

GUIDANCE NOTE ON AFGHANISTAN – UPDATE II

September 2025

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Introduction

1. This update supersedes *UNHCR's Guidance Note on the International Protection Needs of People Fleeing Afghanistan (Update I)* of February 2023.¹
2. Civilians in Afghanistan continue to be gravely impacted by a deteriorating human rights and humanitarian situation in the country.² In addition, the security situation continues to be fluid; the Taliban de facto authorities face armed resistance from the Islamic State of Khorasan Province (ISKP) as well

¹ UNHCR, *Guidance Note on the International Protection Needs of People Fleeing Afghanistan (Update I)*, February 2023, www.refworld.org/policy/countrypos/unhcr/2023/en/124216.

² UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 1, 97.

as several armed groups across the country.³ Between 1 January 2024 and 31 August 2025, the Armed Conflict Location & Event Data Project (ACLED) documented 1,535 incidents of battles, explosions/remote violence and violence against civilians causing an estimated 1,827 civilian and non-civilian fatalities, with most of the incidents occurring in Kabul (347), Takhar (125) and Herat (119) Provinces.⁴ Civilian casualties are mostly caused by the use of improvised explosive devices (IEDs) and suicide attacks, which are mostly carried out by ISKP and target either the de facto authorities or Afghanistan's Shia minority.⁵

Human Rights Situation

3. The de facto authorities are reported to have committed serious human rights violations, including extrajudicial killings, arbitrary arrest and detention, torture and other forms of ill-treatment, perpetrated in the context of public punishments,⁶ in targeting persons associated with the former government and in enforcing harsh public morality laws and decrees.⁷ According to the Office of the UN High Commissioner for Human Rights (OHCHR), the "human rights situation in Afghanistan remains very serious, as severe economic impacts and humanitarian needs have pushed the population into deeper poverty and precarity, women and girls have faced ever tighter restrictions, civic space and media freedom has been severely curtailed, and the rule of law and institutional protection of human rights continue to fall well short of international norms."⁸
4. Since 2021, the de facto authorities have promulgated a series of edicts and decrees that severely curtail women's rights, including their access to employment, access to education and freedoms of expression, assembly and movement.⁹ Most of these restrictions were codified by the Propagation of Virtue and the Prevention of Vice ("PVPV") law published by the de facto authorities on 21 August,

³ UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, paras 18-21; UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 6 December 2024, S/2024/876, www.ecoi.net/en/file/local/2120503/n2435924.pdf, paras 13-18. In addition, in March 2025 clashes between Pakistani and Afghan forces intensified along the disputed border between Pakistan's Khyber District and Afghanistan's Nangarhar Province. UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 11 June 2025, S/2025/372, www.ecoi.net/en/file/local/2126447/n2513359.pdf; International Crisis Group (ICG), *On Our Radar: Pakistan-Afghanistan*, 7 March 2025, www.crisisgroup.org/global/our-radar.

⁴ ACLED, *Data Export Tool*, accessed 15 September 2025, <https://acleddata.com/data-export-tool/>. "From 1 February to 30 April 2025, the United Nations recorded 2,299 safety and security-related incident reports, marking a 3 per cent increase as compared with the same period in 2024. [...] activities of the armed opposition posed no significant challenge to the Taliban's control of the national territory" UN Security Council, *The Situation in Afghanistan and its Implications for International Peace and Security*, 11 June 2025, S/2025/372, www.ecoi.net/en/file/local/2126447/n2513359.pdf, paras 19-20. See also, UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, www.ecoi.net/en/file/local/2127630/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, pp. 4-5.

⁵ UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 6 December 2024, S/2024/876, www.ecoi.net/en/file/local/2120503/n2435924.pdf, paras 25-27. ISKP continues to target and attack Shias, who are predominantly Hazara, and Sufis. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 49.

⁶ "In the second half of 2024, the Taliban continued to accelerate the imposition of corporal punishments that amount to torture and other ill-treatment. Between July and December 2024, at least 311 persons (264 men and 47 women) received corporal punishments [...]. The vast majority received more than 30 lashes in addition to prison sentences. [...] On 13 November [2024], the de facto authorities carried out its sixth public execution, in a stadium in Gardez, Pakhtiya Province". UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 82-83.

⁷ UN Security Council, *The Situation in Afghanistan and its Implications for International Peace and Security*, 11 June 2025, S/2025/372, www.ecoi.net/en/file/local/2126447/n2513359.pdf, para. 74; UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 12 March 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf; UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 6 December 2024, S/2024/876, www.ecoi.net/en/file/local/2120503/n2435924.pdf, paras 29-37; UNAMA, *De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 16-18. "Between 1 January and 31 March, UNAMA Human Rights documented at least 23 instances of arbitrary arrest and detention and at least five instances of torture and ill-treatment of former government officials and former ANDSF members, in addition to at least six killings of former ANDSF members." UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, www.ecoi.net/en/file/local/2127630/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, p. 6.

⁸ UN Human Rights Council, *The Human Rights Situation in Afghanistan*, 4 February 2025, A/HRC/57/22, www.ecoi.net/en/file/local/2114653/g2416116.pdf, para. 5. "The human rights crisis in Afghanistan has deepened continuously since August 2021, when the Taliban seized power in Afghanistan." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 1.

⁹ UN Women, *Afghanistan: Ten Facts about the World's Most Severe Women's Rights Crisis*, 14 August 2025, www.unwomen.org/en/news-stories/press-release/2025/08/afghanistan-ten-facts-about-the-worlds-most-severe-womens-rights-crisis; UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf; United States Institute of Peace (USIP), *Tracking the Taliban's (Mis)Treatment of Women*, accessed 15 September 2025, www.usip.org/tracking-talibans-Mistreatment-women.

2024.¹⁰ In addition, the de facto authorities have targeted persons perceived as opposing or criticizing their rule, including journalists, human rights defenders, civil society activists, academics, writers and artists, former government officials and their families.¹¹ Ethnic and religious minorities are not represented in the de facto authorities and experience violence, discrimination, harassment, arrest and exclusion.¹² Individuals of diverse sexual orientations, gender identities, gender expressions and/or sex characteristics (SOGIESC) have been arbitrarily arrested and detained, tortured and subjected to corporal punishments by the de facto authorities.¹³ Children are at severe risk of human rights violations, including the use of corporal punishments, child marriage, which is reportedly increasing, the selling of children as a coping strategy,¹⁴ child labour and harm from explosive remnants of war.¹⁵

5. The de facto authorities have imposed severe restrictions on the media, including by arresting journalists and censoring news broadcasts, leading to an information environment where people inside and outside of Afghanistan have insufficient information about events occurring inside the country.¹⁶ All media produced and aired in Afghanistan must be in line with Sharia law, and investigators from the Ministry for the Propagation of Virtue and the Prevention of Vice have the authority to police both the conduct of journalists and media workers and the content that is produced.¹⁷ The de facto authorities' repression of civic space and tight control of the media environment makes it difficult to document, verify or report human rights violations.¹⁸ Information sources—including persons interviewed by

¹⁰ "The PVPV law codifies many of the de facto authorities' existing directives and restrictions issued as decrees, edicts and instructions, broadening some and adding new ones." UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, p. 2. See also, UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 12 March 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf.

¹¹ "[J]ournalists, activists, academics, writers and artists are at serious risk of arbitrary detention and ill-treatment. [...] The coordinated suppression of dissent extends to all areas of public discourse, affecting journalists and media workers, human rights defenders, members of civil society and protesters, academics, writers, artists, booksellers and educators, as well as their family members." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 1, 24.

¹² UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 44-46. See also, US Commission on International Religious Freedom (USCIRF), *Afghanistan*, March 2025, [www.ecoi.net/en/file/local/2123503/Afghanistan 2025 USCIRF Annual Report.pdf](http://www.ecoi.net/en/file/local/2123503/Afghanistan%2025%20USCIRF%20Annual%20Report.pdf), pp. 12-13; US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html.

¹³ Their family members have also been targeted. UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 67-68.

¹⁴ "Other extreme coping strategies include early and forced marriage of daughters, begging, selling organs or children, and even suicide ideation and suicide." Global Protection Cluster, *Afghanistan: Protection Analysis Update: Update on Protracted-Crisis and Climate-Related Protection Risks Trends, January-December 2024*, January 2025, www.ecoi.net/en/file/local/2121426/afghanistan_pau_dec_2024_final_0.pdf, p. 8. See also, RFE/RL, *Taliban's Ban on Organ Transplants Deprives Afghans of Lifesaving Treatment*, 20 December 2024, www.ecoi.net/en/document/2120479.html; BBC, *Afghanistan: 'I Drug my Hungry Children to Help Them Sleep'*, 24 November 2022, www.bbc.com/news/world-asia-63733683.

¹⁵ "The Special Rapporteur expresses alarm over worsening harm to Afghan children. The Taliban's redefinition of the child, so that the end of childhood is based on signs of puberty instead of on reaching 18 years of age, breaches international obligations and denies children their rights to appropriate protection, support and care. The situation is exacerbated by continued education bans, a deepening humanitarian crisis, increasing rates of child marriage, continued abuse, such as *bacha bazi*, and hazardous child labour." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 54, see also paras 55-58. See also, UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, para. 33; UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, www.ecoi.net/en/file/local/2127630/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, pp. 4-5.

¹⁶ UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 3, see also pp. 4-5. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 9-11; Reporters Without Borders (RSF), *Afghanistan: Press Freedom at its Lowest Point as Taliban Closed 12 Media Outlets in less than a Year*, 20 December 2024, <https://rsf.org/en/afghanistan-press-freedom-its-lowest-point-taliban-closed-12-media-outlets-less-year>. "The erosion of media freedom has led to a significant reduction in the public's access to reliable information, with many relying on increasingly censored and controlled sources for news." Journalists for Human Rights (JHR), *Freedom of Afghan Media*, August 2024, <https://jhr.ca/wp-content/uploads/2024/08/REPORT-Media-Freedom-in-Afghanistan-Under-the-Taliban-Control-Final.pdf>, p. 20.

¹⁷ UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, www.ecoi.net/en/file/local/2127630/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, p. 6; UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, pp. 3-5, 9. "The de facto authorities broadly forbid any publications that they deem to be against Islam or sharia law, that deride or are said to humiliate Muslims or that have a 'negative impact' on public opinion. The harsh enforcement and overly broad and ambiguous nature of the guidelines force people to practise self-censorship." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 32.

