicted from their houses and lands [Country Focus 2023, 4.3.3., p. 69; 4.5.1., p. 83].

For further guidance on the targeting of the Tajiks linked to their perceived support and affiliation to the NRF, see [3.4. Individuals perceived as members or supporters of the National Resistance Front \(NRF\)](#).

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. abduction, collective punishments, torture, execution).



### What is the level of risk of persecution (well-founded fear)?

The individual assessment whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account whether they would be perceived as having an affiliation to NRF, with Tajiks from Panjshir and Andarab district (Baghlan province) being particularly at risk. See [3.4. Individuals perceived as members or supporters of the National Resistance Front \(NRF\)](#).



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that persecution of this profile is highly likely to be for reasons of (imputed) political opinion.

### 3.15. Women and girls

Last update: May 2024

#### COI summary

##### a. Restrictions of rights and freedoms under the Taliban

Women's active participation in political and economic life and their contribution to Afghan society have been largely curtailed in comparison to their situation under the former government. Since their takeover, the *de facto* authorities have repeatedly expressed their commitment to respect women's and girl's rights within the framework of *sharia*. On 3 December 2021, the Taliban issued a decree on women's rights, which banned forced marriage (although it did not address the minimum age of marriage), stated that women should not be considered as 'property', and granted inheritance rights to widows. This decree, however, did not refer to wider women's and girls' rights. Moreover, several edicts, decrees, and declarations have been issued by the Taliban, which have increasingly restricted women's and girl's freedom of movement, expression and behaviour, as well as their access to education, employment, healthcare, justice, and social protection [[Country Focus 2023](#), 4.4.1., p. 71; [Targeting 2022](#), 5.2., p. 97].

In June 2023, the UN reported that the women and girls in Afghanistan faced 'large-scale' and 'systematic' violations of their human rights, and that these violations have been applied with 'harsh enforcement methods'. The Taliban have implemented policies which were largely 'discriminatory' and 'misogynistic', enforcing 'gender persecution and an institutionalized framework of gender apartheid' [[Country Focus 2023](#), 4.4.1., pp. 71-72].

#### Freedom of movement and gender segregation

At the end of December 2021, the MPVPV issued a new guideline for transport operators across the country, preventing women from travelling long distances (more than 72 kilometres), unless accompanied by a male relative. Further restrictions on women's freedom of movement applied at provincial level were reported, with women moving around in public spaces without a *mahram* in some provinces being detained by the Taliban authorities. As of March 2022, women could only board in local or international flights with a *mahram* and with the 'proper *hijab*'. In addition, women and girls were prohibited from entering public areas, including parks, gyms, and public baths; more recently, the Band-e-Amir national park in

Bamyan Province has been included in this restriction [[Country Focus 2023](#), 4.4.3., pp. 74-75; [Targeting 2022](#), 5.2.3., pp. 112-113].

According to the UN, harassment is frequently encountered and these limitations are being enforced more strictly, particularly at checkpoints. When traveling alone or in public, women are being questioned, and the males who accompany them are being asked to produce identification documents or marriage licenses as proof of their relationship. Reportedly, the law prohibiting Afghan women from leaving the country without a *mahram* has been aggressively enforced in recent months. However, a source reported that not all women comply with the rule of having a *mahram* accompanying them. For example, the ban on women traveling domestically has been applied inconsistently in Kabul and on the routes to Logar and Bamyan, as well as towards Mazar-e Sharif. The same source also stated that the ruling forbidding Afghan women from traveling outside the country without a *mahram* has been very strictly enforced in recent months, whereas during 2021 and 2022, it was more lax, and there were reported cases of women being prohibited to travel abroad [[Country Focus 2023](#), 4.4.3., p. 75].

#### **Dress code**

On 7 May 2022, the Taliban MPVPV announced a new decree instructing women that they should not leave the house without 'real need' and if they do, to respect a strict dress code regulation. The ministry stated that women must cover themselves from head to toe, suggesting the *burqa* as 'the good and complete *hijab*' preferred for covering a woman's hair, face and body. However, the *burqa* was not prescribed as mandatory, as long as women would cover themselves with a *hijab* or garment obscuring the outlines of their body. A woman's male guardian was legally responsible for policing her clothing. Women's compliance with the new decree was reportedly mixed in the streets of Kabul City and women with their faces uncovered were still a common sight. In city areas like Dasht-e Barchi, predominantly inhabited by the Hazara minority, few women reportedly covered their faces, while in the Pashtun neighbourhood of Kart-e Naw, most women covered their faces with a *hijab* or a headscarf. In mid-May 2022, the Taliban Minister of Interior declared that 'women are not forced but advised to wear the *hijab*'. The impact of the Taliban's new regulation differed across the country [[Targeting 2022](#), 5.2.5., pp. 120-123].

In March 2022, the Taliban Health Ministry reportedly issued instructions that female patients without a *hijab* should be denied healthcare. Vehicle drivers were also instructed not to pick up female passengers without a *hijab* covering their hair. [[Targeting 2022](#), 1.3.2., pp. 43-44; 5.2.5., p. 122]. In Mazar-e Sharif, shopkeepers were ordered not to sell to women without *hijab* [[COI Update 2022](#), 2., p. 3].

Frequent incidents of women being harassed or physically assaulted at checkpoints due to not wearing a *hijab* have been well-documented. Reportedly, some women in urban areas continue to dress and express themselves in their preferred style. However, a source reported that, when visiting government buildings, women need to be accompanied by a *mahram*, adhere to the Taliban's guidelines and wear a 'proper' dress [[Country Focus 2023](#), 4.4.1., p. 73].



UNAMA has expressed concern 'over recent arbitrary arrests and detentions of women and girls by Afghanistan's *de facto* authorities because of alleged non-compliance with the Islamic dress code', following 'a series of *hijab* decree enforcement campaigns' targeting women and girls in Kabul City and Nili City in Daykundi Province. Reportedly, several women were arrested in Kabul in January 2024 for not wearing a proper *hijab*. There have also been reports of arrests in the provinces of Daikundi, Balkh, Herat, Kunduz, Takhar, Bamyan and Ghazni. Eyewitnesses had reportedly also seen women and girls being arrested despite wearing a *hijab* [[COI Update 2024](#), 2., pp. 2-3].

### **Exclusion from work and public life**

Already before the takeover, women who worked outside the home commonly encountered frequent sexual harassment and abuse at the workplace and could be considered by society as transgressing moral codes, as bringing dishonour to the family (e.g. women in law enforcement), and as being non-Afghan or Western (e.g. women in journalism). Women in public roles faced intimidation, threats, violence, or killings [[Targeting 2022](#), 5.1.3., pp. 88-89].

Since 15 August 2021, Afghan women have been largely excluded from political life and the general workforce [[Targeting 2022](#), 5.2.2., p. 105].

In contrast to the 1990s, the *de facto* authorities have refrained from completely prohibiting paid employment for women. Nevertheless, their limitations on women's work opportunities had a substantial impact on the female labour force. The World Bank estimated in 2022 that almost half of the Afghan women that were employed had lost their jobs since the Taliban assumed control [[Country Focus 2023](#), 4.4.5., p. 77].

There were no women in the Taliban's cabinet or in other key *de facto* government positions. Many of those women who had held public positions before the takeover were in hiding. Some of them not only received threats by the Taliban but also by other members of society [[Targeting 2022](#), 5.1.3., p. 88]. No uniform policy related to women's access to employment was announced by the Taliban and rights and working conditions for women remained uncertain. The *de facto* authorities repeatedly claimed their commitment to maintain women's right to access employment, within the framework of *sharia*. However, since their takeover, they have announced several restrictions which hindered women's access to the labour market. There have been provincial differences, with women being discouraged to go to work by Taliban fighters on the roads in some provinces and women still active in *de facto* government jobs in other ones. In March 2022, the Taliban MPVPV issued national guidelines instructing gender segregation in Taliban government ministry offices and prohibiting female employees from entering their office without wearing a *hijab*. Gender segregation between men and women was also imposed in educational and health facilities [[Targeting 2022](#), 1.3.2., pp. 43-45; 5.2.1., pp. 99-100, 104-105; 5.2.2., pp. 105-106; 5.2.3., pp. 111-115].

Approximately 4 000 women who had served in Afghanistan's military under the former government are now unemployed. Female lawyers and judges have been completely prohibited from practicing. Many women judges have reportedly gone into hiding or fled Afghanistan due to threats from prisoners who were released. Women journalists were banned from state-run media outlets, and those working in private media face restrictions,

such as having to cover their faces on TV, and work in gender-segregated offices. It is estimated that 80 % of women journalists have lost their jobs since the Taliban took over [Country Focus 2023, 4.4.5., pp. 77-78].

Women working in the public sector were instructed to stay home and have been excluded from working in most governmental bodies. However, some continue to work within the *de facto* ministries of Public Health, Interior and Education, as well as in airports and in the security field. Women were prohibited from working for both domestic and international NGOs in December 2022, and on April 5, 2023, the *de facto* authorities outlawed Afghan women from working for the UN on a national level. According to the UN, the majority of foreign embassies were also notified that Afghan women were no longer permitted to work in their offices. Several NGOs claimed that women employed in the fields of education, health, and nutrition were exempted from this prohibition, however, this has not been officially stated by the *de facto* authorities [Country Focus 2023, 4.4.5., p. 78].

The Taliban have been rather supportive of female entrepreneurs, which is an exception to the general ban on women. Summits on female entrepreneurship have occurred, and the Taliban have frequently supported them, arguing that they are not as restrictive on women as portrayed by the media. However, there have been reports that women working in the private sector have also been subjected to restrictions. For example, suppliers have reportedly refused to sell to them and they have been requested to operate in a gender-segregated environment. When beauty salons closed in July 2023, about 60 000 women lost their jobs. According to UNAMA, Taliban officials have met with 'harsh responses' salons that have been open beyond this deadline [Country Focus 2023, 4.4.5., pp. 78-79].

The Taliban's position and policy regarding women in the Afghan society has been 'elusive and confusing', with decisions often made at provincial level. This caused confusion among Taliban fighters on how orders should be enforced in practice, resulting in arbitrary implementation. The lack of employment prospects has pushed increasingly more women in the main cities to stroll the streets, pushing carts and selling second-hand goods or simple food goods [Country Focus 2023, 4.4.5., p. 79; Targeting 2022, 5.2., pp. 97-98].

## **Access to healthcare**

Women with more complex health needs, such as pregnant women, have reportedly been facing major issues with regard to access to healthcare, including fear and insecurity, mobility restrictions due to the need to be accompanied in public by a *mahram*, or the need to travel long distances to reach health services. Female patients were also reportedly allowed to be attended only by women healthcare professionals. Women lacked sufficient means of safe transportation and there was a shortage of trained female personnel and a lack of specialised medical personnel such as midwives [Country Focus 2023, 3.5., p. 44]. Due to a 'strained health system, the economic crisis, the limitations on movement and the restrictions placed on male health-care professionals treating women and girls', women and girls faced difficulties in their access to critical and basic healthcare. Reportedly, women were for example unable to give birth in clinics because of the costs involved or because of the lack of the necessary resources [Country Focus 2023, 4.4.6., p. 79; KSEI 2022, 6.3., p. 49].



Accessing services can be more difficult for women who belong to ethnic and religious minorities, like Shia Hazara, or women with disabilities, or who live in poverty, reside in rural areas, or do not have male family members [[Country Focus 2023](#), 4.4.6., p. 79].

In March 2022, the Taliban MPVPV ordered healthcare institutions to deny medical assistance to female patients without a *hijab* [[Targeting 2022](#), 5.2.5., p. 120]. An article quoted health workers from Ghazni district describing an incident where two unaccompanied women were reportedly forced out of a clinic by the Taliban. In another incident, a midwife was reportedly detained, and medical staff of the clinic was facing prosecution for having attended to a single woman giving birth. The Taliban reportedly denied that such incidents took place [[Targeting 2022](#), 1.3.3., p. 48; 5.1.6., p. 95; 5.2.3., p. 113].

According to a research study from June 2023, healthcare workers in rural, semi-rural, and urban areas across all provinces faced harshened working conditions as well as limited availability of quality care. The main problems reported were the lack of skilled and qualified personnel, a lack of medical supplies, and the Taliban's harassment against both the staff and women seeking care. Healthcare, particularly for mothers and children, has deteriorated. Reportedly, in some healthcare facilities there were no professional midwives available. Although no recent data was available, sources reported that the mortality numbers of both mothers and infants have increased [[Country Focus 2023](#), 3.5., p. 54].

### **Access to education**

At the end of August 2021, primary schools for both boys and girls re-opened. In February 2022, the Taliban's Ministry of Education announced a new primary education plan. Boys and girls in grades 1 up to 6 were instructed to follow classes separately, with male teachers for boys and female teachers for girls, and at different times. In mid-September 2021, the Taliban authorities announced that secondary education (above grade 6) would resume for boys. Access to secondary education for girls was not mentioned in this announcement. In some cases, secondary schools for girls were able to open in at least 13 provinces during the 2021-2022 school year. Private secondary schools were reportedly allowed to offer education for girls in all provinces, but many schools closed due to lack of resources stemming from families affected by poverty and unemployment, and their resultant inability to pay school fees. However, sources indicated that most secondary schools have since closed in all provinces, including private secondary schools. [[Country Focus 2023](#), 4.4.4., pp. 75-76; [Targeting 2022](#), 5.2.1., pp. 99-100]

In February and March 2022, in the weeks and days leading up to the start of the new school year, the Taliban Ministry of Education insisted several times that all schools would reopen, for boys as well as for girls. However, on 23 March 2022, the Taliban announced the abrupt decision to keep all secondary schools closed for girls, reportedly affecting an estimated 1.1 million Afghan girls across the country. The Taliban officially announced that secondary schools would remain provisionally closed for girls 'until a comprehensive plan has been prepared according to *sharia* and Afghan culture' [[Targeting 2022](#), 5.2.1., pp. 100-101].

Additionally, there were reports of the Taliban inspecting primary schools for girls in Kandahar and expelling hundreds of girls who attended primary school despite being in secondary

education level. Underground secret schools continued to operate in some parts of Afghanistan. The UN Special Rapporteur reported that 'adaptive and creative methods', including online ones, have been developed to support girls' education. However, because of the inconsistent internet connections, these techniques 'are not equally accessible or sustainable' [[Country Focus 2023](#), 4.4.4., p. 76].

In the beginning of September 2021, the Taliban Ministry of Education issued a decree stipulating rules for female university students including gender segregation, and strict dress codes. These regulations came into effect as private universities reopened their doors for male and female students on 6 September 2021. Public universities remained closed, although some in warm climate provinces reopened in February 2022 [[Targeting 2022](#), 5.2.1., pp. 104-105]. However, on 20 December 2022, the right for women to attend universities was 'suspended' until further notice. In July 2023, the Taliban National Examination Directorate announced that female students would not be permitted to take university entrance exams. In August 2023, the Taliban Ministry of Education stated that women would be readmitted to universities as soon as the ban was lifted, without providing any information or clarifications. According to UNAMA, from July to September 2023, the *de facto* authorities took 'various steps' to ensure the exclusion of women from secondary and tertiary education.' [[Country Focus 2023](#), 4.4.4., pp. 76-77]

A suicide attack against the Kaaj Educational Centre in Kabul's Dasht-e Barchi District on September 30, 2022, killed 54 people, while 114 others were injured. The majority of the victims were young Hazara women and girls. In June 2023, two targeted poison attacks against two primary schools in Sangcharak District of the Sar-e Pul province resulted in the poisoning of 60 to 90 schoolgirls and their teachers. According to a Taliban education official, the attack was motivated by a 'personal grudge' [[Country Focus 2023](#), 4.4.4., p. 77].

### **Access to justice**

Women's access to justice is severely restricted. Even before the Taliban takeover, perpetrators of attacks against women enjoyed impunity [[Targeting 2022](#), 5.1.1, p. 85; [Criminal law and customary justice](#), 1.4, pp. 14-16]. Women's access to justice, courts, and legal assistance for gender-based violence had also been generally limited, and informal justice mechanisms were reported to frequently discriminate against women [[Criminal law and customary justice](#), 2.3.2., p. 27].

Women's access to justice has been further adversely affected by the Taliban's ban on female judges and attorneys to practice law, which also affects their capacity to get legal aid and equality before the law. [[Country Focus 2023](#), 4.4.8., p. 81]

### **b. Violence against women and girls**

Even before the Taliban takeover, violence against women and girls was a pervasive problem, regardless of the ethnic group, and perpetrators of attacks against women enjoyed impunity [[Targeting 2022](#), 5.1.1., p. 85; [Criminal law and customary justice](#), 1.4., pp. 14-16].



Afghanistan is considered to have one of the highest rates of violence against women worldwide. In December 2021, the *de facto* authorities issued a Decree on Women's Rights, making traditional practices, such as forced marriage (also regarding widows) or *baad*, the exchange of daughters between families or clans in order to end blood feuds or disputes, illegal. However, despite the new decree, the *de facto* authorities handled gender-based violence cases inconsistently, often resorting to informal means, such as mediation [[Country Focus 2023](#), 4.4.7., pp. 79-80].

Violence against women reportedly increased under the Taliban rule. The Taliban also ended institutional and legal support for women facing such violence. This forced many women and girls to return to their abusers or remain in situations where they were at risk of experiencing gender-based violence [[Targeting 2022](#), 5.2., p. 98]. Cases of domestic violence leading to death were also reported. Although monitoring of the topic has stopped since the takeover, gender-based violence reportedly increased for reasons such as unemployment and drug abuse [[Targeting 2022](#), 5.1.5., p. 91].

Under Taliban rule, the practice of forced and early marriage of women and girls has increased, mostly due to the humanitarian and economic crises, the lack of opportunities for education and employment, and the belief held by some families that marrying their daughters would protect them from being forced to marry a member of the Taliban. Women filing for divorce were coerced back into abusive relationships, on many occasions by the local Taliban. Furthermore, there were concerns that divorces finalised during the previous administration would not be regarded as valid. Top Taliban officials have not provided definitive responses on that matter. [[Country Focus 2023](#), 4.4.7., p. 80]

*Sharia* does not differentiate between consensual sexual relations outside marriage and rape. Both is defined as *zina* and punishable with stoning or lashing. Living alone is, furthermore, associated with inappropriate behaviour and could potentially lead to accusations of 'moral crimes' [[KSEI 2020](#), 3.3., pp. 70-71; [KSEI 2017](#), 5.5., pp. 130-131; [Society-based targeting](#), 3.8.6., pp. 61-62]. Between 15 August 2021 and 30 April 2023, UNAMA recorded 80 cases of women being punished with lashings, mostly for *zina* [[Country Focus 2023](#), 4.4.8., p. 81]. See also [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms](#).

UNAMA recorded at least 324 instances of violence against women and girls between March 2022 and August 2023. These cases included 'honour killings', forced and child marriages, beatings, and domestic abuse that resulted in self-immolation or suicide. According to ACLED, there has been an increase in sexual violence, with 22 recorded cases in the first half of 2023. It has been reported that Taliban officials have ill-treated female protestors, even engaging in sexual assault in custody. On 28 February 2023, Taliban members reportedly raped a woman and her two minor daughters. In a different incident, a woman detained by the Taliban was allegedly forced to marry a Taliban official after he raped her. According to UN experts, the directive on men's punishment 'for the conduct of women and girls' could lead to normalisation of discrimination and violence against women and girls [[Country Focus 2023](#), 4.4.7., p. 80].

## Conclusions and guidance<sup>(7)</sup>

### Do the acts qualify as persecution under Article 9 QD?

The accumulation of various measures introduced by the Taliban, which affect the rights and freedoms of women and girls in Afghanistan, amounts to persecution. Such measures affect their access to healthcare, work, freedom of movement, freedom of expression, girls' right to education, among others. Some women and girls in Afghanistan may also face other forms of ill-treatment amounting to persecution (e.g. forced marriage, such as child marriage, honour-based violence)<sup>(8)</sup>.



### What is the level of risk of persecution (well-founded fear)?

For women and girls in Afghanistan, well-founded fear of persecution would in general be substantiated.

Links to persecution under other profiles may also be relevant, in particular [3.2. Public officials and servants of the former government and judicial system](#), [3.8. Journalists and media workers](#), [3.10. Humanitarian workers](#), [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms](#), and [3.13. Individuals \(perceived as\) influenced by foreign values \(also commonly referred to as 'Westernised'\)](#).



<sup>(7)</sup> On 14 September 2022, the Supreme Administrative Court of Austria referred two questions to the CJEU concerning the interpretation of Article 9(1)(b) of Directive 2011/95/EU ('Qualification Directive', 'QD'). In essence, the referring court asks whether the current situation for women and girls in Afghanistan amounts to persecution due to an accumulation of measures within the meaning of this provision; and whether it is sufficient that a woman is affected by such measures merely on the basis of her gender or whether an individual assessment is required. On 9 November 2023, the Opinion of the Advocate General Richard de la Tour was released. At the time of the publication of the present Country Guidance document the case is still pending before the CJEU (cases of AH and FN v. Bundesamt für Fremdenwesen und Asyl (C-608/22 and C-609/22).

<sup>(8)</sup> See also CJEU, *WS v Intervyuirasht organ na Darzhavna agentsia za bezhantsite pri Ministerskia savet*, case C-621/21, Judgment of 16 January 2024.

Para. 48: "Article 60(1) of the Istanbul Convention provides that gender-based violence against women is to be recognised as a form of persecution within the meaning of Article 1A(2) of the Geneva Convention. Secondly, Article 60(2) of that convention requires parties to ensure that a gender-sensitive interpretation is given to each of the reasons for persecution prescribed by the Geneva Convention and that where it is established that the persecution feared is for one or more of those reasons, applicants are to be granted refugee status".



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that the persecution of this profile is likely to be for reasons of membership of a particular social group.<sup>9</sup> Other grounds, such as religion and/or (imputed) political opinion may also be substantiated.

## 3.16. Children

This profile refers to Afghan nationals under the age of 18.

In the following subsections, the focus is on certain child-specific circumstances of increased vulnerability and risks that children in Afghanistan may be exposed to.



The contents of this section include:

[3.16.1. Violence against children](#)

[3.16.2. Child recruitment](#)

[3.16.3. Child labour and trafficking in children](#)

[3.16.4. Children without a support network in Afghanistan](#)

### 3.16.1. Violence against children

Last update: May 2024

#### COI summary

Child abuse is endemic in Afghan society. Children in Afghan families are often subjected to corporal punishment, including slapping, verbal abuse, punching, kicking, and hitting with thin sticks, electrical cables, and shoes. Sexual abuse of children also remained a pervasive problem, with girls being the most frequent victims in their families or communities [[Criminal law and customary justice](#), 5., p. 67; [KSEI 2017](#), 4.1., pp. 115-116].

The practice of *bacha bazi* is an example of child-specific violence reported in Afghanistan. The practice has resurfaced after the end of the previous Taliban regime of 1996-2001.

<sup>(9)</sup> See also [CJEU, WS v Intervyuirasht organ na Darzhavna agentsia za bezhantsite pri Ministerskia savet, case C-621/21](#), Judgment of 16 January 2024.

Para. 62: "Article 10(1)(d) of Directive 2011/95 must be interpreted as meaning that, depending on the circumstances in the country of origin, women in that country, as a whole, and more restricted groups of women who share an additional common characteristic may be regarded as belonging to 'a particular social group', as a 'reason for persecution' capable of leading to the recognition of refugee status".

Sources reported that young boys, with 14 as an average age, were abducted and disappeared into the practice or were traded in by their families in exchange for money. Boys involved in the practice may be subjected to violence and threats, be raped, and kept in sexual slavery. *Bacha bazi* is not perceived as homosexuality. Despite the criminalisation of the practice in the former Penal Code, Afghan security forces, in particular the ALP, reportedly recruited boys specifically to use them for *bacha bazi* in every province of the country. *Bacha bazi* boys had little to no support from the former government and the perpetrators were seldom prosecuted in the context of a weak rule of law, corruption, and official complicity with law enforcement perpetrators. Under the provisions of the Penal Code, prosecution of victims of *bacha bazi* was outlawed; however, instances of jailing boys engaged in *bacha bazi* were reported [[KSEI 2022](#), 8.4., p. 59; [KSEI 2017](#), 4.3.3., p. 119; [Society-based targeting](#), 5.1., pp. 67-69; [State Structure](#), 2.1., p. 27; 2.1.1., p. 30; 2.1.3., p. 35].

The economic deterioration and resulting increase in poverty in the country following August 2021, as well as reoccurring ‘shocks and disruptions’ causing the population’s resilience to diminish, have led the Afghan population to increasingly resort to negative coping strategies, which can generally be understood as ‘a set of responses to difficulties that may provide a temporary means of survival.’ Examples affecting children in particular include the case of child marriage, the sale of children, taking children out of school, child labour or child recruitment [[Country Focus 2023](#), 3.2., p. 49; [KSEI 2022](#), 8., p. 59].

It remains unclear what is the applicable legal framework following the Taliban takeover, including with regard to children’s rights [[Security 2022](#), 1.2.3., p. 29].

For violence against girls, see also [3.15.b. Violence against women and girls](#).

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Sexual assault and rape amount to persecution. In case of other forms of violence, the assessment should take into account the severity and repetitiveness of the violence. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the child to face violence amounting to persecution should take into account risk-impacting circumstances, such as: poor socio-economic situation of the child and the family, gender (boys and girls may face different risks), age and appearance (e.g. non-bearded boys could be targeted as *bacha bazi*), perception of traditional gender roles in the family, etc.





### Are the reasons for persecution falling within Article 10 QD (nexus)?

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated in relation to a well-founded fear of violence.

For example, in individual cases, a link could be established to membership of a particular social group, e.g. (former) *bacha bazi* could have a well-founded fear of persecution for reasons of membership of a particular social group, based on common background that cannot be changed and having a distinct identity linked to their stigmatisation by the surrounding society.

## 3.16.2. Child recruitment

Last update: May 2024

### COI summary

Article 3 of the Afghan Law on the prohibition of child recruitment in the military institutions prohibited child recruitment in the military units. Article 4 of the same law envisaged a punishment for the perpetrators from six months to one-year imprisonment [[State structure](#), 2.1.1., p. 29]. However, currently, the applicable legal framework, including in relation to child recruitment, is unclear [[Security 2022](#), 1.2.3., p. 29].

In more than 20 years of armed conflict, the Taliban have reportedly used children as fighters, to plant and detonate IEDs, and as suicide bombers. There were reportedly thousands of children in their ranks, often trained in *madrassas* and recruited through force and threats, deception, promises of money or other incentives. [[KSEI 2022](#), 8.2., p. 61] Children were recruited to Taliban ranks during their time as an insurgency and according to some sources, child recruitment has continued after the takeover. An Afghan analyst estimated that thousands of children may remain in Taliban ranks. However, the Taliban have formed a commission to remove child soldiers from their ranks, and today they usually avoid recruiting boys that are too young by rejecting those without a beard. The source added that the idea of childhood ending at 18 is seen as a Western construct, and that in a country where the large majority of the people do not know their date of birth or their age, becoming adult at 18 ‘makes very little sense’, and oftentimes the age is estimated [[Country Focus 2023](#), 2.5., pp. 43-44].

In an October 2021 report, UNHCR referred to information obtained from interlocutors in the field, according to which both the Taliban *de facto* authorities as well as the ISKP ‘recruit widely and use children in their ranks’ [[KSEI 2022](#), 8.2., p. 60].

At the same time, children in the ranks of Taliban have become more visible since its takeover, leading to perceptions that the recruitment of children has increased, despite much of the recruitment likely having occurred previously. The growing rate of poverty was reported to be a driving factor for the recruitment and use of children by armed groups [[KSEI 2022](#), 8.2., p. 61].

See also [3.6 Persons fearing forced recruitment](#) and [3.16.1. Violence against children](#).

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

Child recruitment is of such severe nature that it amounts to persecution, including when recruitment is not induced by coercion.



#### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the child to face persecution in the form of child recruitment should take into account risk-impacting circumstances, such as: gender, poor socio-economic situation, area of origin or residence, etc.



#### Are the reasons for persecution falling within Article 10 QD (nexus)?

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join the Taliban or ISKP, persecution may be for reasons of (imputed) political opinion and/or religion.

### 3.16.3. Child labour and trafficking in children

Last update: May 2024

#### COI summary

The previous government of Afghanistan ratified all key international conventions concerning child labour and trafficking, and established its own laws and regulations, adopting its first Child Rights Protection law in 2019. However, the law had been blocked due to a disagreement over 'the definition of a child as under-18', which has been seen as a contravention to the *sharia* [[KSEI 2020](#), 2.2.5., p. 35; [Security 2020](#), 1.4.5., p. 49].



It remains unclear what the applicable legal framework is following the Taliban takeover, including with regard to children's rights [[Security 2022](#), 1.2.3., p. 29]. As reported by US DOS in April 2022, the Taliban had not expressed any intention to change existing labour laws and had not yet commented on child labour. The source further mentioned children being forced to work under threat of physical violence from their families and boys being sent to work in neighbouring Iran [[KSEI 2022](#), 8.3., p. 61]. Based on a nationwide household survey (conducted between April and September 2022), the UNDP assessed that more than 850 000 households had sent their children to work and almost 80 000 had married off girls earlier than intended [[Country Focus 2023](#), 2.5., p. 49].

Poverty is reported to be a driving factor for child labour and several sources noted an increase in child labour in Afghanistan. According to one report, in Charikar alone, the capital of Parwan province, more than 1 700 children were engaged in forced labour and more than 100 of them were homeless. Up to 20 % of Afghan families were reportedly forced to put their children to work as incomes had fallen dramatically and an estimated one million children were now engaged in child labour in the first six months after the Taliban takeover. Boys and children living in rural areas are reported to be generally more likely to be affected by child labour than girls and children living in urban areas. Another report noted that 'twice as many boys as girls are engaged in work outside the home, while girls are mostly confined to work in their homes, rendering them invisible and thus more difficult to assess' [[KSEI 2022](#), 8.3., p. 62].

UN experts stated that restrictions imposed by the Taliban against women and girls increased the 'risk of exploitation of women and girls including of trafficking for the purposes of child and forced marriage as well as sexual exploitation and forced labour' [[KSEI 2022](#), 8.4., pp. 62-63].

The trafficking of Afghan children reportedly increased since the Taliban takeover. There have been multiple recent reports of boys being smuggled across the Iranian and Pakistan borders, and of incidents of sexual violence against them committed by paid 'guides'. In a report on child labour in Afghanistan published in September 2021, the US Department of Labour reported that children were subjected to trafficking in human beings both domestically and internationally, and that boys migrating unaccompanied were particularly vulnerable to trafficking in human beings, including for agricultural and construction work. There were reports of children being trafficked as a means of paying off their families' debts [[KSEI 2022](#), 8.4., p. 63].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Trafficking in children amounts to persecution.

Not all forms of child labour would amount to persecution. An assessment should be made in light of the nature of the work and the age of the child. Work that is likely to harm the health,

safety or morals of children could be considered to reach the severity of persecution<sup>(10)</sup>. Being a child is to be taken into account in the assessment on whether an act reaches the threshold of persecution.

The impact of child labour on access to education should also be taken into account. Other risks, such as involvement in criminal activities and trafficking should also be considered.



### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the child to face persecution in the form of trafficking and/or child labour should take into account risk-impacting circumstances, such as: age, gender, socio-economic status of the child and the family, family status, etc.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

The individual circumstances of the child need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated in relation to the risk of trafficking in children and/or child labour.

## 3.16.4. Children without a support network in Afghanistan

Last update: May 2024

This subsection concerns children who do not have a parent or other adult family member who can take care of them in Afghanistan.

### COI summary

According to reports from January and February 2022, the number of orphans and unsupervised children in Afghanistan was increasing. Many children had lost their parents in the conflict, making orphanages in Afghanistan important institutions. At the same time, orphanages have faced serious difficulties to provide care and food for the children due to the country's economic crisis and lack of external and internal funding [[KSEI 2022](#), 9.3., p. 66].

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<sup>(10)</sup> International Labour Organization (ILO), Minimum Age Convention, C138, 26 June 1973, available at [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138); Worst Forms of Child Labour Convention, C182, 17 June 1999, available at [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182).



Only a few weeks after the Taliban takeover in August 2021, the situation for children was described as particularly dire. In October 2021, the starvation deaths of eight unattended orphan boys in Kabul's District 13 were reported. In February 2022, of the 68 public orphanages in Afghanistan, only 9 were reportedly still open, while 36 private orphanages were also still operating [[KSEI 2022](#), 9.3., p. 66].

Living conditions in the orphanages were reported to be poor, with no regular access to running water, heating in winter, indoor plumbing, healthcare service, recreational facilities or education. Children were reportedly subjected to psychological, physical, and sexual abuse, forced labour, and sometimes became the victims of trafficking in human beings [[KSEI 2022](#), 9.3., p. 66].

### Conclusions and guidance

#### Do the acts qualify as persecution under Article 9 QD?

The lack of a support network does not amount to persecution in itself. However, it considerably increases the risk for such children to be exposed to acts which due to their severity, repetitiveness or accumulation could amount to persecution.

See, for example, [3.16.3. Child labour and trafficking in children](#).



#### What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the child to face persecution should take into account risk-impacting circumstances, such as: age, gender, being subjected to psychological, physical, and sexual abuse, forced labour, trafficking in human beings, etc.



Available information indicates that in the case of children without a support network in Afghanistan, the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated.

## 3.17. LGBTIQ persons

Last update: January 2023

This profile refers to persons who are perceived as not conforming to religious and/or social norms because of their sexual orientation and/or gender identity, including the treatment of lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ) individuals. However, it should be noted that specific information on some of the relevant sub-profiles was not available in the COI reports used for the purpose of this analysis.



For issues related to the practice of *bacha bazi*, which is not considered homosexuality in Afghan society, please see [3.16.1. Violence against children](#).

### COI summary

In Afghan society, sexuality is not a concept that is generally discussed. Therefore, little information can be obtained about LGBTIQ individuals and their position in society [[Society-based targeting](#), 4, p. 62]. Moreover, 'documenting killings of people suspected of being LGBT' have become 'especially difficult' as people who knew the victims either feared or were too ashamed to report [[Targeting 2022](#), 11.3., p. 184].

Same-sex activity is punishable with death under the *sharia* and incidents of physical violence against LGBTIQ individuals had been reported under the former Afghan government [[Society-based targeting](#), 4.1., pp. 62-64].

On 29 October 2021, a Taliban spokesman stated that human rights will be respected within the framework of Islamic law, but this does not include LGBTIQ rights as that is against *sharia* [[Country Focus 2022](#), 2.10., p. 56]. In January 2022, Human Rights Watch reported that the Taliban 'echoed the previous government's support for the criminalisation of same-sex relations', with some Taliban leaders 'vowing to take a hard line' against the rights of the 'LGBT' persons. According to a manual issued by the Taliban in 2020 and revised in February 2021, same-sex relations were prohibited, while 'strong allegations' of homosexuality were to 'be reported to the ministry's district manager for further action, presumably punishment' [[Targeting 2022](#), 11.1., p. 181].

Targeting and extrajudicial punishment by (then) insurgent groups had also taken place in the past and after the recent takeover of Taliban. Following the takeover, members of the LGBTIQ community reportedly lived in fear, many went into hiding and wanted to flee out of fear for their lives. Some transwomen reportedly felt forced to grow beards to hide their gender identity, and lesbian women were under pressure to act 'more feminine' [[Targeting 2022](#), 11.1., p. 182].

LGBTIQ individuals were reported to have faced targeting by the Taliban, including attacks, direct threats, arrests, detentions, torture, killings, sexual assaults and rapes. There were also allegations of street attacks on LGBTIQ persons and threats received over the phone. Dozens



of cases of harassment, beatings, burning, and killings of young LGBTIQ people were documented since the takeover [[Targeting 2022](#), 11.3., pp. 184-185].

Although killings involving LGBTIQ Afghans could not be ‘independently verified’, sources reported on allegations of the beheading of a gay man and noted that a gay man had allegedly been killed by the Taliban after ‘gay material’ was found on his mobile phone during a checkpoint search. It was reported that the Taliban were ‘very harsh’ at checkpoints and some transgender people were beaten and detained for hours. It was also said that queer individuals were tortured by the Taliban when they identified them after checking their phone at a checkpoint [[Targeting 2022](#), 11.1., p. 183; 11.3., p. 184].

There were also claims that the Taliban had a ‘kill list’ of LGBTIQ individuals and that they seemed to complement these lists through data leaks and entrapment. For example, individuals had reportedly received emails asking for personal data and claiming to be connected with a LGBTIQ organisation. It was also said that the Taliban were attempting to trick gay men by contacting them on social media and offering ways to escape from Afghanistan [[Country Focus 2022](#), 2.10., p. 55].

After the takeover, attacks on LGBTIQ people by family members, neighbours, and members of general society have also reportedly increased. LGBTIQ individuals were facing threats from family members, neighbours, acquittances, romantic partners and online contacts. Many LGBT people were reportedly mistreated by their families and lived in fear of their neighbours. Beatings by neighbours were also reported. There were also claims that neighbours and family members of some LGBTIQ people reported them to the Taliban. Many LGBT Afghans reportedly conformed to societal expectations and married an opposite-sex partner and had children because they wanted to maintain ties with their families. Lesbian women were reportedly forced into engagement or marriage. It was also reported that transgender persons were abandoned by their families and rejected by the Afghan society. At the same time, the previously existing support network of LGBTIQ people ‘largely disintegrated’ as the members of the community either fled Afghanistan or went into hiding [[Targeting 2022](#), 11.2., pp. 183-184].

Although Afghanistan has traditions of a ‘third gender’, where individuals identify outside categories of male and female, these people are not legally recognised and function only at the margins of society [[Society-based targeting](#), 4.2.1., p. 66].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against individuals under this profile are of such severe nature that they amount to persecution (e.g. rape, execution, killings). Persecution could be by the Taliban or other armed groups, as well as by the family and/or the society in general, as there is a low societal tolerance in Afghanistan for individuals with sexual orientation or gender identities deviating from the ‘norm’.



### What is the level of risk of persecution (well-founded fear)?

For individuals under this profile, well-founded fear of persecution would in general be substantiated.



### Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that the persecution of this profile is highly likely to be for reasons of membership of a particular social group, based on a shared characteristic or belief that is so fundamental to the identity of the applicant, that he or she should not be forced to renounce it, and based on their distinct identity in Afghanistan, because they are perceived as being different by the surrounding society.

## 3.18. Individuals involved in blood feuds and land disputes

### 3.18.1. Blood feuds

Last update: December 2020

Blood feuds for revenge-taking can be the result of personal violence or wrong-doing that is seen as being against honour, disputes involving land, or in the context of family conflicts and relationships.

#### COI summary

Usually, blood feuds occur between non-State actors, for example within certain ethnic subgroups, and mostly in areas where the government and the rule of law is weak or non-present. Blood feuds arise mostly among Pashtuns, but it is also a practice among other ethnic groups in Afghanistan. The influence of the tribal context of blood feuds is less strong in large cities, but this does not automatically mean that a person would escape a blood feud entirely by moving away [[Criminal law and customary justice](#), 1.3., pp. 13-14; 3., pp. 29-31; [Society-based targeting](#), 7.1., pp. 83-84; 7.7.4., pp. 91-92].



Such feuds can become extremely violent, may involve killings, and can go on for generations. The societal and family obligations to carry out revenge are strong, and it is difficult for someone to resist or escape a blood feud [[Criminal law and customary justice](#), 3., pp. 29-30; [Society-based targeting](#), 7.1., pp. 83-84; 7.3., pp. 85-86; 7.7.4., pp. 91-92].

Adult men are the most frequent target of blood feuds. Usually, revenge is carried out against the brothers or other immediate male relatives of the perpetrator [[Society-based targeting](#), 7.6., pp. 87-88].

Women and children are usually excluded from being direct targets of revenge killings in blood feuds. However, there have been examples in the media of children and women reportedly killed in relation to a blood feud or retribution. Negative consequences of blood feuds for women and children can occur through the practice of '*baad*' [[Criminal law and customary justice](#), 3., pp. 29-30; [Society-based targeting](#), 7.6., pp. 87-88]. See also [3.15.b. Violence against women and girls](#).

In some instances, blood feuds could be avoided through seeking the forgiveness (*nanawatai*) of the injured party and requesting that they forego retribution (*bada*). This could be done by the individual offender approaching the offended party to ask forgiveness, or through a *jirga* with local tribal elders and *ulemas*; however, women are excluded from taking part in such fora [[Criminal law and customary justice](#), 3.2., pp. 31-32; [Society-based targeting](#), 7.7.1., pp. 88-89].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Acts reported to be committed against family members involved in a blood feud are of such severe nature that they amount to persecution (e.g. killing).



### What is the level of risk of persecution (well-founded fear)?

For men directly involved in a blood feud, well-founded fear of persecution would in general be substantiated.

For women, for children and for men who are farther removed from the feud, the individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: intensity of the blood feud, origin from areas where the rule of law is weak, etc.



## Are the reasons for persecution falling within Article 10 QD (nexus)?<sup>(11)</sup>

The individual circumstances of the applicant need to be taken into account to determine whether or not a nexus to a reason for persecution can be substantiated.

For example, family members involved in a blood feud may have a well-founded fear of persecution for reasons of membership of a particular social group, based on their innate characteristic (i.e. being a member of the family) and due to the fact that families are known and may have a distinct identity in the surrounding society.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

### 3.18.2. Land disputes

Last update: May 2024

Land disputes are common in Afghanistan due to the fragmented regularisation/registration of land, large population movements and rapid urbanisation, the protracted conflict situation, and a weak rule of law.