¹⁸ "The collapse of civic space also severely hampers and complicates the documentation of human rights violations and abuses due to censorship, self-regulation and reprisals against Afghans and their family members on account of their cooperation with the United Nations, including with regard to the mandate of the Special Rapporteur." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 27. The human rights organization Rawadari noted that a decrease in documented violations of the right to life might "partially be due to the severe restrictions on access to information, particularly restrictions on access to information about

humanitarian or human rights groups, journalists and media workers—reportedly self-censor due to fear of the de facto authorities.¹⁹

6. In February 2025, the UN Special Rapporteur on Human Rights in Afghanistan stated that he “considers it is highly likely that the situation will deteriorate still further” and that “the Taliban will intensify, expand, and further entrench its restrictions on the people of Afghanistan, in particular women and girls and likely religious and ethnic minorities, subjecting them to ever expanding circles of discrimination, segregation, and oppression.”²⁰

Humanitarian Situation

7. Rising levels of food insecurity and deepening poverty mean that almost half of the population is in need of humanitarian assistance.²¹ While there have been some improvements in the general economic situation following the initial economic downturn in the wake of the de facto authorities’ takeover, this has had little effect on the lives of ordinary Afghans, many of whom still struggle to access or afford basic services.²² Poverty remains widespread, with an estimated 85 per cent of the population surviving on less than 1 USD per day.²³ The de facto authorities interfere with humanitarian operations and restricts humanitarian access, including by preventing programmes from operating and demanding access to sensitive data.²⁴ On 24 December 2022, the de facto authorities prohibited women from working for national and international NGOs in Afghanistan, which has further impacted the provision of, and reduced women’s access to, humanitarian aid and support.²⁵

the targeted, suspicious, and extrajudicial killings by the Taliban. The Taliban prevent the dissemination of information related to targeted, mysterious, and extrajudicial killings through intimidation and threats”. Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, p. 9. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 9-11.

¹⁹ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 12 March 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, paras 92-94; ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 12-14; UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, pp. 12-13. “Even Afghans abroad practise self-censorship due to safety concerns for their family members back in Afghanistan.” UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 26.

²⁰ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 88. “The DfA’s governance and discriminatory laws and policies have worsened the humanitarian situation. Women, girls, boys, persons with disabilities, minorities, older persons, youth, IDPs, returnees, and other groups at risk, facing severe restrictions on their rights, freedom of movement, and access to public life.” Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 2.

²¹ “In 2025, almost half of the population – some 22.9 million people – will require humanitarian assistance to survive, due to limited capacity to meet both chronic and acute needs. Moreover, the sustained imposition of rights-related restrictions by the Taliban de facto authorities (DfA) have heightened protection risks among women, girls and boys, young people and other at-risk groups, limiting their access to essential lifesaving services and livelihood opportunities, deepening disparities and pushing them into further humanitarian need year after year.” UN Office for the Coordination of Humanitarian Affairs (OCHA), *Afghanistan: Humanitarian Needs and Response Plan*, December 2024, www.unocha.org/attachments/f27aee21-5770-46a5-9706-fa3a0f92f945/Afghanistan-Humanitarian-Needs-and-Response-Plan-2025.pdf, p. 3.

²² “After two years of significant economic decline, the country’s gross domestic product increased by 2.7 per cent in the fiscal year 2023, recovering a mere 10 per cent of the gross domestic product lost in the preceding two years. [...] Afghans continue to struggle with poverty, unemployment, food insecurity and a lack of access to health and education.” UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 93. See also, World Bank, *The World Bank in Afghanistan*, accessed 15 September 2025, www.worldbank.org/en/country/afghanistan/overview.

²³ UNDP, “Approximately 85 Percent of Afghans Live on less than One Dollar a Day.”, 10 January 2024, www.undp.org/stories/approximately-85-percent-afghans-live-less-one-dollar-day.

²⁴ The most frequent reported incidents of restricting humanitarian access are due to direct interference, restrictions on female staff, interference with recruitment and demands to access sensitive data. See OCHA, *Afghanistan: Humanitarian Access Snapshot*, 18 February 2025, <http://reliefweb.int/report/afghanistan/afghanistan-humanitarian-access-snapshot-january-2025>; OCHA, *Afghanistan: Humanitarian Access Snapshot*, 16 January 2025, <https://reliefweb.int/report/afghanistan/afghanistan-humanitarian-access-snapshot-december-2024>.

²⁵ “[...] the ban on women working for NGOs and UN agencies has inhibited women and girls’ access to essential services including health, education, nutrition, and protection [...] over 70% of women find it difficult to access humanitarian assistance, with a significant portion attributing this to the absence of women humanitarian workers and culturally imposed mobility restrictions.” UN Women, *Women and Girls in Crisis: 2024 Gender Analysis of Humanitarian Sectors in Afghanistan*, 27 April 2025, <https://reliefweb.int/report/afghanistan/women-and-girls-crisis-2024-gender-analysis-humanitarian-sectors-afghanistan>, p. 5, see also pp. 12-14. While the de facto authorities have granted some exemptions in the past, these have often been localized or time-bound and create an additional barrier for humanitarian organizations. In other cases, the de facto authorities have reportedly threatened license revocation or charges against organizations that do not comply. UN Women, *Afghanistan: Gender Country Profile 2024*, 7 June 2024, www.unwomen.org/sites/default/files/2024-06/Afghanistan%20Gender%20Profile%202024.pdf, p. 22. Reportedly, there has been less room for negotiation or exemptions with the PVPV law. UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_aprill_2025.pdf, pp. 5, 11-12. In September 2025, the de facto authorities reinforced restrictions on Afghan women working with the United Nations. UN News, *Afghanistan: Lifesaving Services Cut as Taliban Bars Women Aid Workers*, 12 September 2025, <https://news.un.org/en/story/2025/09/1165832>.

8. Between 10 January 2024 and 18 August 2025, flooding affected an estimated 195,696 persons in Afghanistan across every province.²⁶ Other natural hazards, such as droughts, earthquakes and landslides have also caused displacement within Afghanistan.²⁷ On 31 August 2025, a 6.0 magnitude earthquake struck eastern Afghanistan, killing at least 2,164 people and injuring at least 3,428 people, while the destruction caused by the earthquake and several severe aftershocks has left about half a million people in need of assistance.²⁸

International Protection Needs

9. UNHCR continues to call on all countries to allow civilians fleeing Afghanistan access to their territories, to guarantee the right to seek asylum, and to ensure respect for the principle of non-refoulement at all times. UNHCR calls on States to register all arrivals who seek international protection and to issue documentary proof of registration to all individuals concerned. All claims of nationals and former habitual residents of Afghanistan seeking international protection should be processed in fair and efficient procedures in accordance with international and regional refugee law and other relevant legal standards.
10. The large-scale humanitarian crisis affecting Afghanistan must not be allowed to overshadow the situation of widespread human rights violations in the country. Given the depth of this humanitarian crisis, Afghans fleeing the country may refer in the first instance to their immediate needs for survival as the reason for their flight. This does not negate the existence of parallel refugee protection needs and should not preclude a thorough assessment of the international protection needs of Afghan applicants for asylum. With reference to the shared burden of proof, UNHCR calls on decision-makers to ensure that asylum applicants are given an opportunity to provide a full and complete account of the reasons that forced them to flee Afghanistan and/or the reasons they cannot return to Afghanistan, including possible fears of persecution upon return.

Constraints on Assessing International Protection Needs

11. Despite adopting some laws, the de facto authorities continue to govern in large part by decree, sidelining the parliamentary process.²⁹ This governance is characterized by uncertainty, arbitrariness and disregard for the rule of law.³⁰ As of March 2025, the status of laws passed by the prior government

²⁶ OCHA, *Afghanistan: Overview of Natural Disasters*, accessed 15 September 2025, <https://response.reliefweb.int/afghanistan/natural-disasters-dashboard>. "Afghanistan is highly vulnerable to the impacts of climate change, ranking among the countries most at risk from the rising frequency, intensity, and severity of disasters." Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 5.

²⁷ International Organization for Migration (IOM), *Afghanistan Climate and Vulnerability Assessment: Population and Mobility*, March 2025, <https://reliefweb.int/report/afghanistan/afghanistan-climate-vulnerability-assessment-population-and-mobility-march-2025>, p. 10.

²⁸ UN News, *Afghanistan: Lifesaving Services Cut as Taliban Bars Women Aid Workers*, 12 September 2025, <https://news.un.org/en/story/2025/09/1165832>; World Health Organization (WHO), *Earthquake in Eastern Afghanistan: WHO Situation Report No. 9*, 11 September 2025, <https://reliefweb.int/report/afghanistan/afghanistan-earthquake-who-situation-report-no-9-11-september-2025>.

²⁹ Hamoon, W., Krawchenko, B., & Krawchenko, T. (2025). "Governance and Public Administration under the Taliban", *Asian Affairs*, 56(1), 87–111. <https://doi.org/10.1080/03068374.2024.2446960>. Between October 2022, when the Taliban leader issued a decree on legislation, and mid-2025, the de facto authorities have adopted 10 laws. However, the de facto authorities continue to rely on edicts and decrees to clarify and expand the law and all legislation has to be approved by the Taliban leader. According to the Heinrich-Böll-Stiftung, the Taliban leader "seems to have little interest in any other governance approach than just issuing decrees embodying his orders." Heinrich-Böll-Stiftung, *Afghanistan: Ruling by Decree*, April 2024, www.boell.de/sites/default/files/importedFiles/2024/04/11/ruling-by-decree-hbs-afpak_0.pdf, p. 6. See also, UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf, paras 24–26. "Since March 2023, the de facto Attorney General's Office was renamed and repurposed to become the de facto High Directorate of Supervision and Prosecution of Decrees and Edicts, which oversees all de facto entities on their implementation of decrees, edicts and instructions issued by the Taliban leader". UNAMA, *De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, p. 4.

³⁰ UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, paras 86–92; ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 75–78; UNAMA, *De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 16–22.

remains unclear,³¹ while the de facto authorities have gradually imposed repressive policies curtailing rights and implemented public corporal punishments such as floggings, amputations and executions.³²

12. On women's rights in particular, the de facto authorities followed a drafting process for the PVPV law that involved consultations with religious scholars, experts and other parts of the de facto authorities; however, only "Taliban-aligned" individuals were consulted, and the broader community had no opportunity to comment or react to the law prior to its publication and enforcement.³³ The PVPV law, rather than providing clarity, has contributed to legal uncertainty as it contains "broad and vaguely-worded provisions" which allow for "excessive discretion to decide what is permitted or prohibited, potentially leading to arbitrary, discriminatory, or abusive application of the law."³⁴ Furthermore, the law contains extensive footnotes in Arabic, a language which most Afghans do not understand, creating further barriers to understanding its provisions and their justification.³⁵
13. Reports indicate that enforcement of edicts, decrees and even the PVPV law can differ by geographic area, local leadership and verbal negotiation with the de facto authorities.³⁶ However, UNAMA has noted that the de facto authorities clearly intend for the PVPV law to be applied nationwide, and has put in place a "robust enforcement framework", including through provincial committees and the increased presence of MPVPV inspectors.³⁷ Generally, the Taliban monitors compliance across the country, including by using sophisticated surveillance techniques and technologies.³⁸
14. The lack of a clear and transparent process for providing edicts, decrees or laws, combined with enforcement of harsh punishments for transgressions, contribute to uncertainty for the population of Afghanistan about what behaviour is, or will be shortly, prohibited.³⁹ According to the UN Special Rapporteur on Human Rights in Afghanistan, the population "live[s] with a lack of legal certainty and in a climate of surveillance and fear due to harsh and inconsistent enforcement, including through corporal

³¹ "After seizing power, the Taliban suspended the 2004 Constitution and announced a review of laws passed under the Republic for compliance with sharia law and Afghan traditions. The status of previous legislation remains unclear, resulting in a lack of legal certainty and consistency." UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 32. See also, UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, p. 5.

³² "At least 213 [corporal] punishments (169 males and 44 females) have been carried out since the beginning of 2025, and in the few days since the public executions, at least 19 individuals (14 males and five females) have already been flogged". OHCHR, *Afghanistan Must Immediately Stop Public Executions and Corporal Punishment: UN Experts*, 17 April 2025, www.ohchr.org/en/press-releases/2025/04/afghanistan-must-immediately-stop-public-executions-and-corporal-punishment. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 82.

³³ UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, paras 29-30.

³⁴ Ibid., para. 33.

³⁵ Ibid., para. 43. Mandatory use of Arabic sources had reportedly already affected the court process: "Lawyers also told the Special Rapporteur that the de facto authorities have instructed that sharia sources be invoked that are not available in the national languages of Dari and Pashto, making it difficult for legal professionals and ordinary people without proficiency in Arabic to understand the origins or meaning of the law. This results in a lack of clarity and an often arbitrary application of the law." UN General Assembly, *Situation of Human Rights in Afghanistan*, A/79/330, 30 August 2024, www.ecoi.net/en/file/local/2118768/n2425329.pdf, para. 62.

³⁶ ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 25-35; UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, pp. 6-7, 9. However: "While enforcement [of the PVPV law] has been patchy, the overall trend is towards conformity." UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 78.

³⁷ UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, pp. 2-3, 7-8.

³⁸ The de facto authorities reportedly have sophisticated surveillance abilities in Kabul and across the country, including informants, access to CCTV cameras, the ability to search mobile devices and social media monitoring. UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, paras 2, 26. See also, BBC, *Inside the Taliban's Surveillance Network Monitoring Millions*, 27 February 2025, www.bbc.com/news/articles/cjev9kzxeqqo.

³⁹ ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 23-28; UNAMA, *De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 2, 6, 22-23.

and capital punishments.”⁴⁰ For Afghan women in particular, this uncertainty contributes to an ongoing mental health crisis which has disrupted social and familial ties.⁴¹

15. In addition to legal uncertainty, human rights and humanitarian monitoring face numerous challenges which prevent actors from gaining a full perspective of the situation in Afghanistan.⁴² Restrictions on civic space and media freedom, combined with self-censorship due to fear, exacerbate this shortage of information.⁴³ People who speak to the media or human rights organizations to express criticism of the de facto authorities reportedly face threats and retaliation from the de facto authorities.⁴⁴ Programmes that aim to assist women and girls, such as monitoring of gender-based violence or the provision of assistance to survivors, have faced severe constraints and are often unable to collect sensitive data.⁴⁵ In some cases, the de facto authorities have demanded access to sensitive information.⁴⁶ According to the Protection Cluster, “[d]ata collection and case management have proven to be challenging for humanitarian protection services due to ongoing interference and restrictions from the [de facto authorities] [...] the data gathered may not offer a definitive assessment of the extent of the [...] risks.”⁴⁷ Where monitoring can take place, informants and beneficiaries may also self-censor out of fear.⁴⁸
16. Given the obstacles to information gathering and reporting in Afghanistan, it will frequently be the case that human rights violations and abuses remain undocumented and unreported. UNHCR calls on decision-makers to give due weight to the uncertainty and unpredictability inherent in the modalities adopted by the de facto authorities for issuing decrees, coupled with the ongoing uncertainties regarding the applicability of Afghanistan’s previous legal framework and a lack of complete country of origin information. Decision-makers must not draw adverse inferences from a lack of information, given

⁴⁰ UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 2. For example, for journalists and media workers, “the ambiguity and uncertainty in the procedures for determining violations have led to pervasive self-censorship due to fear of violating these unwritten rules.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 13.

⁴¹ “Uncertainty about their future, the chipping away of their fundamental freedoms, a health care system that has largely collapsed due to the withdrawal of international funding and the exodus of young professionals and population displacement all mean that Afghan women are suffering a burgeoning and dangerous mental health crisis.” M. Safi and A.M. Rivas, *The Mental Health Crisis among Afghan Women and Girls*, December 2023, https://media.odi.org/documents/The_mental_health_crisis_among_Afghan_women_and_girls_mh6O2uX.pdf, p. 6, see also pp. 11-14. See also, Malala Fund, *Here’s How Afghan Girls and Women Say the Taliban’s New “Vice and Virtue” Laws Affect their Daily Lives.*, 4 December 2024, <https://malala.org/news-and-voices/afghan-women-share-how-life-has-changed-under-new-taliban-edicts>.

⁴² According to UNAMA, there is “likely underreporting [of human rights violations] given the constraints in accessing information.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 7; UNAMA, *De Facto Authorities’ Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, p. 4. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 9-18; Rawadari, *Intimidation, Repression and Censorship: The Status of Access to Information and Freedom of Expression in Afghanistan*, May 2024, <https://rawadari.org/reports/intimidation-repression-and-censorship-the-status-of-access-to-information-and-freedom-of-expression-in-afghanistan/>, pp. 5, 9-10.

⁴³ “According to a survey conducted by Afghanistan National Journalists Union (ANJU) in September 2023, only 1% of the 433 journalists surveyed found information access in Afghanistan to be good.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 19, see also pp. 12-20. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 9-10; Rawadari, *Intimidation, Repression and Censorship: The Status of Access to Information and Freedom of Expression in Afghanistan*, May 2024, <https://rawadari.org/reports/intimidation-repression-and-censorship-the-status-of-access-to-information-and-freedom-of-expression-in-afghanistan/>, pp. 16-23.

⁴⁴ “Rawadari’s findings indicate that access to information during the first half of 2024 has been significantly challenging compared to the same period in 2023 due to increased restrictions imposed by the Taliban. [...] The GDI [de facto General Directorate of Intelligence] summons activists, journalists, and human rights defenders, forcibly obtaining commitments from them to refrain from providing information to the media and human rights organizations. Interviewees have reported to Rawadari that the Taliban have threatened them with arrest and torture if they share information with media outlets or human rights organizations. In fact, Rawadari has documented cases where relatives and family members of victims have been arrested and imprisoned for speaking with the media and human rights organizations. Therefore, the prevailing atmosphere of fear and distrust has forced citizens, especially victims and eyewitnesses into silence.” Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 6-7.

⁴⁵ Special Inspector General for Afghanistan Reconstruction (SIGAR), *Combating Violence Against Women in Afghanistan: State and USAID Can’t Fully Determine Impacts of U.S. Efforts Without Developing Goals and Increasing Site Visits*, November 2024, www.sigar.mil/Portals/147/Files/Reports/Audits-and-Inspections/Financial-Audits/SIGAR-25-03-AR.pdf, pp. 4, 16. On the challenges on collecting sex-disaggregated data, see UN Women, *Afghanistan: Gender Country Profile 2024*, 7 June 2024, www.unwomen.org/sites/default/files/2024-06/Afghanistan%20Gender%20Profile%202024.pdf, p. 11. See also, UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, para. 57.

⁴⁶ “From January to October 2024, 84 incidents of violence against humanitarian workers, assets, and facilities were reported [...] 15 incidents involved threats against staff, including demands for sensitive data.” OCHA, *Afghanistan: Humanitarian Needs and Response Plan*, December 2024, www.unocha.org/attachments/f27aee21-5770-46a5-9706-fa3a0f92f945/Afghanistan-Humanitarian-Needs-and-Response-Plan-2025.pdf, p. 32.

⁴⁷ Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, www.ecoi.net/en/file/local/2121426/afghanistan_pau_dec_2024_final_0.pdf, p. 18.

⁴⁸ ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 9-18.

constraints on the ability of human rights and humanitarian organizations and the media in Afghanistan to perform their functions unimpeded.

Risk Profiles

17. Based on available reports about widespread human rights violations in Afghanistan, including accounts provided to UNHCR by Afghans in flight and those already abroad as part of UNHCR monitoring activities, many Afghans will have international protection needs. The list of profiles identified below does not presume to be an exhaustive enumeration of all profiles of Afghans who may have a well-founded fear of persecution. Each application for international protection should be assessed on its merits, taking into account the evidence provided by the applicant as well as all relevant country of origin information to the extent available. UNHCR notes that family members and others closely associated with persons at risk of persecution are frequently at risk themselves.⁴⁹

Women and girls

18. Edicts and decrees publicized gradually since 2021 have, inter alia, prohibited women and girls from attending or teaching at secondary schools or universities;⁵⁰ mandated face coverings, even for some girls, and a full body covering in some provinces; required that women be accompanied by a male relative (“mahram”) when leaving the house, travelling or taking public transport; closed women’s public baths; banned women from parks, gyms and practising sports; imposed restrictions on women working in public service and effectively forced many female employees in various industries out of their jobs; forbidden foreign and local NGOs from employing women; and introduced limitations on humanitarian activities, including for example programmes to assist survivors of gender-based violence.⁵¹ The lack of clarity regarding the precise scope and implementation of these decrees and edicts has caused uncertainty and created “a climate of fear and intimidation.”⁵²
19. As stated above, the de facto authorities passed the PVPV Law in August 2024, which formalized many of the decrees and edicts which had been promulgated through other channels since 2021 and strengthened its implementation of strict behaviour laws.⁵³ Nevertheless, the de facto authorities have continued to add further restrictions via social media or verbal instructions.⁵⁴ Agents of the de facto Ministry for the Propagation of Virtue and the Prevention of Vice (“MPVPV”) carry out punishments and

⁴⁹ UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf, para. 85; UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 68. The UK-based human rights organization Rawadari found that, during 2024, family members of former government employees had been killed by unknown gunmen and that victims and family members had been prevented from speaking to the media or punished for doing so regarding any violations. Family members of Taliban opponents and critics have been arrested and disappeared. Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 7, 9, 11-12, 14.