#### COI summary

Land disputes occur among individuals and families and can sometimes involve powerful elites or insurgent groups. They occur in a context of growing urbanisation, population growth and high numbers of returnees all over the country, and among all ethnic groups, including nomadic tribes. In rural areas, land conflicts can expand to include whole families, communities, ethnicities, tribes, or clans within one tribe [[Criminal law and customary justice](#), 2.1., pp. 22-23; [Society-based targeting](#), 6., pp. 71-72].

Land conflicts can quickly escalate and become violent, sometimes degenerating into small armed conflicts, as well as blood feuds (see also [3.18.1. Blood feuds](#)). Cases of conflicts over land and property in different regions of Afghanistan that resulted in killings and casualties were reported [[Criminal law and customary justice](#), 2.1., pp. 22-24; [Society-based targeting](#), 6.1., pp. 73-74].

In the past, a weak rule of law led to a possibility for powerful individuals to influence the administration in order to produce forged documents, and the judiciary to allow them to operate with impunity. In dispute resolution, both formal and informal mechanisms had displayed a bias towards the powerful, wealthy, men, elites and dominant ethnicities. Land disputes were reported to be the most common cases heard by the Taliban courts, during their time as insurgency [[Criminal law and customary justice](#), 2.3.1., pp. 25-26; 2.3.2., pp. 26-

<sup>(11)</sup> Take note that a request for preliminary ruling concerning the topic is currently pending at CJEU, Case C-217/23.



27; 2.3.3., pp. 27-28; [State structure](#), 3., p. 39; [Society-based targeting](#), 6.4.1., p. 77; 6.4.4., pp. 81-82; 7.7.4., pp. 91-92].

According to an international analyst, ethnicity has become more important since the Taliban took power, adding examples of Taliban supporting Pashtun communities in conflicts with non-Pashtun neighbours over property and land. Tensions between settled and nomadic communities have intensified in various provinces, leading to forced evictions and displacement of minority groups, including Hazaras, Uzbeks, and Tajiks. The Taliban's involvement in land disputes, particularly siding with Pashtun Kuchis, has resulted in the eviction of local populations. According to one source, these conflicts were attributed to complex land dispute dynamics and as a strategy of the Taliban to gain political and military control over affected areas, rather than solely ethnic motivations for the purpose of 'Pashtunisation' of the country [[Country Focus 2023](#), 4.3.3., p. 69; 4.5.1., pp. 82-83].

Several land disputes have been reported in Takhar Province involving the reclaiming of the lands by Pashtun refugees from Pakistan, most of whom were Kuchis. The Taliban in the context of their support to the Pashtun Kuchis, subjected the local population, primarily Uzbeks and Tajiks, to forced evictions from their homes and lands. [[Country Focus 2023](#), 4.5.1., p. 83]

There were also reported cases of civilians being forcibly evicted in what seemed like acts of retaliation for supporting the former government [[Security 2022](#), 4.16.2., p. 136; 4.20.2., p. 150; 4.33.2., p. 190; 4.35.2., p. 194; [Targeting 2022](#), 2.4., pp. 68-69].

Even though the central and local authorities include non-Pashtun members, Hazara interviewees told an AAN analyst that ethnic balance in the Taliban's commissions responsible for handling local land disputes did not guarantee impartiality [[Country Focus 2023](#), 4.5.1., p. 81].

See also [3.14.2 Individuals of Hazara ethnicity and other Shias](#).

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

Disputes over land would not in themselves amount to persecution. However, the violence that entails from land disputes, together with the lack of an effective legal system to prevent it, may result in severe violations of basic human rights which would amount to persecution (e.g. killing).

In the case of forced evictions of communities, the individual assessment whether the discrimination and mistreatment against these communities could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. The lack of an effective remedy for these communities should also be taken into account.



## What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: violent nature of the dispute, ethnicity, power and influence of the actors involved in the land dispute, area of origin, etc.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

Available information indicates that in the case of violence related to land disputes, there is in general no nexus to a Convention reason for persecution.

This is without prejudice to individual cases where nexus could be established based on additional circumstances (e.g. ethnicity in relation to Taliban taking sides based on the ethnic origin of the person, land dispute leading to a blood feud etc.).

Where there is no nexus to a reason for persecution, (the risk of) being subjected to forced eviction may qualify under Article 15(b) QD, depending on the severity of its consequences in the individual case.



Exclusion considerations could be relevant to this profile (see the chapter [7. Exclusion](#)).

## 3.19. Persons living with disabilities and persons with severe medical issues

Last update: May 2024

This profile refers to people with disabilities, including mental disabilities, as well as those who have severe medical issues, including mental health issues.

For restrictions concerning women and girls' access to healthcare, see the sub-section [a. Restrictions of rights and freedoms under the Taliban](#) under the profile [3.15 Women and girls](#).



## COI summary

Under the former government, most healthcare was provided by NGOs due to the lack of government funds. A very expensive healthcare private sector was also in place. Conflict-related security incidents however caused the destructions and closures of healthcare facilities in several provinces, as well as incidents of violence against medical personnel. Mental healthcare facilities were also often under-equipped and qualitative mental healthcare was scarce [[KSEI 2020](#), 2.6., pp. 46-48; 2.6.2., pp. 49-52; 2.6.3., pp. 55-56]. After the Taliban takeover the already weak public health system was heavily impacted by the suspension in aid flows. The Director-General of World Health Organisation (WHO) described the Afghan health system as 'on the brink of collapse' and pointed out the cuts in donor support leading to reduced operations and health facilities shutting down. WHO warned that the lack of funding of the humanitarian assistance programme in 2023 will leave 8 million people without essential health assistance, 450 000 with little to no trauma care services, and 1.6 million people with mental health issues without access to consultations and psychosocial support [[Country Focus 2023](#), 3.5., pp. 53-55; [Country Focus 2022](#), 1.2.1., p. 21].

In Afghanistan, people with mental and physical disabilities are often stigmatised. Their condition is at times considered to have been 'related to God's will'. Mistreatment of those people by society and/or by their families has occurred. Women, displaced persons and returned migrants with mental health issues are particularly vulnerable. There is also lack of appropriate infrastructure and specialist care that covers the needs of people with disabilities. The existing structures were largely concentrated in a few urban centres [[KSEI 2020](#), 2.6.6., p. 59].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

The lack of personnel and adequate infrastructure to appropriately address the needs of individuals with (severe) medical issues fails to meet the requirement of Article 6 QD regarding the existence of an actor that inflicts persecution or serious harm, unless the individual is intentionally deprived of healthcare.

The actor requirement may be satisfied in specific cases of denial of healthcare, such as in the case of women denied access to healthcare due to not being accompanied by a *mahram*, not wearing a hijab, or not being allowed to be seen by a male healthcare professional. See the sub-section [a. Restrictions of rights and freedoms under the Taliban](#) under the profile [3.15 Women and girls](#).

For persons living with mental and physical disabilities, the individual assessment whether discrimination and mistreatment by society and/or by the family could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.



## What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, nature and visibility of the mental or physical disability, negative perception by the family, etc.



## Are the reasons for persecution falling within Article 10 QD (nexus)?

With regard to women, see [3.15. Women and girls](#).

With regard to persons living with noticeable mental or physical disabilities, available information indicates that the persecution may be for reasons of membership of a particular social group, defined by an innate characteristic and distinct identity linked to their stigmatisation by the surrounding society.

## 3.20. Individuals who were born in Iran or Pakistan and/or who lived there for a long period of time

Last update: May 2024

This profile refers to Afghans who were born in or have spent a very long period as a refugee or a migrant in Iran or Pakistan.

### COI summary

According to IOM statistics, millions of people have crossed the borders of Afghanistan to and from the neighbouring countries Pakistan and Iran. Precise arrival numbers and the circularity of flows are, however, not known [[Country Focus 2023, 4.11.1., p. 96](#)].

As of January 2022, there were approximately 3 million Afghans living in Pakistan, around 1.4 million of them are Proof of Registration (PoR) cardholders, approximately 840 000 hold an Afghan Citizen Card (ACC), and an estimated 775 000 are undocumented. While PoR and ACC cardholders are offered limited protection, mainly from refoulement, undocumented Afghans are exposed to arrest, detention and deportation. As a result, many newly arriving Afghans had to rely on informal networks and try to keep a low profile for fear of being stopped by Pakistani authorities [[Pakistan – Situation of Afghan refugees 2022, 1.2.2., p. 22](#)].

Since the Taliban takeover and as of 31 January 2023, the Government of Pakistan estimated that about 600 000 Afghans arrived in Pakistan. The so-called 'Illegal Foreigners' Repatriation Plan' (IFRP) launched on 3 October 2023 by the Pakistan's interim government urged all



'illegal immigrants' to return to their countries of origin by 1 November 2023 to avoid being repatriated by Pakistani authorities. It is estimated that thousands of Afghans returned to Afghanistan from Pakistan before the end of the above deadline. The fact that the country was facing one of 'world's largest humanitarian crises' did not allow the *de facto* authorities to support these returnees as promised. Some also reported that the Taliban mistreated them and 'took away cash and mobile phones from their relatives'. The situation of women and girls arriving in Afghanistan was particularly vulnerable [[Illegal Foreigners' Repatriation Plan 2023](#), 1., p. 7; [Situation of Afghan returnees from Pakistan amid the 2023 'Illegal Foreigners' Repatriation Plan](#), 1., pp. 2-3; 2., p. 6].

According to a source, the Taliban have minimal background information on returning individuals. The source stated that sometimes, upon return, individuals have been given travel money to reach their homes and may be lectured by a *mullah* on the dangers of leaving. Overall, the source found the Taliban 'lenient' in their handling of returnees. Moreover, upon return of individuals with criminal records in foreign countries, arriving from Pakistan and Iran, the Taliban note down details and then let most of them go. Additionally, more than 800 individuals with sentences to complete had been deported from Iran and were sent to prison. Most of them were however pardoned and released during Eid. The source added that it was not clear on the basis of which criteria they were released or if any of these individuals had been re-arrested. According to another source, the 'huge stigma' that exists around individuals deported from the West does not apply to deportations from countries such as Iran or Pakistan – as this is very common. However, sources have emphasised that it is of great importance for returnees to have a social network in Afghanistan [[Country Focus 2023](#), 4.11.4., p. 99; 4.11.5., pp. 100-101]. Not being accustomed to Afghan norms and expectations and having no support network in Afghanistan may add to the difficulties in finding job or shelter. Afghans who lived outside Afghanistan for a long period of time may also have a strong accent, which would be a further obstacle in finding a job. Moreover, Afghans who grew up in Iran and are perceived as 'Iranised' or 'not Afghan enough' may sometimes receive offensive comments [[Society-based targeting](#), 8.7., pp. 101-103].

## Conclusions and guidance

### Do the acts qualify as persecution under Article 9 QD?

In general, the treatment faced by individuals under this profile would not amount to persecution.

## 4. Subsidiary protection

### Article 15 QD

This chapter addresses the EU-regulated status of subsidiary protection. Where the applicant has not been found to qualify as a refugee, they may be eligible for subsidiary protection in accordance with Article 15 QD.



The contents of this chapter include:

Under the section [Article 15\(a\) QD](#), the analysis focuses on the applicable EU legal framework and the factual circumstances surrounding the 'death penalty or execution' in Afghanistan.

The section on [Article 15\(b\) QD](#) looks into the risk of 'torture or inhuman or degrading treatment or punishment' in relation to particular circumstances in Afghanistan.

Under the section [Article 15\(c\) QD](#), the analysis covers the different elements of the provision, looking into: 'armed conflict', 'qualification of a person as a 'civilian'', 'indiscriminate violence', 'serious and individual threat' (where further individualisation elements are discussed), 'qualification of the harm as 'threat to life or person'', and the interpretation of the nexus 'by reasons of'.

### 4.1. Article 15(a) QD: death penalty or execution

Last update: May 2024

#### Article 15(a) QD

As noted in the chapter [Refugee status](#), some profiles of applicants from Afghanistan may be at risk of death penalty or execution. In such cases, there would often be a nexus to a reason for persecution falling under the definition of a refugee (for example, [3.11. Individuals considered to have committed blasphemy and/or apostasy](#) and [3.17. LGBTIQ persons](#)), and those individuals would qualify for refugee status.

In cases where there is no nexus to a Convention ground, the need for subsidiary protection under Article 15(a) QD should be examined.



Death penalty is envisaged under Islamic law. The former Penal Code was reported to significantly limit the number of crimes punishable by the death penalty and the death penalty was rarely carried out in practice. Before the Taliban takeover, in the areas under their control, they imposed punishments through a parallel justice system, based on a strict interpretation of the *sharia*. This included instances of executions, including public executions by stoning and shooting [[Criminal law and customary justice](#), 1.8., pp. 19, 21; 2.3.3., p. 27; [Anti-government elements](#), 2.5., p. 21; [Society-based targeting](#), 1.6., p. 22]. The justice system imposed following the Taliban takeover is based on *sharia*, and so are judgements and actions of judges and police officers in Afghanistan under Taliban rule [[Targeting 2022](#), 1.1.4., p. 28]. Capital and corporal punishment are regarded as relevant punishments for certain crimes under *sharia* according to Taliban officials [[Country Focus 2022](#), 1.5., p. 30].

The new Taliban justice system was affected by various measures, including the lack of a clear legal framework, the appointment of judges educated in *madrassas*, the exclusion of Shia jurisprudence, the reliance on informal justice mechanisms for civil and criminal issues, and the delegation of punishment enforcement to individual Taliban fighters and commanders 'on the spot' [[Country Focus 2023](#), 1.2.3., pp. 25-26].

Initially after the takeover, there was reportedly a tendency among Taliban judges not to issue 'too harsh' punishments and there were only sporadic local reports on the use of corporal or capital punishments. There have been two cases of public executions being enforced since the Taliban takeover. On 14 November 2022, the Taliban supreme leader ordered all judges to fully implement *sharia*, including *hudud* and *qisas* punishments that includes execution, stoning, flogging and amputation [[Country Focus 2023](#), 1.2.3., pp. 25-26; 4.1.6., p. 63]. Corpses of alleged criminals killed during the *de facto* authorities' operations against them have also been put on display, mainly in Herat City but also in Mazar-e Sharif [[Country Focus 2023](#), 1.2.3., p. 26].

As of June 2022, UNAMA had recorded extrajudicial killings of five women and two men accused of extramarital relationships [[Targeting 2022](#), 1.1.4., p. 35]. According to *sharia*, *zina* is punished with stoning or lashing, depending on whether or not the perpetrators are married [[Targeting 2022](#), 5.1.6., p. 94]. In February 2022, a woman and a man were stoned to death for alleged adultery in Badakhshan Province on order by a district judge. In addition, four people were reportedly stoned to death over rape accusation in Uruzgan in December 2021 [[Targeting 2022](#), 1.1.4., p. 35].

As of 30 June 2023, UNAMA had recorded 218 killings against former civilian and military personnel carried out by the *de facto* authorities since the Taliban takeover [[Country Focus 2023](#), 4.1.2., pp. 58-59]. According to a source, the reports of civilians being executed seemed to be part of a pattern where the Taliban failed to distinguish civilians from combatants, or resorted to collective punishments in areas of armed resistance [[Country Focus 2023](#), 4.3.3., p. 69]. Various sources reported that, during 2022, the Taliban subjected civilians in Panjshir province to killings and other forms of reprisals that, according to the UN Special Rapporteur appeared to 'amount to collective punishment'. Also extrajudicial executions, including of groups of NRF fighters, were reportedly linked to the Taliban in 2022 [[Country Focus 2023](#), 4.3.1., p. 66].

If there is a reasonable degree of likelihood of death penalty or execution, subsidiary protection under Article 15(a) QD shall be granted, unless the applicant is to be excluded in accordance with [Article 17 QD](#).



In some cases, the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds (Article 17 QD). Therefore, although the criteria of Article 15(a) QD would be met, exclusion considerations should be examined (see [7. Exclusion](#)).

## 4.2. Article 15(b) QD: torture or inhuman or degrading treatment or punishment

### [Article 15\(b\) QD](#)

As noted in the chapter on [Refugee status](#) some profiles of applicants from Afghanistan may be at risk of torture or inhuman or degrading treatment or punishment. In such cases, there would often be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. However, with reference to cases where there is no nexus to a Convention ground, the need for subsidiary protection under Article 15(b) QD should be examined.



The contents of this section include:

[4.2.1. Healthcare](#)

[4.2.2 Socio-economic conditions and forced evictions](#)

[4.2.3. Arbitrary arrests and detentions, prison conditions and enforced disappearances](#)

[4.2.4. Corporal punishments](#)

[4.2.5. Criminal violence](#)

[4.2.6. Other circumstances](#)



## 4.2.1. Healthcare

Last update: May 2024

After the Taliban takeover, the already weak public health system was heavily impacted by the halt in aid flows. The few private healthcare options that remained have often been too expensive for people to afford. At the same time, working conditions and the availability and quality of care deteriorated due to the lack of skilled staff, shortages in medical supplies and medication, and harassment by the Taliban against staff members and against women seeking care. In August 2023, 21 provinces were identified as having critical/extreme health needs and the remaining 13 provinces as having severe health needs [[Country Focus 2023](#), 3.5., pp. 53-55]. In February 2022, gunmen reportedly killed eight health workers of the polio vaccination teams, including four women, in three separate incidents in Kunduz and Takhar province, leading the UN to suspend the vaccination campaign in these provinces [[Targeting 2022](#), 9.1.1., p. 176].

Women with more complex health needs, such as pregnant women, have reportedly been facing major issues with regard to access to healthcare, including fear and insecurity, mobility restrictions due to the need to be accompanied in public by a *mahram* or the need to travel long distances to reach health services, some rural areas being described as ‘white areas’ – areas without any healthcare structures in place. Female patients were also reportedly allowed to be attended only by women healthcare professionals.

In Afghanistan, people with mental and physical disabilities are often stigmatised. Their condition is at times considered to have been ‘related to God’s will’. Mistreatment of those people by society and/or by their families has occurred. Women, displaced persons and returned migrants with mental health issues are particularly vulnerable. There is also lack of appropriate infrastructure and specialist care that covers the needs of people with disabilities. The existing structures were largely concentrated in a few urban centres [[KSEI 2020](#), 2.6., pp. 56-57, 59].



It is important to note that serious harm must take the form of conduct of an actor ([Article 6 QD](#)). In itself, the general unavailability of healthcare is not considered serious harm meeting the requirements of inhuman or degrading treatment under Article 15(b) QD in relation to Article 6 QD, unless there is intentional conduct of an actor, such as the intentional deprivation of the applicant of appropriate healthcare.

The actor requirement may be satisfied in specific cases of denial of healthcare, such as in the case of women denied access to healthcare due to not being accompanied by a *mahram*, not wearing a hijab, or not being allowed to be seen by a male healthcare professional, or in the case of some persons with physical disabilities or mental health problems, who may experience stigmatisation. In such cases, a nexus to a reason for persecution may also be substantiated and refugee status may be granted (see [3.15. Women and girls](#) and [3.19. Persons living with disabilities and persons with severe medical issues](#)). If nexus to a reason for persecution is not substantiated, Article 15(b) QD would apply.

## 4.2.2. Socio-economic conditions and forced evictions

Last update: May 2024

After the Taliban takeover, the existing economic and humanitarian crisis escalated, and the Afghan economy entered a stage of 'free fall' for months. The Afghan Central Bank's assets were frozen, aid delivery became increasingly complicated, and the economy contracted by close to 21 % in 2021, and by 6 % in 2022. In mid-2022 the Afghan economy started to stabilise and in 2023, there were some signs of a slight economic revival. [[Country Focus 2023](#), 3.1., pp. 45-46]

While Afghanistan remains one of the poorest countries in the world, by April-June 2023, nominal wages had recovered to their pre-crisis levels and the real wages value was accentuated by the lower inflation and the subsequent deflation. The World Bank reported that this contributed to an improvement in household welfare, but also pointed out that poverty remained high and that the recent gains could be an effect of households exhausting all resources and coping strategies such as reducing the quality and quantity of food, getting into heavy debt, selling property, begging, marrying off girls, taking children out of school, child labour, and in extreme cases organ trafficking [[Country Focus 2023](#), 3.2., pp. 47-49].

Food insecurity is widespread throughout the country that is currently on stage 4 out of 5 on the IPC, although the hunger situation has not been classified as a famine in Afghanistan. Food insecurity has particularly impacted households headed by persons with lower education, persons with disabilities, and women. Women's access to food has been negatively impacted due to restrictions on their freedom of movement, and limited job opportunities. Also, since the Taliban takeover, acute malnutrition has significantly affected children, resulting in increased hospitalisation of children under five years of age. Many children have also shown signs of psychosocial distress due to their families' economic hardship [[Country Focus 2023](#), 3.3., pp. 50-52].