⁵⁰ UNICEF, *As New School Year Starts in Afghanistan, almost 400,000 more Girls Deprived of their Right to Education, Bringing Total to 2.2 Million*, Statement by UNICEF Executive Director Catherine Russell on the Third Anniversary of the Ban on Secondary Education for Girls in Afghanistan, 21 March 2025, www.unicef.org/press-releases/new-school-year-starts-afghanistan-almost-400000-more-girls-deprived-their-right.

⁵¹ UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf; USIP, *Tracking the Taliban's (Mis)Treatment of Women*, accessed 15 September 2025, www.usip.org/tracking-talibans-mistreatment-women; UNAMA, *Update on the Human Rights Situation in Afghanistan: October-December 2024*, 28 January 2025, https://unama.unmissions.org/sites/default/files/human_rights_situation_in_afghanistan_october_-_december_2024_-_english_0.pdf, p. 9.

⁵² “The instructions are issued in a variety of formats and often only verbally, and in certain cases lack clarity, consistency and legal certainty. Failure to adhere to any of these instructions could at times lead to severe punishments. The ambiguities and inconsistencies surrounding the instructions issued, the unpredictability, severity and disproportionality of punishments associated with non-compliance, and restrictive measures to regulate activities of individuals in the private sphere all contribute to a climate of fear and intimidation”. UNAMA, *De Facto Authorities' Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 2-3.

⁵³ “Following the publication of the Law on the Propagation of Virtue and the Prevention of Vice in the Official Gazette on 21 August [2024], the de facto Ministry for the Propagation of Virtue and the Prevention of Vice intensified its efforts to ensure compliance with the Law, including through training and increasing the deployment of de facto inspectors.” UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 6 December 2024, S/2024/876, www.ecoi.net/en/file/local/2120503/n2435924.pdf, para. 6. See also, Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 4.

⁵⁴ For example, the Taliban leader issued a decree concerning new residential construction in December 2024, in which he also recommended that kitchen windows be obscured in existing homes so that neighbours cannot see women through them. Le Monde, *Taliban Assault on Women's Rights Reaches a New Level in Afghanistan*, 3 January 2025, www.lemonde.fr/en/international/article/2025/01/03/taliban-assault-on-women-s-rights-reaches-a-new-level-in-afghanistan_6736656_4.html. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 16; Inter Press Service, *Taliban's Decrees Worsen Crisis for Afghan Women, Banning All NGO Work*, 20 January 2025, www.ipsnews.net/2025/01/talibans-decrees-worsen-crisis-for-afghan-women-banning-all-ngo-work/; Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 3.

use force against persons whom they perceive to have violated their restrictions, including through “the use of threats, arbitrary arrests and detentions [and] excessive use of force”.⁵⁵ In August 2024, the de facto authorities announced that the MPVPV had detained 13,000 persons since August 2023 for “violating their morality rules”.⁵⁶ There are reports that MPVPV enforcers interpret the law broadly, implementing stricter requirements than contained in the PVPV law.⁵⁷

20. The Taliban reportedly uses informers in communities to identify non-compliance, which can erode social cohesion and creates a climate of fear and self-regulation.⁵⁸ The expectation by the de facto authorities that communities and families enforce restrictions on women and girls is reportedly “reshaping social and familial dynamics”.⁵⁹ Criticism of the law, and any other law propagated by the de facto authorities, is, according to the de facto authorities, comparable to criticism of Sharia law, and therefore not permissible.⁶⁰
21. Since the publication of the PVPV law, there has been an increase in enforcement and the presence of MPVPV enforcers.⁶¹ Female-headed households, widows, women from ethnic and religious minorities and displaced women have been particularly affected, with reports that the law is being implemented on a stricter basis in areas populated by minorities.⁶² The impacts on women include a sense of

⁵⁵ UNAMA, *De Facto Authorities’ Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 3, 8, 12, 22. While they are only supposed to operate in the “public sphere” (which lacks definition in the law and is open to interpretation), and only publish violations occurring publicly (unless there is a justification in Sharia law), there have been reports of MPVPV agents conducting house searches or searching mobile phones. UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 38. “In January 2024, the Taliban initiated a campaign to arrest women and girls for non-compliance with mandatory hijab rules. Dozens of women and girls were taken into Taliban custody, with many reporting degrading treatment, torture, and even rape.” Afghan Witness, *The Erasure of Women*, 14 August 2024, www.info-res.org/afghan-witness/reports/the-erasure-of-women/.

⁵⁶ Amnesty International, *The State of the World’s Human Rights: Afghanistan 2024*, 29 April 2025, www.ecoi.net/en/document/2124593.html.

⁵⁷ “Provincial de facto Departments for the Propagation of Virtue and the Prevention of Vice are applying the mahram requirement in ways not clearly specified by the PVPV Law, creating additional barriers for women and girls to access public services, attend work and conduct other activities outside their homes.” UNAMA, *Update on the Human Rights Situation in Afghanistan: October-December 2024 Update*, 28 January 2025, https://unama.unmissions.org/sites/default/files/human_rights_situation_in_afghanistan_october_-_december_2024_-_english_0.pdf, p. 2. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 77-78.

⁵⁸ UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 26. Reportedly, families also impose or enforce restrictions on women and girls, citing risks that male family members face as a result of the conduct of female family members, including punishments by the de facto authorities and shame. See UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, p. 11; UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 81; ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 42, 79-81; UNHCR, *Afghanistan Monthly Protection Monitoring Summary*, 29 January 2025, www.ecoi.net/en/file/local/2121103/Afghanistan+Monthly+Protection+Monitoring+Summary+Dec+2024.pdf, p. 5.

⁵⁹ UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf, para. 27; UNAMA, *Report on the Implementation, Enforcement and Impact of the Law on the Propagation of Virtue and Prevention of Vice in Afghanistan*, 10 April 2025, https://unama.unmissions.org/sites/default/files/pvpv_report_final_10_april_2025.pdf, p. 11; UN Women, *Resolve of Afghan Women in the Face of Erasure: Three Years Since the Taliban’s Takeover*, August 2024, www.unwomen.org/sites/default/files/2024-08/resolve-of-afghan-women-in-the-face-of-erasure-three-years-since-the-taliban-takeover-en.pdf, p. 5. “There are indications that this institutionalized and systematic approach is leading to shifts towards conservative and repressive social norms, which will deepen the repression of women and girls.” UN Women, *Afghanistan: Gender Country Profile 2024*, 7 June 2024, www.unwomen.org/sites/default/files/2024-06/Afghanistan%20Gender%20Profile%202024.pdf, p. 12. By making men responsible for violations of restrictions by female family members, the de facto authorities have left “men feeling both insecure and forced to adopt a more controlling and conservative worldview.” IOM, UNAMA and UN Women, *Summary Report of Countrywide Women’s Consultations: April 2024, July 2024*, https://asiapacific.unwomen.org/sites/default/files/2024-07/af-c1048-situation-of-afghan-women_april_english.pdf, p. 6. See also, M. Safi and A.M. Rivas, *The Mental Health Crisis among Afghan Women and Girls*, December 2023, https://media.odi.org/documents/The_mental_health_crisis_among_Afghan_women_and_girls_mh6O2uX.pdf, p. 11.

⁶⁰ UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 6 December 2024, S/2024/876, www.ecoi.net/en/file/local/2120503/n2435924.pdf, para. 11; Amu TV, *Taliban Warns Critics of Laws Will Be Referred to Court*, 12 September 2024, <https://amu.tv/123198/>.

⁶¹ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 78.

⁶² Ibid., paras 65, 68, 80. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 8, 27-28, 37, 82; UNDP, *Changes in Afghan Economy, Households and Cross-Cutting Sectors (August 2021 to August 2023)*, 18 January 2025, www.undp.org/sites/g/files/zskgke326/files/2024-01/tyir_0.pdf, pp. 35-39. “In December 2023 and January 2024, officials of the de facto Department for the Propagation of Virtue and the Prevention of Vice, in cooperation with de facto Police, took a series of measures to enforce the strict hijab rules issued in April 2022. They gave verbal warnings and arbitrarily detained a substantial number of women and girls accused of “not wearing proper hijab” predominantly in West Kabul/Dasht e-Barchi, a Hazara-dominated area, with some arrests also taking place in Khair Khana, which is mainly populated by people of Tajik ethnicity and communities from Panjshir. Most of the women detained were released after several hours, upon their mahram signing a guarantee that the female relative would adhere to the hijab decree in the future. Some, however, were subjected to further

powerlessness and complete lack of control over their own lives, deteriorating mental health, isolation and fear.⁶³ The restrictions mean that women suffer greater economic impacts in the context of the current humanitarian and economic situation than men.⁶⁴ Women in Afghanistan describe feeling unsafe when they leave the house.⁶⁵ Reportedly, there has been a rise in women and girls attempting suicide,⁶⁶ with domestic violence frequently cited as one of the drivers.⁶⁷ Gender-based violence remains widespread, and has likely been exacerbated by the severe humanitarian situation, and yet women and girls face severe difficulties in accessing justice.⁶⁸

22. International pressure on the de facto authorities to respect women's rights has failed to prevent further intensifying restrictions.⁶⁹ Within Afghanistan, the Taliban continues to affirm its hard-line stance; in early 2025, the de facto Deputy-Minister of Foreign Affairs was forced to leave Afghanistan after he criticized the de facto authorities' policies on girls' education.⁷⁰ On 23 January 2025, the Prosecutor of the International Criminal Court (ICC) filed arrest warrants for Haibatullah Akhundzada, the Supreme Leader of the Taliban, and Abdul Hakim Haqqani, the de facto Chief Justice, for the "crime against humanity of persecution on gender grounds".⁷¹ The UN Special Rapporteur on Human Rights in Afghanistan welcomed the announcement, stating that the PVPV law is "evidence that [gender

punishment and ill-treatment." UN Human Rights Council, *The Human Rights Situation in Afghanistan*, 4 February 2025, A/HRC/57/22, www.ecoi.net/en/file/local/2114653/g2416116.pdf, para. 8. "Women-headed households account for over 10% of Afghanistan's population and face heightened vulnerability due to limited resources and fewer opportunities to overcome the ongoing discriminatory policies and practices that restrict their rights and opportunities." Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 7.

⁶³ AfghanAid, *Solace and Strength: Delivering Mental Health Support for Afghan Women*, accessed 15 September 2025, www.afghanaid.org.uk/solace-and-strength; ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 38-40. See also, M. Safi and A.M. Rivas, *The Mental Health Crisis among Afghan Women and Girls*, December 2023, https://media.odi.org/documents/The_mental_health_crisis_among_Afghan_women_and_girls_mh6O2uX.pdf, pp. 12-15.

⁶⁴ In July 2024: "Fifty-seven per cent of women consulted reported experiencing a significant decline in financial conditions during the previous three months, compared to 34 per cent of men. [...] Afghan women face significant challenges in securing and retaining jobs. Where women are not outright banned, they tend to be offered mainly unskilled, low-paying jobs (regardless of qualification and experience)." UNAMA et al., *Summary of Countrywide Consultations with Afghan Women: July 2024*, October 2024, https://asiapacific.unwomen.org/sites/default/files/2024-10/af-c1242-final-consulation-report_july-2024-en-r02.pdf, pp. 3, 6-7.

⁶⁵ "Most women consulted (69 per cent) indicated feeling unsafe leaving their homes by themselves, which they saw as contributing to social isolation and widespread mental health issues, including increased levels of depression and anxiety. [...] [The MPVPV law] risks worsening women's isolation and subjugation." UNAMA et al., *Summary of Countrywide Consultations with Afghan Women: July 2024*, October 2024, https://asiapacific.unwomen.org/sites/default/files/2024-10/af-c1242-final-consulation-report_july-2024-en-r02.pdf, pp. 3-4.

⁶⁶ El Pais, *The Toll of Taliban Laws on Afghan Women's Mental Health: 'I Break Down at Night on my Prayer Mat. Every Day, the Morality Police Insult Me'*, 26 December 2024, <https://english.elpais.com/international/2024-12-26/the-toll-of-taliban-laws-on-afghan-womens-mental-health-i-break-down-at-night-on-my-prayer-mat-every-day-the-morality-police-insult-me.html>; Kabul Now, *Rising Suicide Rate among Women Lay Bare the Impact of Taliban's Oppression*, 20 November 2024, <https://kabulnow.com/2024/11/rising-suicide-rate-among-women-lay-bare-the-impact-of-talibans-oppression/>; The Guardian, *'Despair Is Settling in': Female Suicides on Rise in Taliban's Afghanistan*, 28 August 2023, www.theguardian.com/world/2023/aug/28/despair-is-settling-in-female-suicides-on-rise-in-talibans-afghanistan. "[The Special Rapporteur] continues to receive alarming reports of stress, anxiety, depression, suicide and suicidal ideation, especially among young women and girls [...] exacerbated by limited mental health and psychosocial support services". UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 22.

⁶⁷ UN Women, *Afghanistan: Gender Country Profile 2024*, www.unwomen.org/sites/default/files/2024-06/Gender-country-profile-Afghanistan-en.pdf, p. 36.

⁶⁸ UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf; UNAMA et al., *Summary of Countrywide Consultations with Afghan Women: July 2024*, October 2024, https://asiapacific.unwomen.org/sites/default/files/2024-10/af-c1242-final-consulation-report_july-2024-en-r02.pdf, pp. 4, 7-8. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 20; Afghan Witness, *The Erasure of Women*, 14 August 2024, www.info-res.org/afghan-witness/reports/the-erasure-of-women/.

⁶⁹ "Although nearly 16 countries have embassies in Afghanistan, the global community has held back recognition of the Taliban government mainly because it is not inclusive and restricts the rights of women and girls in the country." VOA, *UN Talks in Doha End; Recognition Remains Distant Dream for Taliban*, 1 July 2024, www.voanews.com/a/un-talks-in-doha-end-recognition-remains-distant-dream-for-taliban-7681320.html.

⁷⁰ The Guardian, *Taliban Minister 'Forced to Flee Afghanistan' after Speech in Support of Girls' Education*, 3 February 2025, www.theguardian.com/global-development/2025/feb/03/mohammad-abbas-stanikzai-taliban-minister-flees-afghanistan-over-support-girls-education. Reportedly, the Taliban's restrictions on women and girls have exacerbated internal rifts, pitting powerful senior members of the de facto authorities against the Taliban leader. However, dissent remains largely behind closed doors and does not appear to have moderated the Taliban's actions. See NBC News, *Rifts Growing in the Taliban over the Ban on Girls' Schooling*, 6 April 2025, www.nbcnews.com/world/middle-east/taliban-officials-remain-divided-ban-girls-education-rcna199253; The Diplomat, *Is the Haqqani Network Parting Ways With the Taliban Regime?*, 19 December 2024, <https://thediplomat.com/2024/12/is-the-haqqani-network-parting-ways-with-the-taliban-regime/>; New York Times, *What We Learned Talking to the Taliban's Most Fearsome Leader*, 24 October 2024, www.nytimes.com/2024/10/24/world/asia/afghanistan-haqqani-what-we-learned.html.

⁷¹ ICC, *Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for Arrest Warrants in the Situation in Afghanistan*, 23 January 2025, www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-afghanistan.

persecution] is planned and orchestrated at the highest levels, pursuant to or in furtherance of an organizational policy.”⁷²

23. Restrictions on women in Afghanistan, detailed above, affect, inter alia, their right to work, their right to attain an adequate standard of living,⁷³ their right to freedom of movement,⁷⁴ their right to the highest attainable standard of physical and mental health,⁷⁵ their right to participate in cultural life, their freedom of expression and, for all Afghan women but particularly for minorities, their freedom of thought, conscience and religion.⁷⁶ In light of the wide range of increasingly restrictive measures imposed by the de facto authorities on women and girls in Afghanistan in violation of their human rights, UNHCR considers that Afghan women and girls are likely to be in need of international refugee protection under the 1951 Refugee Convention.⁷⁷

Afghans associated with the former government, security forces or allies

24. Despite the de facto authorities proclaiming a “general amnesty” for those who supported the prior government or who fought against the Taliban, including former government officials, the UN Assistance Mission to Afghanistan (UNAMA) reported in 2023 that they had documented “at least 800 human rights violations [committed by the de facto authorities] against former government officials and [Afghan National Defense and Security Forces (ANDSF)⁷⁸] members between [...] 15 August 2021 and 30 June 2023.”⁷⁹ Former government officials and former members of the ANDSF have continued to be targeted, killed, arrested and detained and tortured in 2024 and into 2025.⁸⁰ These include individuals associated with the former government or security forces who had returned voluntarily or who had been forcibly

⁷² UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 89.

⁷³ “[...] monitoring data highlights women and girls’ continued impediments in accessing to basic services, including healthcare, legal aid, and WASH facilities. [...] income per household member in female-headed households dropped by 40% in 2024 [...] compared to 16% in male-headed households”. Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, https://globalprotectioncluster.org/sites/default/files/2025-02/afghanistan_pau_dec_2024_final_0.pdf, p. 7. “Women, who faced challenges participating in the economy even before the Taliban took power, now face severe economic marginalization and worsening poverty levels nationwide.” UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 100. See also, ACCORD, *Afghanistan: Report on the Impact of the Taliban’s Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 55-61.

⁷⁴ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, paras 12, 49-54.

⁷⁵ Ibid, para. 12; UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 20.

⁷⁶ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, paras 12, 41-43, 55, 61-74. See also, UNAMA, *De Facto Authorities’ Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, p. 3, 21-23.

⁷⁷ UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, UN Treaty Series, Vol. 189, p. 137, www.unhcr.org/refworld/docid/3be01b964.html; and UN General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, UN Treaty Series, Vol. 606, p. 267, www.unhcr.org/refworld/docid/3ae6b3ae4.html. On 4 October 2024, the Court of Justice of the European Union (CJEU) found that the discriminatory measures faced by Afghan women rise to the level of persecution, both due to the seriousness of individual restrictions and their cumulative effects. CJEU, *AH, FN, v Bundesamt für Fremdenwesen und Asyl*, C-608/22 & C-609/22, 4 October 2024, www.refworld.org/jurisprudence/caselaw/ecj/2024/en/148774, paras 42-46.

⁷⁸ The ANDSF included the Afghan National Army (ANA), the Afghan National Police (ANP), the Afghan Local Police (ALP) and the National Directorate of Security (NDS).

⁷⁹ “Human rights violations against former government officials and ANDSF members have been recorded across all 34 provinces; with the greatest number of violations recorded in Kabul, Kandahar and Balkh provinces.” Also: “Cases [were] only included in overall figures where UNAMA has obtained credible reports that a member or members of the de facto authorities were responsible for the incident.” UNAMA, *A Barrier to Securing Peace: Human Rights Violations Against Former Government Officials and Former Armed Force Members in Afghanistan*, 22 August 2023, https://unama.unmissions.org/sites/default/files/a_barrier_to_securing_peace_aug_2023_english_0.pdf, pp. 1-3, 5-6.

⁸⁰ UNAMA, *Update on the Human Rights Situation in Afghanistan: January – March 2025*, 1 May 2025, https://unama.unmissions.org/sites/default/files/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, p. 6; UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, para. 36; Germany: Federal Office for Migration and Refugees (BAMF), *Briefing Notes*, 3 February 2025, www.bamf.de/SharedDocs/Anlagen/EN/Behorde/Informationszentrum/BriefingNotes/2025/briefingnotes-kw06-2025.pdf, p. 1; Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 11-18. “Between 1 July and 30 September [2024], UNAMA Human Rights documented at least 24 instances of arbitrary arrest and detention, at least 10 instances of torture and ill-treatment, verbal threats and at least five killings of former ANDSF members.” UNAMA, *Update on the Human Rights Situation in Afghanistan: July-September 2024 Update*, 31 October 2024, https://unama.unmissions.org/sites/default/files/english_-_unama_-_update_on_hr_situation_in_afghanistan_-_july-sept_2024.pdf, p. 5. “Former government officials and former members of the military and police are at particular risk of arbitrary arrest and detention, torture and ill-treatment, as well as extrajudicial execution, despite a declared amnesty.” UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 84.

returned to Afghanistan.⁸¹ Reportedly, some former officials or members of the ANDSF continue to live in hiding.⁸² Former judges and prosecutors have also been targeted, threatened, harassed and killed.⁸³

25. Women who had been employed as police officers or corrections officers under the previous government have reported harassment and threats from the de facto authorities, and some have been killed.⁸⁴ Persons who worked with or were affiliated with foreign forces—including as interpreters, security guards and former embassy staff—have also been targeted.⁸⁵ Where persons associated with the former government, security forces or their allies have been killed by unknown actors, the de facto authorities have reportedly not investigated the crimes, arrested the perpetrators or initiated prosecution.⁸⁶
26. Given the information presented above, many persons of this profile—including former government officials, previous members of the ANDSF, former prosecutors or judges and persons who were affiliated with foreign forces—are likely to be in need of international protection. Other persons of this profile may be in need of international protection depending on the individual circumstances of the case.