Women and female-headed households were particularly affected by the Taliban's policies of banning women from returning to their jobs or using public transport alone, requiring them to be accompanied by a close male relative when leaving the house, and observing a strict dress code. These policies did not only limit women's freedoms, but also affected their ability to work and make a living, driving them further into poverty [[KSEI 2022](#), 3.2., p. 26]. According to the World Bank's statistics, the average unemployment rate among women was 44.4 %. Moreover, women in urban areas, with a secondary or post-secondary education and who used to be employed in 2020, tended to be unemployed in 2022 due to Taliban restrictions on educated women. Most women were engaged in tending livestock, working on farms, or running small-scale economic activities from home [[Country Focus 2023](#), 3.2., p. 48].

In March 2022, it was indicated that for female-households it is more challenging to access aid 'in the deeply conservative and patriarchal country', as it is, for example, quite difficult for women to access food distribution centres when they are already overcrowded with men [[KSEI 2022](#), 4.2., p. 35]. The decision by the Taliban to prohibit women in Balkh and Herat provinces access to public bath-houses (hammams) reportedly sparked outrage, as many



households lacked the facilities and capacity to heat large quantities of water for washing and bathing at home [[KSEI 2022](#), 5.1., p. 40].

Women were also found to be particularly affected by inheritance issues because communities and families discriminate against their inheritance rights, while informal legal systems discriminate in the application of the relevant legal frameworks. Consequently, the affected households lived in permanently unstable conditions, making them 'particularly vulnerable to abuse and exploitation'. Such households needed further HLP assistance and cash for rent if they were threatened with eviction [[KSEI 2022](#), 5.2., p. 41].

Households in Helmand, Zabul, Nangarhar, Kabul and Ghor provinces were reportedly most affected by land-related issues, inheritance disputes, and access and use issues. It was noted that such disputes often arose when households were unable to pay their rent on time and subsequently faced harassment and eviction, or abusive practices (such as a sudden rent increase or demanding rent during the month) by their landlords. As most households did not have rental agreements, tenants were vulnerable to such practices [[KSEI 2022](#), 5.1., p. 41].

While conflict-induced displacement has decreased, economic hardship has become a driving force for internal movement figures. Moreover, there has reportedly been a great increase in the share of people being displaced due to disasters. Most of the IDPs who were displaced in 2021 and 2022 had relocated to the province of Kabul (23 %) followed by Herat (10 %) and Balkh (8 %) [[Country Focus 2023](#), 2.3.1., p. 41]. In urban areas, many IDPs reportedly faced discrimination, lacked access to basic services and faced a permanent risk of being evicted from illegally occupied displacement sites [[KSEI 2022](#), 3.3., pp. 27-28].

UNHCR and IOM reported figures varying between 274 012 IDPs and 1 525 577 IDPs returning to their areas of origin in Afghanistan in 2022. However, economic hardship has been identified as a barrier for returning to IDPs' areas of origin [[Country Focus 2023](#), 2.3.1., p. 41].

Forced evictions and displacement of minority groups, including Hazaras, Uzbeks and Tajiks, were reportedly facilitated or tolerated by the *de facto* authorities. At least 2 800 Hazara residents have been forcibly displaced from 15 villages in Daykundi and Uruzgan provinces in September 2021 alone. In December 2022, residents of Sar-e Pul Province, mostly Uzbeks and Tajiks, 'staged a protest against their forced eviction and the seizure of land' by the Taliban in 8 villages. They were reportedly 'threatened with a military response if they did not follow orders' [[Country Focus 2023](#), 4.5.1., p. 83]. See also the [3.14. Ethnic and religious minorities](#) under the Refugee Status chapter.



Serious harm must take the form of conduct of an actor ([Article 6 QD](#)). In themselves, general poor socio-economic conditions are not considered to fall within the scope of inhuman or degrading treatment under Article 15(b) QD, unless there is intentional conduct of an actor.

When these socio-economic conditions are the result of an intentional conduct of an actor (e.g. forced evictions), these conditions may qualify under Article 15(b) QD in relation to Article 6 QD, following an individual assessment.

Such conditions may also increase the risk of persecution or other serious harm, such as child marriage or sale of children, where the actor requirement under Article 6 QD would also be met.

In some of those cases, a nexus to a reason for persecution may also be substantiated and refugee status may be granted instead.

### **4.2.3. Arbitrary arrests and detentions, prison conditions and enforced disappearances**

Last update: May 2024

Special attention should be paid to the phenomena of arbitrary arrests and illegal detention, as well as to prison conditions. Before the takeover, arbitrary arrests and illegal detention centres run by different actors (linked to the former government, to militias, to strongmen or to insurgent groups) have been widespread in Afghanistan. In general, human rights were not respected in these illegal detention facilities and persons who faced a real risk of being illegally detained could be in need of protection [[Country Focus 2023](#), 1.2.3.; [Country Focus 2022](#), 1.5.2; [Targeting 2022](#), 1.1.4.].

Soon after the takeover, the Taliban announced the release of ‘all political detainees’ throughout Afghanistan and released thousands of prisoners, *inter alia* from Kabul’s main prison Pul-e Charkhi [[Country Focus 2022](#), 1.5.2., pp. 30-31]. Following releases in the first four months of 2022, the Taliban Office of Prison Administration claimed that the total detained population did not exceed 10 000 people. UNAMA reported that as of 19 June 2022, the overall prison population was 9 621 persons, of which 75 % were pre-trail detainees. The detained included both men and women, although men made up the vast majority [[Targeting 2022](#), 1.1.4., p. 32].

It was reported that people arrested for alleged crimes were imprisoned without any investigation or judgement. Even in cases of relatively serious crimes, there were no investigations because the *de facto* police lacked resources and competence [[Targeting 2022](#), 1.1.4., p. 30].

UNAMA reported that the Taliban issued a ‘Code of Conduct on system reform relating to prisoners’ instructing Taliban security officials that ‘common-law’ criminals should not be held for more than three days, after which their case needed to be handed over to a *de facto* court. However, the instructions also allowed for suspects to be held for one month or more if ordered by a *de facto* court. It also reportedly prohibited the use of torture ‘at any point throughout arrest, transfer or detention’ and provided punishments for those resorting to torture. In January 2022, the Taliban established a Taliban commission to inspect prisons and detention centres and to ensure innocent prisoners were released [[Targeting 2022](#), 1.1.4., pp. 32-33].



Nevertheless, UNAMA has documented human rights violations during arrests and subsequent detentions by the *de facto* authorities, including 18 deaths in custody. Torture and other cruel inhuman and degrading treatment or punishments constituted almost 50 % of cases recorded during the period 1 January 2022–31 July 2023. A source also reported that the majority of detainees had been subjected to torture and other forms of ill-treatment by the Taliban while in custody [[Country Focus 2023](#), 1.2.3., p. 28].

The USDOS described prison conditions per se as ‘life-threatening’ [[Country Focus 2023](#), 1.2.3., p. 28]. Also, according to OHCHR, the prison conditions in Afghanistan were below international standards before the Taliban takeover, and because of a general lack of funds the conditions worsened under Taliban rule. Shortages of food, medical care, clothing and heating were reported. There were also reportedly no funds to feed the prisoners, so most were quickly released. The prisoner’s family could also be asked to provide food, but if they did not have the means (e.g. due to poverty), the prisoner was released. There were further reports of victims being asked to provide food for the perpetrator for an arrest to be made. Suspected ISKP affiliates were reportedly not released. The main prison in Herat City was described in February 2022 as ‘crammed full’, with around 40 men in each cell, and many of them had not been tried by a *de facto* court. It was claimed that many inmates were former government workers, imprisoned without trial or evidence. Children from 12 years of age were also reportedly imprisoned. UNAMA also reported on children being held in provincial prisons, sometimes alongside adults [[Targeting 2022](#), 1.1.4., pp. 33, 34]. There were reports indicating that inmates did not have access to legal counsel and suffered in cells, waiting a formal judicial system to be put in place. Female inmates reportedly lacked medical care in Kabul prison [[Country Focus 2022](#), 1.5.2., p. 31].

It was also reported that Taliban fighters have rounded up drug addicts across Afghanistan and brought them to clinics or prisons to receive treatment. However, the ensuing treatment lacked methadone and oftentimes counselling [[Targeting 2022](#), 1.1.4., pp. 34].

UNAMA recorded different forms of torture and ill-treatment by the Taliban GDI against detainees, and the most common methods included ‘kicking, punching and slapping, beatings with cables and pipes, and the use of mobile electric shock devices’ [[Targeting 2022](#), 1.1.4., p. 34].

Other incidents of reported torture by the Taliban refer to suspected NRF affiliates [[Country Focus 2023](#), 4.3.1., p. 66], journalists and media workers [[Country Focus 2023](#), 4.6., p. 91; [Targeting 2022](#), 7.2., p. 160], (women) activists and human rights defenders [[Country Focus 2023](#), 1.1.3., p. 20; 4.4.2., pp. 73-74; [Targeting 2022](#), 8.1., p. 166; 8.2., p. 168], protesters [[Targeting 2022](#), 1.2.2., p. 39], family members of former civilian and security personnel [[Country Focus 2023](#), 4.1.5., p. 63], persons formerly affiliated with foreign forces [[Country Focus 2023](#), 4.2., p. 64], healthcare professionals [[Country Focus 2022](#), 2.8., p. 53], civilians in Panjshir [[Country Focus 2023](#), 4.3.1., p. 66; [Country Focus 2022](#), 3.2., p. 62], and musicians [[Country Focus 2023](#), 4.12.2., p. 102]. The Taliban have also been accused of committing human rights violations against alleged ISKP affiliates and former ANDSF and government officials [[Country Focus 2023](#), 4.3.2., p. 68; [Targeting 2022](#), 2.1., p. 57], including illegal detention and torture in Kunar [[Country Focus 2022](#), 2.5., p. 47]. Finally, arbitrary arrests

and/or other forms of ill-treatment have been reported against former civilian and military personnel, women protesters, perceived affiliated to armed groups, musicians [[Country Focus 2023](#), 4.1.2., p. 58; 4.3., p. 60; 4.4.2., p. 73; 4.12.2., p. 102].

Sources reported cases of enforced disappearances of civilian and military personnel, women protesters and suspected ISKP affiliates, as well as family members and individuals affiliated to such persons. Also, in view of the reports of Taliban threatening family members and individuals affiliated to disappeared or detained former civilian and military personnel, for example, not to approach media or human rights organisations, it was reported that this phenomenon has been 'completely underestimated' [[Country Focus 2023](#), 4.1.1., p. 62; 4.1.2., p. 58; 4.1.3., p. 60; 4.3.2., p. 68; 4.3.3., p. 70; 4.4.2., p. 73].



In cases where the prosecution or punishment is grossly unfair or disproportionate, or where a person is subjected to prison conditions which are not compatible with respect for human dignity, a situation of serious harm under Article 15(b) QD can occur.

It should be highlighted that in some cases of individuals facing the risk of arrest or detention or enforced disappearance in Afghanistan, there would be a nexus to a reason for persecution falling under the definition of a refugee, and those individuals would qualify for refugee status. If nexus to a reason for persecution is not substantiated, Article 15(b) QD would apply.

[Exclusion](#) considerations may be relevant.

#### 4.2.4. Corporal punishments

Last update: May 2024

Under the *sharia*, corporal punishments are envisaged for different crimes, for example stoning for adultery, public flogging for drinking alcohol and hand amputation for some types of theft [[Anti-government elements](#), 2.5., p. 21; [Criminal law and customary justice](#), 1.6., p. 17; 1.8., p. 21].

Taliban *de facto* courts have handed down corporal punishments in the form of lashings for men, women, and in some cases also for minors. The number of lashings increased since November 2022 when the Taliban supreme leader ordered judges to fully implement *sharia* law. Several sources recorded numerous lashings taking place across Afghanistan, *inter alia*, UNAMA that recorded 63 cases of lashings, encompassing 394 victims, being issued by a *de facto* court in the period 15 August 2021-24 May 2023. Most cases related to *zina*, adultery or running away from home, but lashings were also issued for theft, homosexuality, consuming alcohol, fraud, drug trafficking and against individuals not conforming with issued instruction on social or dress codes. UNAMA continued to record public corporal punishments in the period July-September 2023, and in some cases large groups had been punished in sport



stadiums. One source also reported on two stoning sentences being issued, but that remained unimplemented, in Bamyan Province. Also, in 2023 one source reported claims of amputations shared on social media. UNAMA recorded cases where individuals with quasi-judicial roles in the *de facto* administration, alongside members of the Taliban MPVPV and the *de facto* police, conducted lashings, beatings, and torture [[Country Focus 2023](#), 1.2.3., pp. 25-28; 4.4.8., p. 81].



Corporal punishments, such as those described above, would meet the requirements of serious harm under Article 15(b) QD.

Where there is no nexus to a reason for persecution under the refugee definition, and there is a reasonable degree of likelihood for the individual to be subjected to corporal punishment, this risk would qualify under Article 15(b) QD.

[Exclusion](#) considerations may be relevant.



See also [5. Actors of protection](#).

#### 4.2.5. Criminal violence

Last update: May 2024

While there was a lack of comprehensive data on crime rates, it was reported that the immediate aftermath of the Taliban takeover of power saw a drop in the crime rate. By the second half of October 2021, sources began to report a rise in the number of crimes, concurrently with the deepening of the humanitarian and economic crisis, and particularly affecting the capital and other big urban areas. On the other hand, one source had noted that the reason for the reported increase in crime might be the growing attention to the problem [[Country Focus 2023](#), 2.4., pp. 41-42; [Security 2022](#), 1.2.4., p. 32].

In 2023, the Global Organised Crime index scored the criminality rate of Afghanistan as the 9<sup>th</sup> highest in the world. The report of the UN Secretary General mainly reported incidents relating to robbery, theft and murder. According to an analysis by the Protection Cluster and UNHCR, increased crime levels, along with the economic crisis and intimidation related to debt issues, were among the most common reasons for feeling insecurity among Afghan households [[Country Focus 2023](#), 2.4., pp. 41-42].



A real risk of violent crime, such as abductions, robberies, murder would meet the requirements under Article 15(b) QD.

Where there is no nexus to a reason for persecution under the refugee definition, and there is a reasonable degree of likelihood for the individual to face violent crime, this risk would qualify under Article 15(b) QD.

#### 4.2.6. Other circumstances

Last update: January 2023



Other cases for which a real risk of serious harm under Article 15(b) QD may exist are, for example, some situations under the profile of [3.16. Children](#), [3.18.2. Land disputes](#), etc.

### 4.3. Article 15(c) QD: indiscriminate violence in situations of armed conflict

#### [Article 15\(c\) QD](#)

This section focuses on the application of the provision of Article 15(c) QD. Under Article 2(f) QD in conjunction with Article 15(c) QD, subsidiary protection is granted where substantial grounds have been shown for believing that the person would face a real risk of suffering serious harm defined as **serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict**.

Each element of the provision is addressed in a separate subsection.



The contents of this section include:

[4.3.1. Preliminary remarks](#)

[4.3.2. Armed conflict \(international or internal\)](#)

[4.3.3. Qualification of a person as a 'civilian'](#)

[4.3.4. Indiscriminate violence](#)

[4.3.5. Serious and individual threat](#)

[4.3.6. Qualification of the harm as a 'threat to \(a civilian's\) life or person'](#)



#### 4.3.7. Nexus/'by reason of'

### **4.3.1. Preliminary remarks**

Last update: May 2024

In armed conflicts the targeting of civilians may have nexus to one of the reasons for persecution according to the refugee definition. Therefore, refugee status may be granted, as noted in the section above.

See, for example, the profiles [3.2. Public officials and servants of the former government and judicial system](#), [3.7. Human rights defenders, activists and others perceived as critical of the Taliban](#), [3.8. Journalists and media workers](#), [3.10. Humanitarian workers](#), [3.14 Ethnic and religious minorities](#), and [3.15 Women and girls](#). Such targeted violence, furthermore, would not be considered 'indiscriminate'.

Where refugee status is not granted, subsidiary protection needs under Article 15 QD should be examined, including in relation to indiscriminate violence in a situation of armed conflict (Article 15(c) QD).

#### **a. Reference period**

The following assessment is based on the EUAA Country Focus 2023, published in December 2023 and concerning the reference period 1 July 2022 – 30 September 2023, and on the COI Update 2024, concerning the reference period 1 October 2023 - 31 January 2024, unless differently specified. Background information from before July 2022 regarding the security situation is also taken into account.



This guidance should be considered valid as long as current events and developments fall within the trends and patterns of violence observed within the reference period of the mentioned COI report. New events and developments that cause substantial changes, new trends or geographical shifts in the violence, may lead to a different assessment. The security situation in a given territory should always be assessed in light of the most up-to-date COI available.

#### **b. Legal framework**

All of elements under Article 15(c) QD (Figure 1) have to be fulfilled in order to grant subsidiary protection in accordance with this provision.

**Figure 1. Article 15(c) QD: elements of the assessment.**



Common analysis of the factual preconditions and guidance on the possible application of Article 15(c) QD with regard to the situation in Afghanistan are provided below.



For general guidance on the country guidance approach to the assessment of subsidiary protection needs under Article 15(c) QD, see '[Country Guidance: explained](#)'.

#### 4.3.2. Armed conflict (international or internal)

Last update: May 2024

Over the summer months of 2021, the Taliban's offensive advanced rapidly and resulted in them taking over almost all of the country. ANDSF personnel often withdrew from positions without engaging in confrontations. In their statements following the takeover of Kabul in August 2021, the Taliban declared the war to be over [[Security September 2021](#), 1.1.1, p. 11].

As of spring/summer 2022, the Taliban were in control of all the country's 34 provinces [[Security 2022](#), 2.1.1, p. 36].

Two insurgencies have been resisting Taliban rule with armed force: one is driven by resistance groups, including the NRF and AFF, and one is driven by ISKP. These groups have remained active in some areas, but none has been able to hold significant territory or to form a serious threat to the Taliban rule [[Country Focus 2023](#), 1.1., pp. 17-18].



The NRF, the primary and most developed anti-Taliban resistance movement, declared in February 2022 that its goal was to fight the Taliban and has made attempts to seize direct control of territory from the Taliban government. NRF and affiliated groups have been active mainly in Panjshir Province and adjacent northern areas [[COI Update 2022](#), 3., p. 6; [Security 2022](#), 2.2.1., p. 46]. While these groups proclaimed identical or very similar goals and had the ability to carry out attacks and create insecurity around some roads, sources indicated that they have not been able to merge into one larger resistance movement and lack coordination and resources to seriously contest Taliban rule [[Country Focus 2023](#), 1.1., pp.17-18; [Security 2022](#), 2.2., p. 45].

Apart from NRF, ISKP also continued to be active in the country. Activity of the ISKP has traditionally been concentrated in Kabul and in the country's eastern provinces, notably Kunar and Nangarhar, and some northern areas. After the Taliban takeover, ISKP launched several attacks targeting both Taliban and civilians, and causing numerous deaths. The deadliest attacks attributed to or claimed by ISKP have however been directed against certain ethno-religious groups, in particular the Shia Hazara community [[Country Focus 2023](#), 2.2.2., pp. 32-33].



Given the interpretation of the concept of 'internal armed conflict' by the CJEU, and based on the COI, it can be concluded that two main parallel internal armed conflicts, in the meaning of Article 15(c) QD, take place in the territory of Afghanistan: between the Taliban *de facto* government and resistance groups, including the NRF and AFF; and between the Taliban *de facto* government and the ISKP.

Confrontations and incidents in relation to these conflicts primarily affect certain provinces and cities in Afghanistan, however, the situation remains fluid.

With regard to the provinces where confrontations and incidents take place, the assessment has to proceed to examine whether the remaining criteria under Article 15(c) QD are also (cumulatively) met.

#### 4.3.3. Qualification of a person as a 'civilian'

Last update: January 2023

Being a civilian is a prerequisite in order to be able to benefit from protection under Article 15(c) QD. The purpose of the provision is to protect only those who are not taking part in the conflict. This includes the potential application of Article 15(c) QD to former combatants who have genuinely and permanently renounced armed activity.

In the context of Afghanistan, applications by persons falling under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD. For example:

- **Taliban and affiliated armed groups**
- **Other armed groups opposing the Taliban**
- **ISKP**

See also the chapter [2. Actors of persecution or serious harm](#).

It should be noted that actively taking part in hostilities is not limited to openly carrying arms but could also include substantial logistical and/or administrative support to combatants.



Exclusion considerations may also apply (see [7. Exclusion](#)).

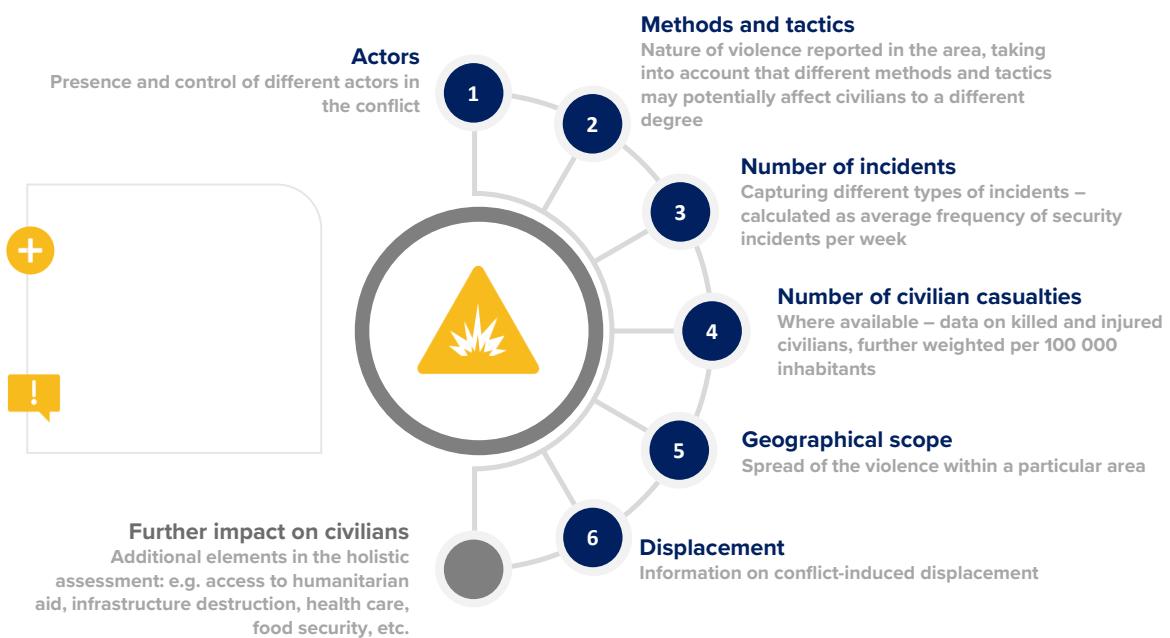
#### 4.3.4. Indiscriminate violence

##### a) Assessment of indiscriminate violence: general approach

Last update: January 2023

The common analysis regarding the degree of indiscriminate violence combines quantitative and qualitative elements in a holistic and inclusive assessment. The security situation in the respective territories is assessed by taking into account the following elements:

**Figure 2. Indicators in the assessment of the level of indiscriminate violence.**





For more information on the methodology and indicators used to assess the level of indiscriminate violence in country guidance documents, see '[Country Guidance: explained](#)'.

## b) Security situation in Afghanistan: recent events

Last update: May 2024

### Situation in Afghanistan

In April 2021, after the US announced the withdrawal of its remaining troops by September 2021, the Taliban started an advance across rural and, later, urban Afghanistan, often encountering only minimal resistance from the ANDSF. This ultimately resulted in the capture of control of almost the whole Afghan territory, including Kabul, by 15 August 2021. On 6 September 2021, the Taliban also claimed the capture of the Panjshir Valley, 'the last remaining enclave of resistance'. As of December 2023 it is reported that the Taliban is exercising firm and effective control in Afghanistan [[COI Update 2024](#), 1., p. 2; [Country Focus 2023](#), 1.1.1., pp.17-18; [Security 2022](#), 1.1, p. 21].

### Presence, methods and tactics of actors

After the end of the conflict with the former government and the re-establishment of the Islamic Emirate, the Taliban are reported to be in control of all Afghan districts and provinces [[Country Focus 2023](#), 1.1.1., pp. 17-18; [Security 2022](#), 1.2.1., p. 23; 2.1, p. 36].

Soon after their takeover of power, the Taliban started to establish a military structure [[Security 2022](#), 2.1.1.(a), p. 37; 2.1.1.(b), pp. 38-39].

Some internal divisions among the Taliban were reported, e.g. in Faryab in January 2022 and in Sar-e Pul in June 2022 [[Country Focus 2023](#), 2.2.4., pp. 35-36; [Security 2022](#), 2.1.3., pp. 41-43].

Although the Taliban control all of Afghan territory, two main conflicts related to other actors remain active in the country:

- **Other armed groups opposing the Taliban**

[Main COI references: [COI Update 2024](#), 4., pp. 4-7; [Country Focus 2023](#), 2.2., pp. 31-32; [COI Update 2022](#), 3., p. 6; [Security 2022](#), 2.2., pp. 44-49].

A number of different groups are opposing the Taliban, of which the NRF is the most prominent. The NRF and affiliated groups have been operating mainly in Panjshir and adjacent areas in the northeast of the country, with most events taking place in Badakhshan, Baghlan, Kapisa, Panjshir, Parwan and Takhar. It is reported that the size and capabilities of the various resistance groups, as well as coordination and cooperation between them, are

limited. After an intensification of armed opposition activities against the Taliban in 2022, a drop in activities by armed groups opposing the Taliban has been reported in 2023.

NRF resorts mainly to tactics of guerrilla warfare and to hit-and-run attacks targeting Taliban checkpoints and outposts. NRF has been described as weak after Taliban operations against the group.

In the last months of 2023, an increasing number of attacks by the AFF against Taliban targets was reported. Most attacks were claimed to have been carried out in Kabul, and the northeastern provinces of Laghman, Kapisa, Parwan and Takhar.

#### ○ ISKP

[Main COI references: [COI Update 2024](#), 4., pp. 4-7; [Country Focus 2023](#), 1.1.1., p. 17; 2.2., pp. 32-34; 4.3.2., pp. 67-68; 4.5.3., pp. 85-88; [Security 2022](#), 2.3., pp. 49-54; 3.1., pp. 59-62; [COI Update 2022](#), 3., pp. 7-9].

After the takeover of power by the Taliban, ISKP fighters have been involved in attacks against Taliban members as well as against civilians, such as Shia Hazara.

As of September 2023, it is reported that ISKP has not been able to hold significant territory in Afghanistan. Its activities are concentrated in Kabul, in areas in its former stronghold in Kunar and Nangarhar and in some northern areas. Attacks claimed by ISKP were also reported beyond the above-mentioned areas. ISKP's activities have decreased significantly after Taliban operations against the group, and the latter is reported to operate through fewer and smaller cells in 2022 and 2023.

ISKP has been targeting Taliban fighters, Taliban officials and religious leaders in its strive to undermine Taliban rule. In its activities against the Taliban, ISKP resorts to attacks on security convoys, checkpoints and personnel, often making use of IEDs.

Taliban's crackdown on suspected ISKP affiliates, mainly in October and November 2021, included setting up checkpoints, conducting house-to-house searches as well as killings and forced disappearances of suspected ISKP members, including members of Salafist communities. Actions against suspected ISKP members decreased during the reference period between July 2022 and January 2024. Killings, forced disappearances and arbitrary arrests have however been reported.

ISKP's deadliest attacks have been directed to members of the Hazara minority in urban areas, using IED and suicide attacks. In 2023, the number of attacks against the Shia Hazara community decreased, and no major attacks were reported between January and September 2023. However, ISKP claimed responsibility for a suicide attack against a Shia Mosque in Pul-e Kumri in Baghlan province in October 2023. UNAMA reported 21 deaths and 30 injured. Between October 2023 and mid-January 2024, ISKP also claimed responsibility for a string of IED attacks in Dasht-e Barchi, a Hazara dominated area in Kabul city. Estimates vary, however around 100 casualties, killing at least 19 people, were reported by UNAMA, and examples of incidents' locations included a sport club, two minibuses and a commercial centre.



## Security incidents

[Main COI reference: [COI Update 2024](#), 4., pp. 4-7; Annex 1, pp. 16-18; [Country Focus 2023](#), 2.1., pp. 29-40; [COI Update 2022](#), 3., p. 10; [Security 2022](#), 3., pp. 58-78].



Data concerning this indicator are primarily based on ACLED reporting from 1 July 2022 to 12 January 2024, unless differently specified. Relevant reporting from other sources, including the UN Secretary General and UCDP, is also noted.

Where ACLED data on fatalities is included, this refers to both combatants and non-combatants. Such data is included primarily to indicate the intensity of confrontations and other security incidents rather than their direct impact on the civilian population.

According to the UN's Secretary General, in the months following the Taliban takeover (19 August – 31 December 2021) the number of armed clashes, airstrikes and attacks with IEDs decreased of more than 91 % compared to the same period in 2020. This decrease continued in 2022 and 2023, with two peaks of recorded incidents in July - October 2022, and another, smaller, peak in August 2023, mainly in Badakhshan and Takhar. The UN reported a continued reduction of armed conflict levels in 2023. The number of events recorded by ACLED as of September 2023, compared to the same period in 2022, constituted a decrease of 35 % (from 1 979 to 689 events) while UCDP data for the same periods indicated a 48 % decrease (from 720 to 347 events). ACLED documented in total 1 826 security incidents during the reference period of 1 July 2022 - 12 January 2024. Kabul was the province with most recorded events, followed by Takhar, Panjshir, Badakhshan and Baghlan.

Between 1 July 2022 and 30 September 2023, Kabul was also the province where ACLED recorded most cases of explosions/remote violence, namely 55 out of 254 explosions/remote violence in Afghanistan, mostly with IED and other explosives directed against both Taliban and civilian targets. Some attacks were claimed or attributed to ISKP, while in other cases the actor was unknown.

ACLED recorded in total 118 events involving ISKP during the period 1 July 2022 – 30 September 2023. Most ACLED events in this period involving ISKP were recorded in Kabul (36 events) and in the eastern provinces of Kunar (18) and Nangarhar (15). According to USIP, 72 % of ISKP attacks in 2022 targeted the Taliban. ISKP has also claimed attacks against foreign targets. Nevertheless, the deadliest IED and suicide attacks by ISKP have been directed against certain ethno-religious groups, in particular the Shia Hazara community.

In the period of 1 July 2022 - 30 September 2023, most battles (238) were recorded in Takhar, followed by Panjshir, Badakhshan and Baghlan. The actors involved were mainly the Taliban clashing with the AFF or NRF, and with unidentified armed groups. Over 60 % of the events in these provinces took place in the period July-October 2022. A total of 41 battles

took place in Kabul and were mainly related to clashes of Taliban with NRF and AFF or with ISKP.



The provinces where most security incidents were recorded in the reporting period between 1 July 2022 and 12 January 2024 included Kabul (245), Takhar (177), Panjshir (154), Badakhshan (107), Baghlan (107), Kandahar (93), Nangarhar (90), Parwan (79), Balkh (68), Kapisa (65), Herat (54), Kunar (51), Ghazni (50), and Helmand (48) .

## Civilian casualties

[Main COI references: [COI Update 2024](#), 4., pp. 4-7; Annex 1, pp. 16-18; [Country Focus 2023](#), p. 14; 2.3., pp. 29-40; [Security 2022](#), 3.3., pp. 71-78; [COI Update 2022](#), 3., p. 12].



Information concerning this indicator is mostly based on UCDP reporting the period from 1 July 2022 to 12 January 2024, unless differently specified.

UCDP provides information on both the number of civilian deaths (fatalities)<sup>(12)</sup>.

In the reference period 1 July 2022 - 12 January 2024, UCDP recorded 713 civilian deaths, of these, 199 civilian deaths were recorded in Kabul, 61 in Herat, 38 in Nangarhar, 31 in Baghlan, followed by Samangan, Kandahar, Balkh and Takhar. Battles between the Taliban and the NRF or AFF have mainly taken place in these provinces. Over half of the fatalities in these provinces were recorded during the months July-October 2022.

According to UCDP data, in the period between August and November 2022, 144 civilian deaths (which represents 23 % of all civilian deaths during that reference period) were the result of four attacks against religious places and Shia targets in Kabul, Herat and Samangan.

In Kabul province in the period 1 July 2022 - 12 January 2024, UCDP recorded in total 199 civilian deaths resulting from 245 events. The majority of the civilian deaths resulting from 'attacks against civilians' incidents were attributed to ISKP, followed by attacks against civilians carried out by unknown actors, and the *de facto* government. Furthermore in Kabul, 30 civilian deaths were reported in 32 events in which the *de facto* government on one side and ISKP on the other were involved. According to ACLED data, Kabul was the province with most events coded as 'explosions/remote violence'. In the reference period 1 July 2022 and 12 January 2024, ACLED recorded a total of 393 combatant and non-combatant fatalities.

<sup>(12)</sup> The UCDP data set distinguishes 'unclear' cases from 'clear' cases. The 'unclear' category contains conflicts that likely fulfil the definition of a conflict used by UCDP, but where information on one criterion is missing. For the purposes of assessing the level of indiscriminate violence under Article 15(c) QD, civilian deaths (fatalities) from both 'clear' and 'unclear' events are taken into account. For more information on UCDP data, see [Country Focus 2023](#), p. 14.



Since the Taliban takeover and until September 2023, UNAMA recorded 3 774 civilian casualties, of which 1 095 deaths. More than one third of these casualties are caused by IED attacks against places of worship, many claimed by ISKP. IEDs targeting the Taliban have also killed (63) and injured (363) civilians since the takeover.

The International Committee of the Red Cross (ICRC) recorded 541 incidents involving landmines and explosive remnants in January-June 2022. A total of 1 092 people were killed or injured in these incidents, of which 640 were children. Cases were recorded all over the country, but mainly in southern and eastern Afghanistan.

## Conflict-related displacement

[Main COI references: [Country Focus 2023](#), 2.3.1., pp. 40-41; [Security 2022](#), 3.3.2., pp. 74-78]



Information concerning this indicator is mostly based on IOM and UNOCHA reporting. There are certain distinctions between the two sources in terms of period and scope of reporting.

In particular, IOM report covers different periods in 2022, depending on the population category, namely: arrival IDPs, returned IDPs, persons who moved abroad, and returnees from abroad as specified in the text.

UNOCHA provides province-segregated information on conflict induced displacement in the period 1 July 2022 - 22 August 2023.

The conflict between the Taliban and the former government caused large displacement. After the Taliban takeover, conflict-induced displacement decreased with nearly 100 % according to IDMC.

New displacement remained at lower levels in 2022, although sporadic armed clashes between the Taliban and other entities have induced some displacement. Most displacements recorded in 2022 occurred in the provinces of Panjshir and Baghlan, where anti-Taliban opposition groups have been active, and also in Sar-e Pul in June 2022. In May-October 2022, IOM reported that only 8 % of displacements were conflict-induced.

In the period 1 July 2022 - 22 August 2023, UNOCHA data indicate that a total of 2 205 individuals (315 families) had been displaced. All recorded cases occurred in Panjshir Province.

After the takeover of power by the Taliban, many of the newly internally displaced persons returned to their place of origin. IOM reported that in 2022 a total of 1 525 577 IDPs returned to their home communities.

The following assessment has been made based on this general information on the security situation in Afghanistan and its impact on the population.

### c) Assessment of indiscriminate violence in Afghanistan

The map below summarises and illustrates the assessment of indiscriminate violence per province:

**Figure 3: Level of indiscriminate violence in Afghanistan (based on information up to 12 January 2024).**



- Indiscriminate violence is taking place, however not at a high level. A high level of individual elements is required in order to substantiate subsidiary protection needs under Article 15(c) QD.
- There is currently no real risk for a civilian to be personally affected by indiscriminate violence within the meaning of Article 15(c) QD.



No province in Afghanistan is currently assessed to reach such an exceptionally high level of violence that 'mere presence' on the territory would be considered sufficient in order to establish a real risk of serious harm under Article 15(c) QD. Also, no province in Afghanistan is currently assessed to reach such a high level of violence that a lower level of individual elements would be considered sufficient in order to substantiate subsidiary protection needs under Article 15(c) QD.



Indiscriminate violence is taking place in the provinces of Badakhshan, Baghlan, Kabul, Panjshir and Takhar. However, this violence does not reach a high level. Therefore, a high level of individual elements is required in order to substantiate subsidiary protection needs under Article 15(c) QD.

Moreover, a significant proportion of the civilian fatalities in these provinces is considered to be the result of security incidents of a targeted nature.

In the remaining provinces of Afghanistan (including Badghis, Balkh, Bamyan, Daykundi, Farah, Faryab, Ghazni, Ghor, Helmand, Herat, Jawzjan, Kandahar, Kapisa, Khost, Kunar, Kunduz, Laghman, Logar, Nangarhar, Nimroz, Nuristan, Paktika, Paktiya, Parwan, Samangan, Sar-e Pul, Uruzgan, Wardak, and Zabul) it is assessed that there is currently no real risk for a civilian to be personally affected by indiscriminate violence within the meaning of Article 15(c) QD.

This may be because the criteria for an armed conflict within the meaning of this provision are not met, because no indiscriminate violence is taking place, or because the level of indiscriminate violence is so low, that in general there would be no real risk for a civilian to be affected by it.



In view of the fluidity of the ongoing conflicts, the most recent available COI should always be taken in consideration.

#### 4.3.5. Serious and individual threat

Last update: May 2024

In the context of the 'sliding scale', each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant's case. It is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed.

The text below provides some indications concerning possible considerations and the nature of the assessment. The assessment should take into account the personal circumstances of the applicant as a whole. Depending on the situation in the region of origin, different circumstances may be particularly relevant.

##### Indiscriminate violence, examples of relevant personal circumstances

- **Age:** when assessing the risk of indiscriminate violence, this personal circumstance would be of particular importance in relation to the ability of the person to assess the risks. For example, incidents of children becoming victim of explosive remnants of war

continue to be documented in recent reports. Children may also not be in a position to quickly assess a changing situation and avoid the risks it entails. In some cases, elderly age may also impact the person's ability to assess and avoid risks associated with an armed conflict.

- **Gender:** when assessing the applicability of Article 15(c) QD, it is difficult to ascertain whether and in what circumstances men or women would be at a higher risk in general. It would also depend on other factors, such as the nature of the violence in the area. For example, men may be at higher risk of violence targeting public places, as men are the ones more frequently being outside the home and visiting such locations. On the other hand, general gender norms in Afghanistan suggest that women may have less information regarding the current security situation and the associated risks. Moreover, if the violence moves closer to the residence of people, e.g. in the case of ground engagements in populated areas, women would have a more limited ability to avoid it. In the cases when they do have the ability to assess and anticipate the risk, women and girls may also be limited in their ability to avoid the violence, as they need to be accompanied by a close male relative in order to travel within the country.
- **Health condition and disabilities, including mental health issues:** serious illnesses and disabilities may result in restricted mobility for a person, making it difficult for them to avoid immediate risks and, in the case of mental illnesses, it can make them less capable of assessing risks. In other cases, such conditions may require frequent visits to a healthcare facility. The latter may have different implications related to the assessment of the risk under Article 15(c) QD. Taking into account road security in some areas, this may increase the risk of indiscriminate violence as the person would be required to travel. It may also increase the risk when healthcare facilities themselves are reported to be used as a base by an armed group and targeted. Moreover, if healthcare facilities are damaged and closed because of fighting, such an applicant may be at a higher risk due to the indirect effects of the indiscriminate violence as they would not be able to access the healthcare they need.
- **Economic situation:** applicants in a particularly dire economic situation may also be less able to avoid the risks associated with indiscriminate violence. They may be forced to expose themselves to risks such as working in areas which are affected by violence in order to meet their basic needs. They may also have less resources to avoid an imminent threat by relocating to a different area.
- **Knowledge of the area:** when assessing the risk of indiscriminate violence under Article 15(c) QD, the relevant knowledge of the area concerns the patterns of violence it is affected by, the existence of areas contaminated by explosive remnants of war, etc. Different elements may contribute to a person's knowledge of the area. It can relate to their own experience in the specific area or in areas similarly affected by indiscriminate violence, or to their connection to a support network which would ensure they are informed of the relevant risks.
- **Occupation and/or place of residence:** the occupation and/or place of residence the person is likely to have when they return to their home area may also be relevant to assess the risk under Article 15(c) QD. It may, for example, be linked to the need for



the applicant to frequent locations known to be particularly targeted by armed actors (e.g. in Hazara-dominated areas in large cities).

Individual elements related to the above can exist in combination. Other factors may also be relevant.

It is not feasible to provide general guidance on which individual circumstances would be sufficient to substantiate a real risk under Article 15(c) QD in areas with high level of violence compared to areas where the violence is considered to not be at a high level. Each case should be assessed individually.

#### **4.3.6. Qualification of the harm as a ‘threat to (a civilian’s) life or person’**

Last update: January 2023

Some of the commonly reported types of harm to civilians’ life or person in Afghanistan include killings, injuries, abductions, disabilities caused by explosive remnants of war, etc. A real risk of such serious harm would qualify a threat to a (civilian’s) life or person in accordance with the provision of Article 15(c) QD.

#### **4.3.7. Nexus/‘by reason of’**

Last update: January 2023

The interpretation of the causation ‘by reason of’ may not be limited to harm which is directly caused by the indiscriminate violence or by acts that emanate from the actors in the conflict. To a certain extent, it may also include the indirect effect of indiscriminate violence in situations of armed conflict. As long as there is a demonstrable link to the indiscriminate violence, such elements may be taken into account in the assessments, for example: widespread criminal violence as a result of lawlessness, destruction of the necessary means to survive, destruction of infrastructure, denial of or limited access of humanitarian aid. Armed clashes and/or road blockages can also lead to food supply problems that cause famine or to limited or no access to healthcare facilities in certain regions in Afghanistan.