⁸¹ As of July 2024: “UNAMA Human Rights has received reports of such violations occurring against individuals after they were forcibly returned to Afghanistan, highlighting the continued risk of torture, ill-treatment and other irreparable harm they face after their return.” UNAMA, *Update on the Human Rights Situation in Afghanistan: April-June 2024*, 24 July 2024, https://unama.unmissions.org/sites/default/files/english_-_unama_hrs_-_update_hr_situation_afghanistan_april-june_2024.pdf, p. 5. “There have been instances where some former government employees who returned to the country upon the Taliban’s invitation were later killed.” Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, p. 11. See also, Afghanistan International, *Former Official Who Returned to Afghanistan at Taliban’s Invitation Forced to Flee Again*, 16 May 2024, www.afintl.com/en/202405167769.

⁸² “The Special Rapporteur has received reports of former officials living in hiding for years. A former member of the military who lives in hiding in central Afghanistan told the Special Rapporteur: ‘I have been moving from place to place for months. But the Taliban still came by my parents’ house last week to ask them where I was’.” UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 84. See also, National Public Radio (NPR), *Three Years after the U.S. Withdrawal, Former Afghan Forces Are Hunted by the Taliban*, 25 September 2024, www.npr.org/2024/09/25/nx-s1-5099028/former-afghan-army-and-police-hunted-by-the-taliban; Radio Free Europe/Radio Liberty (RFE/RL), *‘I’m Very Worried’: Former Afghan Soldiers Fear Forced Return to Taliban-Ruled Homeland*, 13 November 2023, www.ecoi.net/en/document/2105253.html.

⁸³ UN General Assembly, *Situation of Human Rights in Afghanistan*, 22 February 2024, A/HRC/55/80, <https://docs.un.org/en/a/hrc/55/80>, para. 85. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 76; UNAMA, *A Barrier to Securing Peace: Human Rights Violations Against Former Government Officials and Former Armed Force Members in Afghanistan*, 22 August 2023, https://unama.unmissions.org/sites/default/files/a_barrier_to_securing_peace_aug_2023_english_0.pdf, p. 5. Lawyers, former prosecutors and former judges have reportedly faced threats both from the de facto authorities and from non-State actors, including previously convicted criminals. The Law Society of England and Wales, *The Situation of Women in the Justice System in Afghanistan*, 10 February 2024, <https://prdsitecore93.azureedge.net/-/media/files/campaigns/international-rule-of-law/the-situation-of-women-in-the-justice-system-in-afghanistan.pdf>, pp. 2-6.

⁸⁴ “The former policewomen described their fear of persecution, and the hardship of displacement following the Taliban’s return to power. Many were forced to flee their homes, leaving behind possessions and concealing their identities to evade the Taliban.” Human Rights Watch (HRW), *Double Betrayal: Abuses against Afghan Policewomen, Past and Present*, October 2024, www.ecoi.net/en/file/local/2116659/afghanistan1024web.pdf, pp. 17-22. Female lawyers, who are unable to practice law, have reported “death threats from former clients and opposing parties”, “routine harassment”, “threatening phone calls from the Taliban intelligence services” and suffering from “serious mental health problems [as a result of their treatment]”. The Law Society of England and Wales, *The Situation of Women in the Justice System in Afghanistan*, 10 February 2024, <https://prdsitecore93.azureedge.net/-/media/files/campaigns/international-rule-of-law/the-situation-of-women-in-the-justice-system-in-afghanistan.pdf>, p. 5.

⁸⁵ NPR, *Afghans Who Helped the U.S. Are in Dangerous Limbo after Trump’s Order on Refugees*, 27 January 2025, www.npr.org/2025/01/27/nx-s1-5273521/trump-executive-order-refugee-afghanistan-veterans; Canadian Broadcasting Corporation (CBC), *Afghan Interpreter Hunted by Taliban Safe after Campaign by Retired Brigadier-general in Newfoundland*, 27 March 2024, www.cbc.ca/news/canada/newfoundland-labrador/afghan-interpreter-safe-1.7154428; The Times, *Hundreds of British Army’s Interpreters still Stranded in Afghanistan*, 28 August 2023, www.thetimes.com/uk/politics/article/afghanistan-hiding-british-interpreters-kabul-taliban-2023-3ntmm85gg; CBC, *Hunted by the Taliban, Afghans Who Worked with Embassy Sue Ottawa over Immigration Delays*, 20 April 2023, www.cbc.ca/news/politics/taliban-afghanistan-canada-embassy-immigration-1.6816925; BBC, *Afghanistan: UK Embassy Staff Allege Taliban Beatings and Torture*, 16 June 2022, www.bbc.com/news/uk-61813259; The Guardian, *Australia Grants Visas for More than 100 Former Embassy Staff in Afghanistan, a Day after Rejecting Them*, 22 August 2021, www.theguardian.com/australia-news/2021/aug/22/a-disgrace-australian-government-rejects-visas-for-more-than-100-former-embassy-staff-in-afghanistan. See also, Association of Wartime Allies, *Quarterly Report*, April 2023, www.wartimeallies.co/_files/ugd/5887eb_fe671af8c617489b8ae94262c8671152.pdf, p. 11.

⁸⁶ “What we have seen in the overwhelming majority of cases is that the de facto authorities did not care to investigate at all [...] Refusal of investigations, blatant denial, and (re-) circulation of fighters appears to be a recurring modus operandi of the de facto regime, which exposes their attempts at putting the blame on mostly personally motivated individuals as disingenuous”. Human Rights Research League, *Those We Left Behind: Revenge Killings and Other Serious Human Rights Violations in Afghanistan in the Aftermath of the Taliban’s Seizure of Power*, December 2023, [www.hrrleague.org/gallery/HRRL-AFG%20Report%20\(Those%20We%20Left%20Behind\)%20\(FINAL\).pdf](http://www.hrrleague.org/gallery/HRRL-AFG%20Report%20(Those%20We%20Left%20Behind)%20(FINAL).pdf), p. 20. “Evidence indicates that the Taliban have not taken any action to legally address these cases or to identify and punish the perpetrators. Instead, they have threatened the victims’ families to refrain from making any statements or sharing information with the media and human rights organizations.” Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, p. 12. UNAMA noted in 2023 that while the de facto authorities had announced some investigations into killings, there was no information about further efforts. UNAMA, *A Barrier to Securing Peace: Human Rights Violations Against Former Government Officials and Former Armed Force Members in Afghanistan*, 22 August 2023, https://unama.unmissions.org/sites/default/files/a_barrier_to_securing_peace_aug_2023_english_0.pdf, p. 11.

Journalists and other media professionals

27. In August 2024, Reporters Without Borders (RSF) stated that the “repression of Afghan journalists has steadily escalated over the past three years” with the de facto authorities having “targeted journalists on a massive scale, multiplying the number of arrests and pre-trial detentions.”⁸⁷ From 15 August 2021 to 30 September 2024, UNAMA documented 256 instances where journalists were arbitrarily detained, 130 instances of torture or ill-treatment and 75 instances of harassment.⁸⁸ Reportedly, arbitrary arrest, detention in poor conditions, physical assault, harassment at checkpoints and interrogations are used against journalists and media workers to enforce compliance and “instill fear.”⁸⁹ Journalists and media workers reportedly self-censor due to fear of the consequences of violating vague, broad and often ambiguous or implicit restrictions from the de facto authorities.⁹⁰
28. The de facto authorities have strictly regulated the content and scope of media, with certain topics or content explicitly or implicitly prohibited, such as any content that the de facto authorities consider to be against Afghan culture, contrary to national interests or not in line with their interpretation of Islam.⁹¹ The de facto authorities have used edicts and decrees, inconsistently enforced, as well as the provisions of the PVPV law, to restrict and censor the media in Afghanistan.⁹² Among other things, the de facto authorities have prohibited the following: photographing or filming of local officials; women or girls calling into media programmes; publishing images of live beings; live broadcasts of political programmes; challenging or criticizing the de facto authorities’ laws, policies or governance; cooperating with media

⁸⁷ “Of the 141 journalists that have been targeted in the past three years, 94 have been arrested — four of them twice — and 47 have been imprisoned. The General Directorate of Intelligence (GDI) — which is under the control of Interior Minister Sirajuddin Haqqani and directed by Abdul Haq Wasiq [...] — is particularly involved in the hunt for journalists.” RSF, *Three Years of Taliban rule: The Violent Persecution of 141 Journalists Detained and Arrested in Afghanistan*, 14 August 2024, <https://rsf.org/en/three-years-taliban-rule-violent-persecution-141-journalists-detained-and-arrested-afghanistan>. “[...] journalists and media workers are subjected to intimidation, arbitrary arrest and detention, ill-treatment, court proceedings and imprisonment for performing their functions.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 3. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 28.

⁸⁸ “Between 15 August 2021 to 30 September 2024, UNAMA HRS documented instances of human rights violations affecting 336 journalists and media workers — 256 instances of arbitrary arrest and detention (249 men, 7 women), 130 torture and ill-treatment (122 men, 8 women) and 75 threats or intimidation (66 men, 9 women).” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 3. “The AFJC’s Afghanistan Press Freedom Tracker documented 181 incidents of media and journalist rights violations in 2024, including 131 threats and 50 arrests. At least five journalists received prison sentences ranging from two to five years.” Afghanistan Journalists Center (AFJC), *Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, p. 5.

⁸⁹ JHR, *Freedom of Afghan Media*, August 2024, <https://jhr.ca/wp-content/uploads/2024/08/REPORT-Media-Freedom-in-Afghanistan-Under-the-Taliban-Control-Final.pdf>, pp. 27-29.

⁹⁰ “The lack of transparent procedures in determining violations and the use of intimidation, arbitrary arrests and detentions on those who criticize the de facto authorities create a culture of self-censorship and negatively impact freedom of expression. [...] According to multiple media interlocutors, the ambiguity and uncertainty in the procedures for determining violations have led to pervasive self-censorship due to fear of violating these unwritten rules. Journalists continue to be arrested for reporting on topics that were not normally considered as having crossed ‘red lines’.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, pp. 3, 13. “[...] journalists who disregarded these instructions faced threats, imprisonment, or punitive actions against their media organizations, including temporary or permanent bans.” AFJC, *2024 Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, p. 25. See also, JHR, *Freedom of Afghan Media*, August 2024, <https://jhr.ca/wp-content/uploads/2024/08/REPORT-Media-Freedom-in-Afghanistan-Under-the-Taliban-Control-Final.pdf>, pp. 4, 6, 10, 12, 17-19; Hasht-e-Subh Daily, *Suppression of Freedom of Expression and Journalists’ Self-Censorship: Only Taliban’s Preferred Information is Covered*, 20 October 2024, <https://8am.media/eng/suppression-of-freedom-of-expression-and-journalists-self-censorship-only-talibans-preferred-information-is-covered/>.