## 5. Actors of protection

Last update: May 2024

### Article 7 QD

After the takeover of the capital Kabul, the Taliban announced the reestablishment of the Islamic Emirate of Afghanistan, which was in power in Afghanistan between 1996 and 2001. Nevertheless, Taliban governance remained unclear in the first few weeks after the takeover [[Country focus 2023](#), 1.1.2., p. 18].

The **Taliban** is currently **the sole entity exercising effective control** of all parts of Afghanistan through a *de facto* administration led by all-male and predominantly Taliban members. The *de facto* government considers itself a guiding body, having the clear and declared objective to ensure that the people live in accordance with *sharia* and to ‘purify’ the Afghan society. The *de facto* state administration has been described as working in arbitrary and unpredictable ways through repressive bodies, such as the GDI and the MPVPV, as well as a number of other *de facto* state institutions. Moreover, policy implementation and local governance varied across the country due to various interpretations of decrees issued by the central *de facto* government and the influence of local contexts and local stakeholders [[Country Focus 2023](#), 1.1.1., p. 18; 1.1.2., p. 19; 1.2.2., p. 24; 4.12.1., p. 101].

The Taliban used the **former government’s state structures** but abolished some previous ministries, departments and commissions, such as those responsible for parliamentary affairs, elections, and overseeing human rights. Public servants of the previous administration were asked to return to work in August 2021, but many had already been evacuated or did not resume work due to non-payment of salaries [[Targeting 2022](#), 1.1.4.(c), pp. 26-27].

The Taliban have also started to build up **security institutions**. In September 2021, it was announced that the Taliban were working to form a regular army of 300 000 to 350 000 personnel on voluntary basis for both ministries of defence and interior. An intelligence service, the GDI, was also established. UNAMA recorded different forms of torture and ill-treatment by the Taliban GDI against detainees [[Targeting 2022](#), 1.1.4.(c), pp. 26-27; 1.1.4.(f), pp. 32-34; 13.1.1., p. 189].

The Taliban indicated also that they were planning to re-establish a **police force** and they appointed police chiefs in the provinces. However, Taliban’s post-takeover efforts at policing the country have been described as ‘ad hoc at best’. Local Taliban units were compelled to take up new roles at checkpoints across Afghanistan and rural former insurgency members were faced with the task of governing and securing large ‘unfamiliar urban centres’ [[Security 2022](#), 1.2.2., pp. 28-29]. The Taliban reportedly trained new police officers. Persons serving in the *de facto* security institutions initially lacked uniforms, which made them difficult for the public to distinguish from persons with criminal intentions. As of June 2022, the new *de facto*



police force was said to have retained 'some' former personnel 'but had largely inducted Taliban fighters' [[Targeting 2022](#), 1.1.4.(e), p. 28; 2.5., p. 69].

Sources reported on a lack of control from the Taliban leadership over their fighters and observed that Taliban fighters acted on their own initiative, subjecting civilians and journalists to violence, as well as conducting house-to-house searches and retaliation acts despite the general amnesty that was issued for all who served within the former government. It remained unclear whether such acts were sanctioned by the leadership or were caused by a lack of discipline or control in the chain of command. There was reportedly room for Taliban fighters to act on their own initiative, as they did not seem to face punishment or any consequences [[Country Focus 2022](#), 1.3., p. 25; [Targeting 2022](#), 1.1.4.(e), p. 32; 13.1.]. The Taliban also re-established the MPVPV, which has increased the enforcement of a wide range of directives related to extramarital relationships, dress code, attendance at prayers and music [[Targeting 2022](#), 1.3.1., pp. 41-42].

The Taliban gradually sought to 'resume the functioning of a countrywide **justice system** and courts under Islamic law'. Taliban appointments were made to the Taliban Ministry of Justice, the Taliban Supreme Court, their primary and appeal courts, and the Taliban Attorney General's Office. Provincial *de facto* judges were also appointed to all provinces as well as judicial workers across *de facto* provincial and district courts. The appointed *de facto* judges were mainly religious scholars and were reportedly 'empowered to lead their own investigations, without awaiting casefiles from Prosecution offices', and worked with little transparency [[Targeting 2022](#), 1.1.4.(d), pp. 27-28].

Under Taliban rule, Afghanistan's justice system lacks an official constitution and official laws. No official judicial system was announced, and *de facto* courts reportedly applied pre-existing laws, *sharia*, and new Taliban directives. *De facto* judges and police officers claimed that the basis of their judgements and actions was the *sharia*, however, the lack of a clear legal framework has left the interpretation of *sharia* to individual Taliban judges, which has caused great variations in verdicts. The administration of justice in the provinces was described as 'decentralised' and often done in consultation with religious scholars, elders and local communities. Structural, resource, and capacity constraints within the justice system, caused delays in *de facto* court proceedings, and increased detention numbers [[Country Focus 2023](#), 1.2.3., p. 25; [Targeting 2022](#), 1.1.4.(d), p. 28].

While in February 2022 it was reported that suspects were increasingly brought to *de facto* courts, at the same time another source had noted that people arrested for alleged crimes were imprisoned without any investigation or judgement. Even in cases of relatively serious crimes, there were no investigations because the *de facto* police lacked resources and competence. The source further stated that people appointed to leading positions within the *de facto* police and *de facto* prosecuting authorities did not have knowledge about investigative methods [[Targeting 2022](#), 1.1.4 e, p. 30].

According to UNAMA, a Taliban military court was established to have jurisdiction over Taliban security personnel and members of the Taliban ministries of defence and interior, and the GDI. There were, however, reports of civilians being tried in this court [[Targeting 2022](#), 1.1.4.(d), p. 28].

The Taliban also decided to re-establish *ulema* councils in all provinces. According to Ariana News, these Taliban councils were composed by religious scholars and elders with the mandate to oversee the functioning of the local government, advise on good governance, and handle legal disputes [[Targeting 2022](#), 1.1.4.(c), p. 26].

Initially after the Taliban takeover, there was reportedly a tendency among Taliban judges not to issue ‘too harsh’ punishments and there were only sporadic local reports on the use of **corporal or capital punishments**. On 14 November 2022, however, the Taliban supreme leader ordered all Taliban judges to fully implement *sharia*, and issue so called *hudud* and *qisas* punishments, where applicable, including punishments such as execution, stoning, flogging and the amputation of limbs. Several cases of public flogging followed across the whole country, and the first known public execution since the takeover was carried out in Farah Province on 7 December 2022 (of a man convicted of murder). Large crowds were invited to witness punishments in sport stadiums, a common practice during the previous Taliban rule. A second official execution took place in Laghman Province on 20 June 2023 (again of a man convicted of murder). Corpses of alleged criminals killed by the *de facto* authorities have also been put on public display, mainly in Herat City, but also in Mazar-e Sharif. Corporal punishments (lashings) have been documented by several sources [[Country Focus 2023](#), 1.2.3., pp. 26-27].

UNAMA recorded 63 cases of lashings issued by a *de facto* court in the period 15 August 2021–24 May 2023, while AW recorded 56 cases in the period October 2022–September 2023, and Rawadari reported 69 such cases in the first six months of 2023. Within the cases documented by UNAMA 394 victims (313 men and 81 women, including 2 boys and 2 girls), most cases related to *zina*, adultery or running away from home, but lashings were also issued for theft, homosexuality, consuming alcohol, fraud and drug trafficking. UNAMA reported that public corporal punishments had continued in the period July–September 2023. UNAMA also recorded lashings ordered by individuals exercising a ‘quasi-judicial function’ within the *de facto* administration, and *ad hoc* beatings and lashings carried out by, *inter alia*, members of the Taliban MPVPV and the *de facto* police against individuals not conforming with instructions on social codes and dress codes [[Country Focus 2023](#), 1.2.3., pp. 27-28].

**Torture and other forms of ill-treatment** have been reported as a common practice against people held in custody. UNAMA has documented human rights violations during arrests and subsequent detentions by the *de facto* authorities, including 18 deaths in custody. Torture and other cruel inhuman and degrading treatment or punishments constituted almost 50 % of cases recorded during the period 1 January 2022–31 July 2023. A source also reported about torture and other forms of ill-treatment while in custody. The US DOS described prison conditions *per se* as ‘life-threatening’ [[Country Focus 2023](#), 1.2.3., p. 28].

Moreover, the new Taliban governance appears to be non-inclusive and discriminatory for the majority of the Afghan society. Human rights violations have been documented, for example, against [individuals affiliated with the security institutions of the former government](#) or [foreign forces](#), persons from Afghan civil society perceived as critical of the *de facto* government (see [3.7. Human rights defenders, activists and others perceived as critical of the Taliban](#)), and [individuals perceived to have transgressed moral and/or societal norms](#). A number of



regulations and instructions have also been issued by the Taliban since 15 August 2021 impacting [women's and girls'](#) rights and freedoms. It has also been reported that the Taliban have engaged in discrimination against members of [ethnic and religious minority groups](#), including Hazara, Tajiks, and Salafis.



The lack of due process and the nature of the punishments would not qualify the justice mechanism operated by the Taliban as a legitimate form of protection.

Further taking into account their record of human rights violations and discriminatory measures, it can be concluded that the Taliban do not qualify as an actor of protection who is able to provide effective, non-temporary and accessible protection.

No other actors are currently found to be in control of a significant part of the territory and able to provide protection within the meaning of Article 7 QD.

In case protection needs have been established in the home area, and in the absence of an actor who can provide protection in the meaning of Article 7 QD, the examination may continue with consideration of the applicability of IPA, if applicable in accordance with national legislation and practice.

## 6. Internal protection alternative

Last update: May 2024

### Article 8 QD

In order to determine that internal protection is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met: 'safety', 'travel and admittance' and 'reasonableness to settle'.

**Figure 4. IPA: elements of the assessment.**



#### a) Safety

The Taliban were reported to be in control of all the country's 34 provinces [[Country Focus 2023](#), 1.1.1., pp. 17-18; [Security 2022](#), 2.1., p. 36]. Since the takeover, there have been reports of excessive use of force by the *de facto* authorities, including different forms of torture and ill-treatment, and extrajudicial killings [[Country Focus 2023](#), 1.2.3., pp. 25-28; [Targeting 2022](#), 1.1.4.(f), p. 32; 1.1.4.(g), pp. 34-35]. Several profiles addressed in this common analysis are also subjected to persecution or serious harm by the Taliban. Moreover, for these and other profiles, the Taliban do not qualify as an actor who is able to provide protection in accordance with Article 7 QD, see [5. Actors of protection](#).



The safety criterion under Article 8 QD would in general not be met. In exceptional cases, such as when the well-founded fear of persecution or real risk of serious harm is linked to a local or private actor who would not have the capacity to trace and target the applicant in the area of relocation, the safety criterion may be satisfied.

#### b) Travel and admittance

There are currently no known restrictions on travel and admittance within Afghanistan for men. The decline in armed conflict in the country following the Taliban takeover has generally led to better accessibility within the country with intercity travel largely unimpeded. Taliban checkpoints were reported 'in and around Afghan cities and towns'. An increase in Taliban



checkpoints in Panjshir province as well as on Taliban checkpoints set up at the Afghanistan-Iran border in order to identify former soldiers and NRF affiliates were reported in July 2022, after clashes reportedly intensified in Afghanistan's north [[KSEI 2022](#), 10.1., pp. 68-70].

Women's ability to travel on their own in Afghanistan was already constrained by social and formal restrictions and often their freedom of movement was limited by the requirement of male consent or male chaperone. Following the takeover, the Taliban announced further restrictions on travel for women which may affect women's ability to safely and legally travel within Afghanistan. In particular, the MPVPV issued a guidance according to which women are not allowed to travel more than 72 kilometres if not accompanied by a *mahram*. This guidance also instructed taxi drivers to only transport female passengers who were respecting the Islamic dress code (wearing a *hijab*). The UN stated that these restrictions are increasingly enforced, especially at checkpoints, and harassment is commonly reported. Women are being increasingly questioned when travelling alone and moving in the public space, while men travelling with women are requested to show ID cards or marriage certificates to prove their relation to the woman [[Country Focus 2023](#), 4.4.3., pp. 74-75; [Targeting 2022](#), 5.2.3., p. 112].



The existence of Taliban checkpoints in and around cities would impact the safety of travel for profiles targeted by the Taliban. In addition, the restrictions posed on women's freedom of movement may result in the requirements of safety and legality of travel not being met, in particular for single women. For other individuals, the travel and admittance requirement under Article 8 QD is likely to be satisfied.

### c) Reasonableness to settle

Afghanistan faced an economic and humanitarian crisis already before the Taliban takeover, due to drought, the COVID-19 pandemic and decreased international military spending. However, the situation escalated after August 2021. The UN launched the largest aid appeal for one single country in history in January 2022. The number of people in need of humanitarian assistance increased from 24.4 million people in 2022 to 28.3 million people in January 2023, which corresponds to two thirds of the Afghan population. Funding for aid relief has however decreased, which has forced *inter alia* food support from WHO to stop to 10 million people. By 2022, the Afghan economy had stabilised again after entering a stage of 'free fall' after the Taliban takeover, and in 2023 it marginally improved. It has however stabilised at a lower equilibrium than before, meaning that people in general were poorer, and there were also reports of Afghans having exhausted all their resources to cope with the situation. There are few alternatives for salaried employments, and the inflation rates in 2021-2022 reduced the real value of earnings. The World Banks estimated that 70 % of the population was impacted by monetary poverty and that 48.3 % lived below the poverty threshold. Moreover, food insecurity was wide-spread, and the WFP estimated that far over 80 % of the population experienced insufficient food consumption in 2022 and 2023. Afghan households spent most of their income on food, and people avoided seeking healthcare and/or repair of damaged shelters. The UN Human Rights Council reported that women belonging to ethnic and religious minorities, such as Shia Hazara, women with disabilities,

women living in poverty, in rural areas, and those without male family members faced additional challenges in accessing services. The situation continues to be vulnerable to spillover effects from global and regional challenges, as well as disasters related to climate change. In 2024, Afghanistan entered its third consecutive year of drought, and on 7 October 2023, the province of Herat was hit by a powerful earthquake and at least 35 additional aftershocks. Reportedly, entire villages were destroyed, with almost all inhabitants being wiped out. Additionally, on 12 October 2023, a sandstorm destroyed hundreds of tents housing victims from the earthquake [[COI Update 2024](#), 5., p. 8; [Country Focus 2023](#), 3.1., p. 45-46; 3.2., p. 48; 4.4.6., p. 79; [KSEI 2022](#), 1.1., pp. 14-16].

For further information see the [1.3. Humanitarian situation](#) at the beginning of this document.



The dire humanitarian situation in the country has a significant impact on all elements considered under the requirement of reasonableness to settle in a different part of the country, including food security, housing and shelter, basic healthcare, and means of basic subsistence. Therefore, the reasonableness to settle criterion under Article 8 QD would generally not be met.

#### d) Conclusion



Taking into account the assessment with regard to the three criteria under Article 8 QD, it is found that IPA would in general not be applicable to any part of Afghanistan.



## 7. Exclusion

[Article 12\(2\) QD](#)

[Article 17 QD](#)

This chapter looks into the potential applicability of the exclusion grounds in relation to acts committed by applicants from Afghanistan.



The contents of this chapter include:

Factual circumstances in which exclusion may be relevant: [7.1 Relevant circumstances](#).

Conclusions and guidance concerning the application of the different exclusion grounds to these circumstances: [7.2 Guidance with regard to Afghanistan](#).

### 7.1. Relevant circumstances

Last update: May 2024

In the context of Afghanistan, numerous circumstances and different profiles may require consideration of the potential applicability of exclusion grounds. The QD does not set a time limit for the application of the grounds for exclusion. Applicants may be excluded in relation to events which occurred in the current as well as in past conflicts.

COI indicates that excludable acts are committed by many actors both in relation to the armed conflicts, as well as in the context of general criminality and human rights abuses.

Some (non-exhaustive) examples of past events which may be related to excludable acts include:

- Taliban-led insurgency against the former Afghan government (2001);
- Taliban regime and conflict between the Taliban and the Northern Alliance (1996 – 2001);
- Afghan ‘Civil War’ (1992 - 1996);
- Soviet Union invasion (1979) and the armed conflict between the Afghan government (supported by Soviet troops) and the ‘mujahideen’ (e.g. secret services of the People’s

Democratic Party of Afghanistan (PDPA) regime, commanders or fighters from the anti-Soviet jihad tanzeem) (1979 - 1992);

- The ‘Saur’ Revolution of 1978, subsequent purges and the 1979 crackdown of the uprising;
- etc.

Afghan nationals have also been involved in conflicts outside Afghanistan, such as via the Fatemiyoun Brigade in Syria, which may be of relevance in the examination of exclusion grounds [See [COI Report: Syria - Actors \(December 2019\)](#), 2.3.4., p. 35].

In relation to potential exclusion considerations, see also the chapters [2. Actors of persecution or serious harm](#) and [3. Refugee status](#).



The examples mentioned in this chapter are non-exhaustive and non-conclusive. Each case should be examined on its own merits.

### 7.1.1. Human rights violations by armed actors since 2001

Last update: May 2024

A US-led coalition ousted the Taliban from power in late 2001, but the conflict in Afghanistan continued. After a fallback in the south and east, the Taliban reorganised and began to increase their presence in other provinces by 2006. Other AGEs operating in Afghanistan included Hezb-e Islami/Gulbuddin Hekmatyar (HIG), the Haqqani Network and Al Qaeda affiliates, including TTP, Lashkar-e Tayyiba (LeT), Lashkar-e Jhangvi (LeJ) and the Islamic Movement of Uzbekistan. This insurgency was characterised by mainly asymmetric warfare: anti-government elements used roadside and suicide bombs and complex attacks, intimidation of civilians and targeted killings to destabilise the country. This was countered by searches, clearance operations and bombings by the ANDSF and international military forces. According to the UNAMA, the security situation deteriorated after 2005. The conflict deepened throughout 2007 and 2008, directly affecting around a third of the country [[Security 2020](#), 1., pp. 19-20; [Security June 2021](#), 1., pp. 29-30].

From 2010 onwards, the Taliban-led insurgency spread into all regions of Afghanistan. Insurgent violence intensified in the run-up to the presidential elections in 2014. Since then, security sharply deteriorated across Afghanistan [[Security June 2021](#), 1., p. 30].

A 2017 report by the UN Secretary General noted that the Taliban had been able to control larger parts of the country and the emergence of ISKP added ‘a new, dangerous dimension’ to the situation. Human Rights Watch noted that, although the Taliban claimed to target government and foreign military facilities only, their indiscriminate use of force killed and injured hundreds of civilians [[Security June 2021](#), 1., p. 30].



On 29 February 2020, the US and the Taliban signed an agreement for bringing peace to Afghanistan. After signing the deal, the Taliban almost immediately resumed and intensified attacks against ANDSF. In response to these attacks, ANDSF also resumed their operations against the Taliban. Widespread fighting between the ANDSF and Taliban took place in various provinces of the country. Fighting between ANDSF and other anti-government elements was also reported [[Security 2020](#), 1.3., pp. 30-31, [Security June 2021](#), 1.11., p. 30; [Security September 2021](#), 1.11., p. 11].

After US President Joe Biden announced in April 2021 that the US would withdraw all its remaining troops from Afghanistan by September 2021, the Taliban started a sweeping advance across large swaths of rural Afghanistan. Encountering minimal resistance from the ANDSF, the Taliban forces swiftly regained control over most of the country. Following the capture of almost all provincial capitals, they entered Kabul on 15 August 2021, prompting the collapse of the elected government of the former Islamic Republic of Afghanistan. On 6 September 2021, the Taliban claimed the capture of the Panjshir Valley, the 'last remaining enclave of resistance against their rule and on 7 September 2021 they announced the restoration of the Islamic Emirate of Afghanistan (IEA) [[Security 2022](#), 1.1., p. 21; 1.2.1., p. 23]. As of October 2023 no state has recognised the IEA or its *de facto* government [[Country Focus 2023](#), 1.1.2., p. 18].

The *de facto* government is all-male and predominantly consists of Taliban members; 58 persons within the *de facto* administration are under UN sanctions according to the UN Sanctions and Monitoring Team reporting in June 2023 [[Country Focus 2023](#), 1.1.2., p. 19].

An overview of the most important actors who may have been involved in excludable acts during this period is given below.

#### **The former Afghan government and pro-government forces**

Unlawful and arbitrary arrests, intentional killings, and summary executions by ANDSF were reported, targeting particularly members or suspected members of AGEs and their families. ANA and NDS were also responsible for indiscriminate airstrikes causing civilian casualties [[State structure](#), 2.1., pp. 26-27; [Security 2020](#), 1.3.5., pp. 36-37].