⁹¹ AFJC, *2024 Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, pp. 15-24; JHR, *Freedom of Afghan Media*, August 2024, <https://jhr.ca/wp-content/uploads/2024/08/REPORT-Media-Freedom-in-Afghanistan-Under-the-Taliban-Control-Final.pdf>, p. 12; AFJC, *The Taliban’s Directives on Freedom of Media and Access to Information*, 4 December 2023, <https://afjc.media/english/index.php/killed/the-taliban-s-13-directives-on-freedom-of-media-and-access-to-information>. “The establishment of these ‘red lines’ on reporting has been a central feature of the de facto authorities’ approach to media. [...] [These] refer to any content deemed contrary to Islamic law, Afghan culture and the national interest, as defined exclusively by the de facto authorities.” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 13.

⁹² “[...] a hardline faction within the de facto authorities has imposed further restrictions on media and journalists through new media directives. This faction is increasingly exerting control via the General Directorate of Intelligence (GDI) and the Ministry of Promotion of Virtue and Prevention of Vice. They have leveraged recently enacted law of the Promotion of Virtue and Prevention of Vice to expand the powers of the morality police, allowing them to intervene with media outlets, issue threats, and detain media personnel.” Reportedly, as of December 2024, the de facto Ministry of Information and Culture is considering instituting the previous media law and law on access to information with minor adjustments. AFJC, *2024 Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, p. 5, see also pp. 8, 15-24. According to UNAMA, restrictions as enforced by the de facto authorities “aim at limiting the range of permissible topics for public discourse and penalizing media outlets being critical of the de facto authorities (or perceived to be critical as in the case of a general ban of media outlets with alleged political party affiliation).” UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, p. 13.

organizations operating outside of Afghanistan; and the employment of women in State-owned media.⁹³ On 13 February 2025 the Taliban instructed media organizations that any political or economic broadcasts would have to go through their spokespeople.⁹⁴

29. In general, women journalists face severe barriers to their employment, suffer harassment in carrying out their jobs and have been systematically excluded from the media landscape, which affects both women's employment and the coverage of issues related to women and girls in Afghanistan.⁹⁵
30. Given the information presented above, journalists and media workers who report on issues sensitive to the de facto authorities, who criticize the de facto authorities or who breach the de facto authorities' restrictions are likely to be in need of international protection. Other journalists and media workers may be in need of international protection depending on the individual circumstances of the case.

Persons (perceived as) opposing or criticizing the de facto authorities

31. The de facto authorities have targeted persons who they perceive as having opposed or criticizing their rule, their edicts, decrees or laws, including, inter alia, academics, religious scholars, writers, artists, political activists, lawyers, human and women rights defenders, NGO workers, influential religious or tribal leaders, persons accused of collaborating with anti-Taliban groups or civil society members.⁹⁶ Women's rights defenders and women leaders and members of civil society, as well as NGOs focused on women's rights, have faced intimidation and harassment from the de facto authorities.⁹⁷
32. Generally, the de facto authorities have restricted freedom of expression and punished those who criticize the de facto authorities or their governance.⁹⁸ During the first six months of 2024, the de facto authorities arrested and detained "at least 20 civil activists and human rights defenders, 9 of them women."⁹⁹ While women and men protested the de facto authorities' policies at the start, in particular those affecting women, these protestors were often arrested, detained, tortured or otherwise targeted, resulting in an almost complete closure of civic space.¹⁰⁰ The de facto authorities reportedly monitor

⁹³ AFJC, *2024 Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, pp. 18-24.

⁹⁴ Committee to Protect Journalists (CPJ), *Taliban Ban Domestic Political and Economic Broadcasts in Afghanistan*, 14 February 2025, <https://cpj.org/2025/02/taliban-ban-domestic-political-and-economic-broadcasts-in-afghanistan/>.

⁹⁵ UNAMA, *Media Freedom in Afghanistan*, November 2024, www.ecoi.net/en/file/local/2118212/unama_report_on_media_freedom_in_afghanistan.pdf, pp. 18-19. See also, AFJC, *2024 Annual Report on Media Freedom in Afghanistan*, 26 December 2024, <https://afjc.media/english/index.php/files/89/New-category/2/Annual-report-2024.pdf>, pp. 22-24; JHR, *Freedom of Afghan Media*, August 2024, <https://jhr.ca/wp-content/uploads/2024/08/REPORT-Media-Freedom-in-Afghanistan-Under-the-Taliban-Control-Final.pdf>, pp. 21-22.

⁹⁶ "The victims of [131 documented] attacks included supporters of the former government, tribal elders, religious scholars, and influential local leaders." Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-june-30-2024/>, p. 13. See also, Nikkei Asia, *Rescuing Artists from the Taliban*, 21 April 2024, <https://asia.nikkei.com/Life-Arts/Arts/Rescuing-artists-from-the-Taliban>; CIVICUS, *Afghanistan: Taliban Continues Its Persecution of Women's Rights Activists, Journalists and Artists*, 7 February 2024, <https://monitor.civicus.org/explore/afghanistan-taliban-continues-its-persecution-of-womens-rights-activists-journalists-and-artists/>; HRW, *Taliban Expand Civil Society Crackdown*, 29 March 2023, www.hrw.org/news/2023/03/29/taliban-expand-civil-society-crackdown.

⁹⁷ "Since August 2021, women-led and women-focused CSOs and leaders have faced a targeted campaign by the DFA, which has led to a significant reduction in operations and staff capacity, forcing many to cease operations and others to fight hard to remain operational. This phenomenon has been particularly severe for organizations working on media, human rights – especially women's rights – and peacebuilding, where those delivering humanitarian aid face comparatively less scrutiny." UN Women, *Afghanistan: Gender Country Profile 2024*, www.unwomen.org/sites/default/files/2024-06/Gender-country-profile-Afghanistan-en.pdf, p. 22.

⁹⁸ "Since seizing power, the Taliban has severely restricted freedom of expression, detaining peaceful protesters and education activists, clamping down on independent media, and banning books considered contrary to the Taliban's ideology, including on religion, minority rights, and politics." UN General Assembly, *Study on the So-Called "Law on the Promotion of Virtue and the Prevention of Vice"*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 68. In 2023, the de facto authorities outlawed political parties. Voice of America (VOA), *Taliban Ban Afghan Political Parties, Citing Sharia Violations*, 16 August 2023, www.voanews.com/a/taliban-ban-afghan-political-parties-citing-sharia-violations/7228136.html.

⁹⁹ "These individuals were charged with propaganda against the Taliban and criticism of the group's repressive policies regarding Afghan women." Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-june-30-2024/>, p. 17. See also, Rawadari, *Afghanistan Human Rights Situation Report 2023*, March 2024, <https://rawadari.org/reports/afghanistan-human-rights-situation-report-2023/>, p. 17.

¹⁰⁰ ACCORD, *Afghanistan: Report on the Impact of the Taliban's Information Practices and Legal Policies, Particularly on Women and Girls*, February 2025, www.ecoi.net/en/file/local/2122510/ACCORD_Afghanistan_February_2025-FINAL.pdf, pp. 47-48; Centre for Information Resilience, *The Erasure of Women*, 15 August 2024, https://1428cf7b-1a53-46a9-bbdc-15c96c60e192.usrfiles.com/ugd/510644_028976255681477b856df43e408a7cde.pdf, pp. 1, 12-15. To avoid retaliation, some women protested indoors, but: "intelligence officials have on occasion tracked down women who appeared in photos or videos of indoor protests and targeted them for harassment and detentions, meaning even this avenue of peaceful resistance poses threats of retaliation." CIVICUS, *Afghanistan: Taliban Continues Its Persecution of Women's Rights Activists, Journalists and Artists*, 7 February 2024, <https://monitor.civicus.org/explore/afghanistan-taliban-continues-its-persecution-of-womens-rights-activists-journalists-and-artists/>.

social media activity and have “routinely” searched through individuals’ mobile phones for critical comments.¹⁰¹ During 2024, there has been a reported increase in the de facto authorities arresting and detaining persons perceived to be associated with armed opposition groups; during 2023, they killed at least 21 persons on similar allegations.¹⁰²

33. Given the information presented above, persons who are (perceived as) criticizing or opposing the de facto authorities are likely to be in need of international protection.

Members of minority religious groups and members of minority ethnic groups

34. Religious minorities in Afghanistan, including notably non-Sunni Muslims, Ahmadis, Christians, Hindus and Sikhs, as well as agnostics and atheists,¹⁰³ are increasingly marginalized, with the courts, the government and the education system all aligned with a specific interpretation of Islam and with the de facto authorities imposing severe limitations on other religious practices.¹⁰⁴ Many persons from religious minorities reportedly live in hiding or in fear.¹⁰⁵ Individuals have been beaten and harassed for non-conforming religious practices, primarily Muslims who are from other sects, such as Salafis, Shias, Ismailis and Sufis.¹⁰⁶ Shias have reportedly faced restrictions, physical violence, harassment, arbitrary

¹⁰¹ “Afghans cannot freely engage in private discussion without risking offline and online surveillance. [...] Taliban routinely search mobile phones for social media comments criticizing the regime.” Freedom House, *Freedom in the World 2024: Afghanistan*, 2024, www.ecoi.net/en/document/2115504.html. See also, Chatham House, *The Internet Under Attack: Insights from Afghanistan and Ukraine on Maintaining a Resilient Internet in Conflict and Crisis*, August 2024, www.chathamhouse.org/sites/default/files/2024-08/2024-08-23-internet-under-attack-shires-wilkinson.pdf, p. 23. The de facto General Directorate of Intelligence “monitors the activities of individuals, particularly civil society activists, journalists, media outlets, human rights defenders, educational institutions, lawyers, and health centres nationwide.” Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, p. 6.