The use of torture and other ill-treatment during detention were reported from all ANDSF facilities, particularly in prisons under the command of NDS in which torture was described as common and systematic practice [[State structure](#), 3.6., pp. 46-47].

Cases of sexual abuse and exploitation of boys, including the practice of *bacha bazi* perpetrated by members of the ANDSF and pro-government militias were reported, as well as child recruitment or use of children in combat or in support role, especially within the ANP and the ALP [[State structure](#), 2.1., p. 27; 2.1.1., p. 30; 2.1.3., p. 35].

Despite the efforts of the government to fight against corruption, it remained a widespread phenomenon in Afghanistan, especially within the ANDSF (ANP and ALP are perceived as the most corrupt forces), the judicial system, and some ministries, such as the Ministry of Interior.

Reported crimes included extortion, bribery and embezzlement [[State structure](#), 1.8., p. 22; 2.1.2., p. 31; 2.1.3., p. 34; 3.4., p. 45].

## **Taliban**

During the insurgency, the Taliban had a hierarchical organisation with strong leadership and operated a parallel government structure ('shadow government') across Afghanistan. They controlled large parts of Afghanistan and have committed excludable acts in every province. They have been involved in abductions, targeted killings, indiscriminate and deliberate attacks against civilians and civilian objects. The Taliban considered foreign troops and those who worked closely with them (some of the ANDSF, interpreters, spies, and contractors) to be top priority targets. Other primary targets included government officials or employees, as well as their families or those perceived as supporting the government. In more than 20 years of armed conflict, the Taliban have reportedly used children as fighters, to plant and detonate improvised explosive devices, and as suicide bombers. In areas under their control, they had established a parallel justice system to handle civil and criminal disputes. Punishments enforced by the Taliban parallel justice system included summary execution, mutilation and stoning to death [[Anti-government elements](#), 2.5., pp. 21-22; 2.6.1.-2.6.2.2, pp. 22-26; [Criminal law and customary justice](#), 1.8., pp. 19-21; 2.3.3., p. 28; [KSEI 2022](#), 8.2., pp. 60-61].

Since the Taliban takeover several sources reported human right violations by the *de facto* authorities against former ANDSF members, government officials, suspected affiliates, and their family members in almost all parts of Afghanistan, despite the general amnesty that was announced directly after the takeover. These violations included extrajudicial killings, arbitrary arrests and detentions, incommunicado detentions, forced disappearances, and instances of torture and ill-treatment. There were also some reports on killing of former pro-government militias members and on extrajudicial killings, torture and ill-treatment, arbitrary arrests and incommunicado detentions of civilians suspected or accused of NRF affiliation, and executions of prisoners of war [[COI Update 2022](#), 3., p. 6; [Targeting 2022](#), 1.1.4.(e), pp. 30-32; 2.1., pp. 56-63; 2.7., p. 72; 3.1., pp. 74-76; 6.5.2., pp. 146-148; [Security 2022](#), 2.1.2., p. 41].

At least 800 cases of human rights violations against former military and civilian personnel committed by the *de facto* authorities, since the Taliban takeover, have been documented by UNAMA as of June 30, 2023, including 218 killings, 14 forced disappearances, 424 arbitrary arrests and detentions, 144 torture cases, and numerous threats [[Country Focus 2023](#), 4.1.2., p. 58].

Since September 2021, Taliban forces used force to disperse some crowds, including live ammunition, electroshock weapons, tear gas, whips, and beatings and some protesters were subjected to arbitrary detention, house raids, ill-treatment and torture. Journalists and media workers, human right defenders and activists faced violations by the *de facto* authorities which included arbitrary arrests, incommunicado detentions, torture and ill-treatment, threats or intimidation, mainly in Kabul City. There were also reports on attacks, beatings, killings, and abductions or enforced disappearances of healthcare professionals [[Targeting 2022](#), 1.2.2., pp. 38-41; 7.2., pp. 159-162; 8.2., pp. 168-172; 9.1.2., pp. 175-177].



The Taliban's efforts to restrain the power of ISKP coincided with their crackdowns on Salafists. Particularly in the provinces of Nangarhar and Kunar, killings and abuses of alleged ISKP affiliates and supporters were reported in October and November of 2021. Reports included instances of severe torture, beheadings, mutilation, and extrajudicial killings [[Country Focus 2023](#), 4.3.2., pp. 67-68].

Although the Taliban have denied that they use children in 'jihadic operations' and their code of conduct states that 'boys without beards' are not allowed in military centres, Human Rights Watch reported in July 2022 that there are thousands of children in their ranks, often trained in *madrassas* and recruited through force and threats, deception, promises of money or other incentives [[KSEI 2022](#), 8.2., p. 61].

The *de facto* authorities were reported for excessive use of force in several instances, mainly for shooting civilians failing to stop at checkpoints and wounding people in attempts to control crowds during law enforcement operations.

'In the early days after the Taliban takeover, Taliban judges tended not to issue 'too harsh' punishments and the use of corporal or capital punishments was reported only on a few cases. In November 2022, the Taliban supreme leader ordered all Taliban judges to fully implement *sharia* and apply *hudud* and *qisas* punishments. Following several occasions of public flogging across Afghanistan, the first known public execution since the takeover took place in Farah Province on 7 December 2022, involving a man accused of murder. Punishments have been public to invited crowds in sports arenas, as was customary under the previous Taliban government (1996–2001) [[Country Focus 2023](#), 1.2.3., p. 26].

The Taliban's 'Code of Conduct on system reform relating to prisoners' reportedly prohibited the use of torture 'at any point throughout arrest, transfer or detention' and provided punishments for those resorting to torture. However, torture and other forms of ill-treatment have been reported as a common practice against people held in custody and prisons conditions have been described as life-threatening. Examples include torture by hanging, kicking, punching and slapping, beatings with cables and pipes, and the use of mobile electric shock devices. Since the takeover, Taliban fighters have rounded up drug addicts across Afghanistan and brought them to clinics or prisons to receive treatment. They used force, sometimes with whips and gun barrels, and the ensuing treatment lacked methadone and oftentimes counselling [[Targeting 2022](#), 1.1.4.(e), pp. 29-32; 1.1.4.(f), pp. 32-34; 1.1.4.(g), pp. 34-36].

In February 2023, the Taliban reportedly announced that they had conducted a mass burial of over 100 corpses of deceased 'drug addicts'. However this announcement has voiced concerns that the bodies in fact were the result of extra-judicial killings as no further details were provided about the identity nor the reason why they were in Taliban custody or the cause of death [[Country Focus 2023](#), 4.1.3., p. 60, 1.2.3., p. 28].

## ISKP

ISKP, a UN-designated terrorist organisation in Afghanistan, appeared in late 2014 or early 2015. Primary targets of ISKP have been Taliban fighters, Taliban officials and religious

leaders in its strive to undermine Taliban rule. The deadliest attacks attributed or claimed by ISKP have however been directed against certain ethno-religious groups, in particular the Shia Hazara community [[Country Focus 2023](#), 2.2.2., p. 33]. UNAMA had indicated that ISKP's attacks on Shia minorities during 2019 constituted serious violations of international law, potentially amounting to war crimes and crimes against humanity. They also practiced summary executions, including through beheadings. ISKP were suspected to receive assistance by the Haqqani Network to plan and carry out high profile attacks [[Anti-government elements](#), 3., p. 29; 3.2., p. 31; 3.5., p. 34; 3.6.-3.6.3., pp. 34-35]. In 2023, ISKP claimed responsibility for a suicide attack against a Shia Mosque in Pul-e Kumri in Baghlan province on 13 October 2023. Between October 2023 and mid-January 2024, ISKP also claimed responsibility for a string of IED attacks in Dasht-e Barchi, a Hazara dominated area in Kabul city. Casualty estimates vary, however, civilian deaths and injuries were reported. Three targeted attacks killing five Shia religious leaders took place in Herat city in October, November and December 2023. No one has claimed responsibility for these attacks [[COI Update 2024](#), 4., pp. 6-7].

### **Other non-State armed groups**

Many non-state armed groups operate in Afghanistan. Oftentimes behind many attacks the actor remains unknown [[Country Focus 2023, p. 14](#)].

According to the UN, there were at least 22 armed groups resisting the Taliban in 26 provinces by September 2022. In 2023, UNAMA recorded claimed attacks by three main groups (NRF, AFF and ALM) in eight provinces [[Country Focus 2023](#), 2.2.1., p. 31]. Other groups that have been mentioned in reporting on anti-Taliban resistance are the Turkestan Freedom Tigers, the National Resistance Council, the National Liberation Front of Afghanistan (NLFA), the Unknown Soldiers of Hazaristan, the allegedly Hazara-centred Freedom and Democracy Front and the Freedom Corps [[Security 2022](#), 2.2.2., pp. 48-49]. Other groups such as the Haqqani Network, Al Qaeda are often linked with either the Taliban or ISKP and it is sometimes difficult to distinguish their acts from those of the Taliban or ISKP [[Anti-government elements](#), 4.1., pp. 36-37].

See also [2.1. Taliban and affiliated groups](#) and [2.2. Islamic State Khorasan Province \(ISKP\)](#).

During the insurgency all anti-government elements recruited children to use them in combat or in support roles during the conflict [[Anti-government elements](#), 2.4.1., p. 21; 3.4., p. 33].

## **7.1.2. Past conflicts (1979-2001)**

Last update: November 2021

### **The 'Saur' Revolution and the Khalq Regime (1978-1979)**

The year 1978 was a turning point in Afghan history. On 27 April 1978, the Khalq faction of the People's Democratic Party of Afghanistan (PDPA), led by Nur Mohammed Taraki, and



supported by military officers, overthrew the government of President Muhammad Daud Khan, and executed him and most of his family members. This event is known as the Saur Revolution [[Taliban strategies – Recruitment](#), 1.1., p. 13].

Following the coup, Taraki became the new president and Hafizullah Amin the deputy prime minister. The Khalqi government's non-Islamist ideology and its use of violence against opponents and some ethnic minorities led to armed resistance in the countryside. Arrests, torture, and executions caused many Afghans to flee the country. These events led to the creation of the Afghan refugee camps in Pakistan. The armed uprising was uncoordinated, but widespread [[Taliban strategies – Recruitment](#), 1.1., p. 13].

President Taraki cracked down on *Parcham* (the other faction of PDPA opposed to Khalq), detaining or killing hundreds of its members and supporters. An intelligence agency, the Department for the Protection of Afghanistan's Interests (AGSA), was established by Taraki, mainly in charge of carrying out arrests and executions. In September 1979, Taraki was overthrown by his deputy Amin and murdered. Following Amin's seizure of power, the Workers Intelligence Agency (Kargari Istikhbati Muassisaas, KAM), was established in September 1979 and the State Intelligence Agency (Khedamat-e Ettela'at-e Dawlati, KHAD) was established with the help of KGB soon after Babrak Karmal's coup in December 1979 [[Security June 2021](#), 1.1.1., pp. 26-27].

Between 1978 and 1979, Khalq jailed and executed almost 5 000 people. Victims were allegedly tortured, including beatings and electrical shocks during the interrogation inside the prison. While in power, the PDPA used torture and forced disappearance, and deliberately killed civilians. On 15 March 1979, during an uprising by rebels against the PDPA government in Herat province, Afghan pilots carried out airstrikes on the city to recapture it, which resulted in the killing of up to 25 000 people. During the same period, the Afghan government assigned insurgent assassination squads to conduct house-to-house searches in Herat city [[Security June 2021](#), 1.1.1., p. 27].

### **The Soviet Afghan War (1979-1989)**

On 25 December 1979, the Soviet Union invaded Afghanistan and on 27 December of the same year, Soviet special forces attacked Taj Beg palace in Kabul, killed President Hafizullah Amin and his family members, and designated Babrak Karmal as the new President. The invasion was followed by a decade of armed conflict between the Afghan government, supported by Soviet troops, and armed opposition groups. The resistance became a jihad against 'infidel invaders' and 'the puppet government', uniting different armed factions, called the '*mujahideen*'. Typical *mujahideen* military operations were focused on hit-and-run tactics and ambushes, including shelling government targets, sabotage of infrastructure, assassinations, and rocket attacks on both civilian and military targets. The common *mujahideen* practice of taking shelter in and launching attacks from villages placed civilians directly in the crossfire [[Security June 2021](#), 1.1.1., p. 28; [Taliban strategies – Recruitment](#), 1.1., p. 13].

The Afghan government and Soviet troops were in control of the cities while the rural and mountainous areas were inflamed by the insurgency. Soviet and government forces

employed brutal tactics considered as direct violations of international law. Common tactics included launching airstrikes on civilian areas, laying mines in rural areas to cut off resistance transport and supply routes, and conducting violent raids on villages suspected of harbouring *mujahideen*. Suspected ‘collaborators’ were detained and often tortured and/or disappeared [[Security 2020](#), 1.1.1., pp. 19-20; [Taliban strategies – Recruitment](#), 1.1., p. 13].

In May 1986, Dr Najibullah, head of KHAD, became general secretary of the PDPA and replaced Karmal in November 1986 as President of the Revolutionary Council. In 1989, the Soviet Union withdrew its troops from Afghanistan [[Security June 2021](#), 1.1.1., p. 28; [Taliban strategies – Recruitment](#), 1.1., p. 14].

### **The conflict between the Afghan Government and the *Mujahideen* Forces (1989-1992) and the Afghan Civil War (1992-1996)**

Dr Najibullah managed to stay in control, largely depending on local commanders and their militias. The pressure from the burning insurgency caused the collapse of Najibullah’s government in April 1992. After the collapse of Dr. Najibullah’s regime in 1992, a period referred to as ‘Civil war’ saw different *mujahideen* groups making alliances, largely based on region and ethnicity. Tajiks and Uzbeks in the north, Hazaras in the centre, and Pashtuns in the east and south, formed competing factions. *Mujahideen* factions were composed of *Jamiat-e Islami*, led by Burhanuddin Rabbani; *Shura-e Nazar* (The Council of the North), led by Ahmad Shah Massoud; *Hezb-e Islami* (founded by Gulbuddin Hekmatyar); *Hezb-e Islami* under the command of Yunus Khalis; *Ittihad-e Islami* under the command of Abdul Rasul Sayyaf; *Hezb-e-Wahdat* created in 1989 as a union of Shia-Hazara parties and *Harakat-e-Inqilab-e Islami*-Afghanistan led by Mawlawi Mohammad Nabi Mohammad [[Taliban strategies – Recruitment](#), 1.2., pp. 14-15; [Security June 2021](#), 1.1.1., p. 28].

Between April 1992 and March 1993, the battle for Kabul between *mujahideen* factions and militias took place. It was characterised by severe human rights violations, including executions, imprisonment, sexual violence, abduction of women, and forced marriages. Rape of women and girls was used by militia leaders as a weapon of war or ‘rewarding’ militants. Around 25 000 people were killed. From April 1992, *Hezb-e Islami* raided Kabul with rocket attacks destroying hundreds of homes and killing between 1 800 and 2 500 people. *Ittihad* and *Jamiat* troops, in retaliation, launched rockets on civilian residential areas while trying to target *Hezb-e Islami* positions in the south. During the same period, *Wahdat* and *Ittihad* committed severe human rights violations while fighting each other, including the abduction of Hazara people by *Ittihad* and the abduction of Pashtun, Tajiks and other non-Hazaras by *Wahdat*. For instance, Shafi Diwana (Shafi the mad), a senior commander of *Wahdat* tortured and killed prisoners in Qala Khana in Kabul. *Wahdat* also reportedly held thousands of prisoners in Dasht-e Barchi area in Kabul most of whom reportedly disappeared. During the civil war, troops belonging to Junbesh-e Mili, led by Dostum and stationed in Naqlia base, allegedly committed ‘rape, murder and looting’, notably in 1993 [[Security June 2021](#), 1.1.1., pp. 28-29].



### The Taliban Regime (1996-2001)

Conflict between *mujahideen* factions led to the emergence in 1994 of a group called the Taliban. The founders of the Taliban were religious clerics who came together under the leadership of Mullah Mohamad Omar and agreed on taking action in relation to the significant discontent about the Rabbani government, the roadblocks, insecurity, and abuses caused by the militias and commanders. Jalaluddin Haqqani, the founder of Haqqani Network, allied with the Taliban in the mid-1990s, and served as Taliban's Minister for Tribal and Border Affairs. The Taliban governed Afghanistan with a religious ideology based on Salafism and *Pashtunwali* [[Security June 2021](#), 1.1.1., p. 29; [Taliban strategies – Recruitment](#), 1.3., p. 15].

During the chaos of the civil war, the Taliban took control of Kandahar City in 1994. In 1996, they conquered Kabul after taking Jalalabad and Herat. After entering Kabul, the group killed President Najibullah and his brother and hanged them in Ariana circle in the city. They carried out 'public executions and amputations of one hand and one foot for theft'. They killed thousands of people, including the deliberate and systematic killing of Hazara civilians after the group captured Mazar-e Sharif on 8 August 1998. They captured Bamyan province in May 1999, where the group destroyed two giant Buddhas statues in March 2001. By 2001, the Taliban controlled most of the Afghan territory [[Security June 2021](#), 1.1.1., p. 29; [Taliban strategies – Recruitment](#), 1.2., p. 15].

### 7.1.3. Criminality

Last update: May 2024

Criminal activities in Afghanistan are widely reported. Some of the crimes could trigger the considerations for exclusion, as they could qualify as serious (non-political) crimes and/or, depending on additional elements, as war crimes, crimes against humanity, or acts contrary to the purposes and principles of the UN.

Common criminality and organised crimes have been reported throughout the country, with an increase in recent years, especially in major cities such as Kabul, Jalalabad, Herat, and Mazar-e Sharif. Criminal groups target businesspersons, foreigners and local officials. Crimes reported comprised kidnappings of adults and children, robberies and burglaries, murders, extortion. Narco-trafficking and drug-related crimes are also committed in the whole country. The endemic corruption within the police (ANP and ALP), which is sometimes linked to these criminal groups, could explain rises of these groups and the inability of the authorities, or the absence of will to stop and prosecute them in order to secure law and order [[Security 2020](#), 1.4.2., pp. 42-43; 2.1.2., p. 59; [State structure](#), 2.1.2., pp. 31-32; 2.1.3., p. 34].

Although the immediate aftermath of the Taliban takeover saw a drop in the crime rate, by the second half of October 2021 sources began to report a rise in the number of crimes, including armed robberies, kidnappings and extortion described as occurring on a daily basis in the capital. There were reports of businesspersons' abductions in the capital as well as in Balkh, Kunduz, Nangarhar, Kandahar, and Herat provinces. Several sources stated that the crime

levels 'have risen concurrently with the deepening of the humanitarian and economic crisis in the country,' particularly affecting the capital and other big urban areas [[Security 2022](#), 1.2.4., pp. 32-33]. The *de facto* government issued a decree banning poppy cultivation, ordered crops to be burned and farmers to be punished, and banned the production, use or transportation of other illicit drugs [[Targeting 2022](#), 1.3.2., p. 44].

Land is a primary source of conflicts and violence. Land disputes can find their roots in family, tribal or ethnic matters, as well as in agricultural matters, such as irrigation or the lack or ineffectiveness of land administration. Such conflicts happen in every province and sometimes lead to acts, such as land grabbing, illegal appropriation, violence, assassinations [[Criminal law and customary justice](#), 2.1., pp. 22-24; 2.2., pp. 24-25].

**Blood feuds** are also common in Afghanistan. Retributive justice is a central component of the *Pashtunwali*, which requires the restoration of honour through carrying out revenge. Blood feuds happen mainly among Pashtuns but can also occur among other ethnic groups. Blood feuds can be the result of personal violence, disputes involving lands or family conflicts, and can go on for generations and impact entire tribes or communities. Excludable acts are committed in relation to blood feuds, including violence and murders [[Criminal law and customary justice](#), 3.1., pp. 29-31].

**Violence against women and children** (for example sexual violence, domestic violence and early/forced marriage, child labour, trafficking in children) is commonly reported in both public and private spheres [[Country Focus 2023](#), 4.7.7., pp. 79-80; [State structure](#), 3.3.1., p. 44; [Society-based targeting](#), 3.5., pp. 42-43; 3.8., pp. 53-55; 5., p. 67].

UN experts stated that restrictions imposed by the Taliban against women and girls since the takeover, increased the risk of exploitation including of trafficking for the purposes of child and forced marriage as well as sexual exploitation and forced labour. Reports state that since the Taliban takeover, the trafficking of Afghan children has increased and the age at which girls were sold into marriage has decreased. A decree issued by the Taliban on 3 December 2021 bans forced marriages. However, in the decree, no legal mechanisms to enforce this rule or to protect victims of forced marriage are defined, and it does not mention a minimum age for marriage. Under the *de facto* administration there are no laws in place protecting women from gender-based violence and almost all shelters that had previously offered young women and girls protection have reportedly been closed by the Taliban throughout the country [[KSEI 2022](#), 8.1., p. 60; 8.4., pp. 62-63; [Targeting 2022](#), 5.1.4., pp. 89-90; 5.1.5., pp. 90-94].

Afghanistan has the 9th highest rate of criminality in the world as of 2023, according to the Global Organised Crime Index. The report of the UN Secretary General mainly documented incidents of robbery, theft, and murder. According to an analysis by the Protection Cluster and UNHCR, increased crime levels, combined with the economic crisis and intimidation related to debt issues, were found to be the most common causes of insecurity among Afghan households' [[Country Focus 2023](#), 2.4., pp. 41-42].



## 7.2. Guidance with regard to Afghanistan

### 7.2.1. Article 12(2)(a) and Article 17(1)(a) QD

Last update: May 2024

[Article 12\(2\)\(a\) QD](#)

[Article 17\(1\)\(a\) QD](#)

It can be noted that the ground ‘crime against peace’ is not found to be of particular relevance in the cases of applicants from Afghanistan.

According to COI, insurgent groups, former ANDSF and pro-government militias, as well as civilians in Afghanistan, can be implicated in acts that would qualify as war crimes or crimes against humanity. Reported violations of international humanitarian law by parties in the conflicts in Afghanistan could amount to war crimes.

It can be noted that, in November 2017, the Prosecutor of the ICC requested authorisation from Pre-Trial Chamber III to initiate an investigation into alleged war crimes and crimes against humanity in relation to the armed conflict in Afghanistan since 1 May 2003. The preliminary examination focuses on crimes listed in the Rome Statute allegedly committed in the context of the armed conflict between pro-government forces and anti-government forces. It includes the **crimes against humanity** of murder and imprisonment or other severe deprivation of physical liberty, and the **war crimes** of murder, cruel treatment, outrages upon personal dignity, the passing of sentences and carrying out of executions without proper judicial authority, intentional attacks against civilians, civilian objects and humanitarian assistance missions, and treacherously killing or wounding of an enemy combatant. The preliminary examination also focuses on the existence and genuineness of national proceedings in relation to these crimes. On 31 October 2022, Pre-Trial Chamber II of the International Criminal Court (ICC) authorised the Prosecution to resume investigation, following a previous request for deferral by the (former) government of Afghanistan<sup>(13)</sup>.

In terms of qualifying the relevant acts as war crimes, armed conflicts<sup>(14)</sup> in Afghanistan can be characterised as follows:

- armed conflict between PDPA government and armed opponents from the summer of 1979 until the Soviet invasion on 24 December 1979: non-international;

<sup>(13)</sup> For further information, see <https://www.icc-cpi.int/afghanistan>.

<sup>(14)</sup> Note that the assessment under Article 12(2)(a) QD and Article 17(1)(a) QD refers to the relevant international instruments defining the terms. Therefore, the assessment of whether or not an armed conflict takes place, as well as its nature, is based on international humanitarian law and may differ from the assessment in the context of Article 15(c) QD as defined in the *Diakité* judgment of the CJEU.

- Soviet-Afghan War from December 1979 until February 1989: international;
- armed conflict between ‘mujahideen’ forces and the government (1989-1996): non-international;
- armed conflict between the Taliban and the United Front (1996-2001): non-international;
- armed conflict of coalition led by the USA against the Taliban regime between October 2001 and June 2002: international;
- Taliban-led insurgency against the (former) Afghan government (June 2002 – August 2021): non-international;
- armed conflict between the Taliban and ISKP (2015 – ongoing): non-international;
- armed conflict between the Taliban and NRF (2021 – ongoing): non-international<sup>(15)</sup>.

The amnesty envisaged under the National Stability and Reconciliation Law of Afghanistan and the amnesty provisions in the agreement with Hezb-e Islami / Gulbuddin Hekmatyar (HIG) from September 2016 would likely not prevent the exclusion of the applicant where individual responsibility for relevant excludable acts is established, as they would fail to meet the necessary requirements, i.e. being the expression of the democratic will of the citizens of Afghanistan and the individual having been held accountable in other ways.

### 7.2.2. Article 12(2)(b) and Article 17(1)(b) QD

Last update: May 2024

[Article 12\(2\)\(b\) QD](#)

[Article 17\(1\)\(b\) QD](#)

In the context of Afghanistan, widespread criminality and breakdown in law and order make the ground of ‘serious (non-political) crime’ particularly relevant. In addition to murder related to family and other private disputes, some examples of particularly relevant serious crimes may include drug trade and trafficking, trafficking in arms, human trafficking, corruption, embezzlement and other economic crimes, illegal taxation, illegal extraction, trade or smuggling of minerals, gemstones, archaeological artefacts, etc.

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<sup>(15)</sup> For non-international armed conflicts in Afghanistan, see <https://www.rulac.org/browse/conflicts/non-international-armed-conflicts-in-afghanistan>.



Violence against women and children (for example, in relation to *bacha bazi*, in the context of child marriage, honour killings, sexual violence or some forms of domestic violence, etc.), which is widespread in Afghanistan, could also potentially amount to a serious (non-political) crime.

Some serious (non-political) crimes could be linked to an armed conflict (e.g. if they are committed in order to finance the activities of armed groups) or could amount to fundamentally inhumane acts committed as a part of a systematic or widespread attack against a civilian population, in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD.

In relation to exclusion from refugee status, a crime could fall under this ground if committed in Afghanistan or any third country (for example, while the applicant resided in Pakistan or Iran, or in countries of transit, etc.). In relation to subsidiary protection, serious crimes committed by Afghan applicants in the host country, would also lead to exclusion.

### 7.2.3. Article 12(2)(c) and Article 17(1)(c) QD

Last update: May 2024

[Article 12\(2\)\(c\) QD](#)

[Article 17\(1\)\(c\) QD](#)

In the context of Afghanistan, (former) membership in the Taliban or in armed groups such as ISKP Hezb-e Islami, could trigger relevant considerations in addition to the considerations under Article 12(2)(a)/Article 17(1)(a) QD or Article 12(2)(b)/Article 17(1)(b) QD.

The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD.

## 7.2.4. Article 17(1)(d) QD

Last update: January 2023

### Article 17(1)(d) QD

In the examination of the application for international protection, the exclusion ground under Article 17(1)(d) QD (danger to the community or the security of the Member State) is only applicable to persons otherwise eligible for subsidiary protection.

Unlike the other exclusion grounds, the application of this provision is based on a forward-looking assessment of risk. Nevertheless, the examination takes into account the past and/or current activities of the applicant, such as association with certain groups considered to represent a danger to the security of the Member States or criminal activities of the applicant.



## Annex I: List of abbreviations and glossary

Term	Definition
<b>ACC</b>	Afghan Citizen Card
<b>ACLED</b>	Armed Conflict Location & Event Data Project
<b>AFF</b>	Afghanistan Freedom Front
<b>AGEs</b>	See 'anti-government elements'
<b>ALM</b>	Afghanistan Liberation Movement
<b>ALP</b>	Afghan Local Police, a security initiative to include armed militias in the police force, under the auspices of the Ministry of the Interior.
<b>ANA</b>	Afghan National Army
<b>ANDSF</b>	Afghan National Defence and Security Forces, see also ANSF
<b>ANP</b>	Afghan National Police
<b>ANSF</b>	Afghan National Security Forces, including Afghan National Army (ANA), Afghan National Police (ANP) and National Directorate of Security (NDS)
<b>Anti-government elements</b>	Armed opposition fighters, or insurgents, who are fighting against the Afghan government and its international allies. Examples of such groups of fighters are the Taliban, the Haqqani network and the Islamic Movement of Uzbekistan.
<b>Asylum Procedures Directive</b>	Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection.
<b><i>baad</i></b>	The practice of exchanging women/girls to resolve a dispute; exchanging daughters between families for marriage to avoid bride price costs.
<b><i>badal/ badaal</i></b>	The concept of revenge or retribution in the <i>Pashtunwali</i> .
<b><i>bacha bazi</i></b>	Dancing boys: boys or young men who are sexually exploited by men for entertainment. They are made to dance in female garb and provide sexual favours. This practice is often associated with men in power.

Term	Definition
<b>CAT</b>	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
<b>CJEU</b>	Court of Justice of the European Union
<b>COI</b>	Country of origin information
<b>complex attack</b>	A deliberate and coordinated attack that includes a suicide device, more than one attacker and more than one type of device. All three elements must be used for an attack to be considered complex.
<b>ECHR</b>	Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), as amended by Protocols Nos. 11 and 14, 4 November 1950.
<b>ECtHR</b>	European Court of Human Rights
<b>EU</b>	European Union
<b>EU+</b>	Member States of the European Union plus Norway and Switzerland
<b>EUAA</b>	European Union Agency for Asylum
<b>fatwa</b>	A ruling or opinion given by the head of religious community in Islam.
<b>GDI</b>	General Directorate of Intelligence
<b>ground engagement</b>	Ground engagements include kinetic ground operations, stand-off attacks, crossfire and armed clashes between parties to the conflict. Ground engagements include attacks or operations in which small arms, heavy weapons and/or area weapons systems, i.e. mortars and rockets are fired.
<b>hadd (plural: hudud)</b>	A category of crime under Islamic Law. Punishment for crimes against God prescribed in the Quran, sometimes punishable by death.
<b>Hanafi</b>	Sunni jurisprudence in use in Afghanistan; one of the four schools of Sunni jurisprudence.
<b>ICC</b>	International Criminal Court
<b>ICRC</b>	International Committee of the Red Cross



Term	Definition
<b>IDP(s)</b>	Internally displaced person(s)
<b>IED</b>	Improvised Explosive Device. A bomb constructed and deployed in ways other than in conventional military action.
<b>IFRP</b>	Illegal Foreigners' Repatriation Plan
<b>ILO</b>	International Labour Organisation
<b>IMU</b>	Islamic Movement of Uzbekistan
<b>IOM</b>	International Organization for Migration
<b>IPA</b>	Internal protection alternative
<b>ISKP</b>	Islamic State Khorasan Province
<b><i>jirga</i></b>	A council or assembly of tribal elders held for dispute resolution; <i>jirgamar</i> refers to elders whose profession is dispute settlement.
<b>LGBTIQ</b>	LGBTIQ people are people:  who are attracted to others of their own gender (lesbian, gay) or any gender (bisexual);  whose gender identity and/or expression does not correspond to the sex they were assigned at birth (trans, non-binary);  who are born with sex characteristics that do not fit the typical definition of male or female (intersex); and  whose identity does not fit into a binary classification of sexuality and/or gender (queer).
<b><i>mahram</i></b>	A close male relative: either a husband or a male relative whom a woman cannot marry, such as a brother, father, son or uncle
<b><i>madrassa</i></b>	Islamic religious school
<b>Mol</b>	Ministry of Interior Affairs of Afghanistan
<b>MPVPV</b>	Ministry for the Propagation of Virtue and Prevention of Vice

Term	Definition
<b>mujahideen</b>	Islamic ‘holy warriors’. In the context of the conflict of Afghanistan, the term dates back to the 1980s, when it referred to Islamic fighting groups opposed to the communist regime and the military forces of the former Soviet Union in Afghanistan. Its fighters have since been called <i>mujahideen</i> . Currently, the Taliban refer to their fighters as <i>mujahideen</i> .
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NDS</b>	National Directorate of Security, Afghanistan’s intelligence service
<b>NGO</b>	Non-governmental organisation
<b>NLFA</b>	National Liberation Front of Afghanistan
<b>NRF</b>	National Resistance Front
<b>Pashtunwali</b>	A traditional social, cultural, and quasi-legal code regulating the Pashtun way of life.
<b>PoR</b>	Proof of Registration
<b>PDPA</b>	People’s Democratic Party of Afghanistan
<b>PGM</b>	Pro-government militia
<b>qisas</b>	Under Islamic Law, <i>qisas</i> are crimes against the bodily integrity of a person; when one person harms or kills another, an alternative to ‘eye for an eye’ punishment ( <i>qisas</i> ) is the payment of <i>diyya/diyat</i> (‘blood money’).
<b>QD (Qualification Directive)</b>	Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.
<b>sharia</b>	The religious law of Islam; Islamic canonical law.
<b>shura</b>	A decision-making community council; often formed for non-State dispute settlement; made up of a group of people with community authority (elders) to discuss and find solutions to a problem.



<b>targeted/ deliberate killing</b>	Intentional, premeditated and deliberate use of lethal force by States or their agents acting under colour of law or by an organised armed group, party to an armed conflict against a specific individual who is not in the perpetrator's physical custody.
<b>TP</b>	Tehrik-i Taliban Pakistan
<b>UCDP</b>	Uppsala Conflict Data Program
<b>Ulema</b>	Body of Muslim scholars who are recognised as having specialist knowledge of Islamic law and theology.
<b>UN</b>	United Nations
<b>UNAMA</b>	UN Assistance Mission in Afghanistan
<b>UNDP</b>	United Nations Development Programme
<b>UNHCR</b>	UN High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNOCHA</b>	UN Office for the Coordination of Humanitarian Affairs
<b>US</b>	United States of America
<b>USDOS</b>	US Department of State
<b>WHO</b>	World Health Organisation
<b>zina</b>	A criminal offense in Islamic law referring to unlawful sexual intercourse, fornication or adultery.

## Annex II: Country of origin information references

The main COI sources used in the common analysis are the following (listed alphabetically by reference used in the text)	
<b>Anti-government elements</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Anti-Government Elements (AGEs)</b>            (August 2020)</p> <p>Available at:  <a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_Anti_Governement_Elements_AGEs.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_Anti_Governement_Elements_AGEs.pdf</a></p>
<b>COI query on Hazaras, Shias</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Hazaras, Shias</b>            (August 2020)</p> <p>Available at:  <a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q13_EASO_COI_Query_Response_2020_AFG_Hazara_Shia.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q13_EASO_COI_Query_Response_2020_AFG_Hazara_Shia.pdf</a></p>
<b>COI query on Hindus and Sikhs</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Hindus and Sikhs</b>            (August 2020)</p> <p>Available at:  <a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q14_EASO_COI_Query_Response_AFG_Hindus_Sikhs.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q14_EASO_COI_Query_Response_AFG_Hindus_Sikhs.pdf</a></p>
<b>COI query on humanitarian workers and healthcare professionals</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Humanitarian workers and healthcare professionals</b>            (August 2020)</p> <p>Available at:  <a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q16_EASO_COI_Query_Response_AFG_Humanitarian_Healthcare_Workers.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q16_EASO_COI_Query_Response_AFG_Humanitarian_Healthcare_Workers.pdf</a></p>
<b>COI Query on Illegal Foreigners' Repatriation Plan 2023</b>	<p>EUAA Country of Origin Information Query: <b>Pakistan, 'Illegal Foreigners' Repatriation Plan' (IFRP)</b>            (December 2023)</p> <p>Available at:</p>



	<a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Query_Response_Q71_Pakistan_Afghans_IFRP.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Query_Response_Q71_Pakistan_Afghans_IFRP.pdf</a>
<b>COI query on journalists, media workers and human rights defenders</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Journalists, media workers and human rights defenders</b></p> <p>(August 2020)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q17_EAS_O_COI_Query_Response_AFG_Journalists_Media_Human_Rights_Activists.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_Q17_EAS_O_COI_Query_Response_AFG_Journalists_Media_Human_Rights_Activists.pdf</a></p>
<b>COI query on westernisation</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Afghan nationals perceived as 'Westernised'</b></p> <p>(September 2020)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_09_Q19_EAS_O_COI_Query_Response_AFG_Westernisation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_09_Q19_EAS_O_COI_Query_Response_AFG_Westernisation.pdf</a></p>
<b>COI Update 2024</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Major legislative, security-related, and humanitarian developments</b></p> <p>(January 2024)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2024_02_EUAA_COI_Query_Response_Q13_Afghanistan_Major_legislative_security_related_and_humanitarian_developments.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2024_02_EUAA_COI_Query_Response_Q13_Afghanistan_Major_legislative_security_related_and_humanitarian_developments.pdf</a></p>
<b>COI Update 2022</b>	<p>EUAA Country of Origin Information Query: <b>Afghanistan - Major legislative, security-related, and humanitarian developments</b></p> <p>(November 2022)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2022_11_Q35_EUAA_COI_Query_Response_Afghanistan_update_1_July_31_October_2022.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2022_11_Q35_EUAA_COI_Query_Response_Afghanistan_update_1_July_31_October_2022.pdf</a></p>
<b>Conflict targeting</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Individuals targeted by armed actors in the conflict</b></p> <p>(December 2017)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_targeting_conflict.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_targeting_conflict.pdf</a></p>

<b>Country Focus 2023</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Country Focus</b></p> <p>(December 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Report_Afghanistan_Country_Focus.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Report_Afghanistan_Country_Focus.pdf</a></p>
<b>Country Focus 2022</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Country Focus</b></p> <p>(January 2022)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2022_01_EASO_COI_Report_Afghanistan_Country_focus.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2022_01_EASO_COI_Report_Afghanistan_Country_focus.pdf</a></p>
<b>Criminal law and customary justice</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Criminal law, customary justice and informal dispute resolution</b></p> <p>(July 2020)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_07_EASO_COI_Report_Afghanistan_Criminal_Law_Customary_Justice_Dispute_Resolutions.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_07_EASO_COI_Report_Afghanistan_Criminal_Law_Customary_Justice_Dispute_Resolutions.pdf</a></p>
<b>KSEI 2022</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan, Key socio-economic indicators in Afghanistan and in Kabul city</b></p> <p>(August 2022)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Key_socio_economic_indicators_in_Afghanistan_and_in_Kabul_city.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Key_socio_economic_indicators_in_Afghanistan_and_in_Kabul_city.pdf</a></p>
<b>KSEI 2020</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Key socio-economic indicators Focus on Kabul City, Mazar-e Sharif and Herat City</b></p> <p>(August 2020)</p> <p>Available at:</p>



	<a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_Key_Socio_Economic_Indicators_Forcus_Kabul_City_Mazar_Shafir_Herat_City.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_Key_Socio_Economic_Indicators_Forcus_Kabul_City_Mazar_Shafir_Herat_City.pdf</a>
<b>KSEI 2017</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Key socio-economic indicators, state protection, and mobility in Kabul City, Mazar-e Sharif, and Herat City</b></p> <p>(August 2017)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/EASO_COI_Afghanistan_IPA_August2017.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/EASO_COI_Afghanistan_IPA_August2017.pdf</a></p>
<b>Recruitment by armed groups</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Recruitment by armed groups</b></p> <p>(September 2016)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_recruitment.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_recruitment.pdf</a></p>
<b>Security 2020</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Security situation</b></p> <p>(September 2020)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_09_EASO_COI_Report_Afghanistan_Security_situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_09_EASO_COI_Report_Afghanistan_Security_situation.pdf</a></p>
<b>Security June 2021</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Security situation</b></p> <p>(June 2021)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_06_EASO_COI_Report_Afghanistan_Security_situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_06_EASO_COI_Report_Afghanistan_Security_situation.pdf</a></p>
<b>Security September 2021</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Security situation update</b></p> <p>(September 2021)</p>

	<p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Afghanistan_Security_situation_update.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2021_09_EASO_COI_Report_Afghanistan_Security_situation_update.pdf</a></p>
<b>Security 2022</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Security Situation</b></p> <p>(August 2022)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Afghanistan_Security_situation.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Afghanistan_Security_situation.pdf</a></p>
<b>Situation of Afghan returnees from Pakistan amid the 2023 'Illegal Foreigners' Repatriation Plan</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Situation of Afghan returnees from Pakistan amid the campaign linked to the 'Illegal Foreigners' Repatriation Plan' (IFRP)</b></p> <p>(December 2023)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Query_Response_Q72_Afghanistan_returnees_from_Pakistan.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2023_12_EUAA_COI_Query_Response_Q72_Afghanistan_returnees_from_Pakistan.pdf</a></p>
<b>Society-based targeting</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Individuals targeted under societal and legal norms</b></p> <p>(December 2017)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_targeting_society.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/Afghanistan_targeting_society.pdf</a></p>
<b>State structure</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - State Structure and Security Forces</b></p> <p>(August 2020)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_state_structure_and_security_forces.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2020_08_EASO_COI_Report_Afghanistan_state_structure_and_security_forces.pdf</a></p>
<b>Taliban strategies - Recruitment</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Taliban strategies - Recruitment</b></p>



	<p>(July 2012)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/EASO_COI_Report_AFG_Taliban_Recruitment.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/EASO_COI_Report_AFG_Taliban_Recruitment.pdf</a></p>
<b>Targeting 2022</b>	<p>EUAA Country of Origin Information Report: <b>Afghanistan - Targeting of Individuals</b></p> <p>(August 2022)</p> <p>Available at:</p> <p><a href="https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Afghanistan_Targeting_of_individuals.pdf">https://coi.euaa.europa.eu/administration/easo/PLib/2022_08_EUAA_COI_Report_Afghanistan_Targeting_of_individuals.pdf</a></p>

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