¹⁰² During the first six months of 2024, the de facto authorities reportedly killed 4 individuals and “detained and imprisoned at least 252 individuals on charges of collaborating with and having connections to their armed opposition groups. This figure has increased nearly fivefold, with a difference of 199 cases compared to the same period in 2023.” Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 17-18. See also, UN Human Rights Council, *The Human Rights Situation in Afghanistan*, 4 February 2025, A/HRC/57/22, www.ecoi.net/en/file/local/2114653/g2416116.pdf, para. 18; Rawadari, *Afghanistan Human Rights Situation Report 2023*, March 2024, <https://rawadari.org/reports/afghanistan-human-rights-situation-report-2023/>, pp. 13-14, 18. Former government officials and ANDSF members have been arrested ostensibly on this basis. See UNAMA, *A Barrier to Securing Peace: Human Rights Violations Against Former Government Officials and Former Armed Force Members in Afghanistan*, 22 August 2023, https://unama.unmissions.org/sites/default/files/a_barrier_to_securing_peace_aug_2023_english_0.pdf, p. 9.

¹⁰³ “The Taliban follow an ultra-conservative Sunni interpretation of Islam. Yet approximately 10 to 15 percent of Afghans are Shia, and there are a significant number of Sufi, small numbers of Ahmadis, and some Hindus and Sikhs. The Taliban have not stated that Shia or Sufi practices are forbidden. However, they do not consider Ahmadis to be Muslims, and in the past, they have persecuted some of their leaders. Most of Afghanistan’s population of non-Muslims also live under threat of persecution, in particular Bahai, Buddhists, Zoroastrians, and Christians, who practice their faith secretly or have gone into hiding. An unknown number of Afghans consider themselves agnostic or atheist or otherwise do not practice Islam or any other religion. Taliban authorities view anyone who has left Islam as having committed apostasy, a crime they believe should be punished by death.” HRW, *Religious Freedom in Afghanistan: Three Years After the Taliban Takeover*, 19 March 2025, www.hrw.org/news/2025/03/20/religious-freedom-afghanistan-three-years-after-taliban-takeover.¹⁰⁴ US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html; UN General Assembly, *Situation of Human Rights in Afghanistan*, A/HRC/52/84, 9 February 2023, <https://docs.un.org/en/A/HRC/52/84>, para. 41. “In addition to mandating religious practices for Muslims, the [PVPV] law also restricts the practice or observance of religions other than Islam, for example by banning the wearing crucifixes and other ‘un-Islamic’ symbols, and prohibiting celebrations with no basis in Islam.” UN General Assembly, *Study on the So-Called ‘Law on the Promotion of Virtue and the Prevention of Vice’*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 64. “Minorities in the IEA, such as Sikhs, Hindus, and Shia Muslims, increasingly feel insecure”. Bertelsmann Stiftung, *BTI 2024 Country Report Afghanistan*, 19 March 2024, www.ecoi.net/en/file/local/2105789/country_report_2024_AFG.pdf, p. 7.

¹⁰⁴ US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html; UN General Assembly, *Situation of Human Rights in Afghanistan*, A/HRC/52/84, 9 February 2023, <https://docs.un.org/en/A/HRC/52/84>, para. 41. “In addition to mandating religious practices for Muslims, the [PVPV] law also restricts the practice or observance of religions other than Islam, for example by banning the wearing crucifixes and other ‘un-Islamic’ symbols, and prohibiting celebrations with no basis in Islam.” UN General Assembly, *Study on the So-Called ‘Law on the Promotion of Virtue and the Prevention of Vice’*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 64. “Minorities in the IEA, such as Sikhs, Hindus, and Shia Muslims, increasingly feel insecure”. Bertelsmann Stiftung, *BTI 2024 Country Report Afghanistan*, 19 March 2024, www.ecoi.net/en/file/local/2105789/country_report_2024_AFG.pdf, p. 7.

¹⁰⁵ “Media reports indicated Christians, Ahmadi Muslims, Baha’is, Hindus, and Sikhs had further withdrawn from participation in public activities, with most in remaining in hiding or opting to leave the country. Sikhs, Hindus, Christians, and other non-Muslim religious minorities reported continued harassment from Muslims. According to international sources, Baha’is and Christians continued to live in constant fear of exposure”. US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html. See also, US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html.

¹⁰⁶ UNAMA, *De Facto Authorities’ Moral Oversight in Afghanistan: Impacts on Human Rights*, July 2024, www.ecoi.net/en/file/local/2112252/moral_oversight_report_english_final.pdf, pp. 12-13. See also, Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 35-36. Shia Hazaras have reported the confiscation of religious books at the border crossing with Iran. Hasht-e-Subh Daily, *Escalation of Attacks on Hazaras and Taliban Lawmaking: Increasing Restrictions on Shia Followers*, 16 September 2024, <https://8am.media/eng/escalation-of-attacks-on-hazaras-and-taliban-lawmaking-increasing-restrictions-on-shia-followers/>. “Panjshiris and Salafis [have been] targeted by the Taliban because their geographical origin or religion is unjustly conflated with allegiance to armed groups that are in conflict with the Taliban.” UN General Assembly,

arrest and detention for publicly displaying religious symbols and for celebrating a yearly festival.¹⁰⁷ Reportedly, the de facto authorities have forced Ismailis to convert to Sunni Islam in Badakhshan province.¹⁰⁸

35. Ethnic minorities, which include Hazaras, Tajiks, Turkmen, Balochs and Uzbeks, remain underrepresented at all levels of government and allege that the de facto authorities discriminate against them by restricting or unfairly distributing aid and public services.¹⁰⁹ The de facto authorities have reportedly sided with Pashtun groups in land disputes, including by forcibly evicting ethnic minority residents including Hazaras, and targeted minority neighbourhoods in Kabul for demolition.¹¹⁰ According to experts interviewed by the European Union Agency for Asylum (EUAA), Hazaras face discrimination and mistreatment from other ethnic groups and often from local de facto officials.¹¹¹
36. Shia Muslims who are Hazara have been targeted in “widespread and systematic” attacks by ISKP, with repeated attacks on mosques and in the Hazara neighbourhood of Dasht-e-Barchi in Kabul, causing hundreds of casualties.¹¹² The group has also targeted Sufis and Sufi places of worship.¹¹³ There have also been attacks targeting Hindus, Sikhs and Christians.¹¹⁴
37. Ethnic and religious minorities in Afghanistan face serious violations of their human rights by the de facto authorities and by non-State actors, combined with historic discrimination and an increasingly hostile social and political environment. As such, persons from some religious and ethnic minorities, particularly non-Muslims (including Christians, Bahai, Sikhs and Hindus), Shias and Muslim minorities targeted for non-Sunni practices (including Ahmadis and Ismaelis), are likely to be in need of international protection. Other persons of this profile may have international protection needs depending on the individual circumstances of the case.

Situation of Human Rights in Afghanistan, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 52. “Between 17 January and 3 February, in Badakhshan province, at least 50 male members of the Ismaili community have been forced to convert to the Sunni faith by de facto local authorities including inspectors of the de facto Department for the Propagation of Virtue and Prevention of Vice. The men were taken from their houses at night to be questioned on religious topics. Those who refused to convert were subject to physical assaults, coercion and death threats. In addition, the de facto authorities have established several religious madrassas in Ismaili-populated areas in the province and required Ismaili children to enroll and receive religious education based on the Sunni faith.” UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, www.ecoi.net/en/file/local/2127630/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, p. 6.

¹⁰⁷ Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 35-36; Centre for Information Resilience, *Restrictions on Shias During Muharram*, 31 July 2024, www.info-res.org/afghan-witness/reports/restrictions-on-shias-during-muharram/.

¹⁰⁸ UNAMA, *Update on the Human Rights Situation in Afghanistan: January - March 2025*, 1 May 2025, https://unama.unmissions.org/sites/default/files/unama_update_on_human_rights_in_afghanistan_january-march_2025.pdf, p. 6; Rawadari, *Afghanistan Human Rights Situation Report 2024*, March 2025, <https://rawadari.org/reports/afghanistan-human-rights-situation-report-2024/>, pp. 45-46.

¹⁰⁹ Rawadari, *The Afghanistan Mid-Year Human Rights Situation Report*, August 2024, <https://rawadari.org/reports/the-afghanistan-mid-year-human-rights-situation-report-january-june-30-2024/>, pp. 33-36. Nomadic communities also reportedly remain marginalized, such as the Jogi and the Chori Frosh. Bertelsmann Stiftung, *BTI 2024 Country Report Afghanistan*, 19 March 2024, www.ecoi.net/en/file/local/2105789/country_report_2024_AFG.pdf, p. 7. See also, UN General Assembly, *Situation of Human Rights in Afghanistan*, 22 February 2024, A/HRC/55/80, <https://docs.un.org/en/a/hrc/55/80>, para. 50.

¹¹⁰ BAMF, *Briefing Notes: July to December 2024*, 31 December 2024, www.ecoi.net/en/file/local/2120351/AFG_July-December2024_en.pdf, p. 2; The Guardian, *Revealed: The Truth Behind the Taliban's Brutal Kabul 'Regeneration' Programme*, 18 November 2024, www.theguardian.com/global-development/2024/nov/18/revealed-the-truth-behind-the-talibans-brutal-kabul-regeneration-programme; ACAPS, *Afghanistan: Understanding the Key Human Safety and Security Issues that Returnees to Afghanistan Are Facing*, 16 August 2024, www.acaps.org/fileadmin/Data_Product/Main_media/20240815_ACAPS_AFGHANISTAN_-_Key_human_safety_and_security_issues_01.pdf, pp. 6-7; UN General Assembly, *Situation of Human Rights in Afghanistan*, A/HRC/52/84, 9 February 2023, <https://docs.un.org/en/A/HRC/52/84>, paras 45-49; Afghanistan Analysts Network (AAN), *Conflict Management or Retribution? How the Taliban Deal with Land Disputes Between Kuchis and Local Communities*, 22 December 2022, www.afghanistan-analysts.org/en/reports/political-landscape/conflict-management-or-retribution-hoe-the-taliban-deal-with-land-disputes-between-kuchis-and-local-communities/.

¹¹¹ While the de facto authorities have appointed some Hazaras to positions of leadership across the country, local commanders and other ethnic groups may treat Hazaras differently, with historic and cultural enmity. See EUAA, *Country Focus: Afghanistan*, www.ecoi.net/en/file/local/2117560/2024_11_EUAA_COI_Report_Afghanistan_Country_Focus.pdf, pp. 122-124. Hazara communities have alleged that the de facto authorities are targeting them for forced eviction, but also killings and torture. See US Department of State, *2023 Report on International Religious Freedom: Afghanistan*, 26 June 2024, www.ecoi.net/en/document/2111571.html.

¹¹² UN General Assembly, *Situation of Human Rights in Afghanistan*, 22 February 2024, A/HRC/55/80, <https://docs.un.org/en/a/hrc/55/80>, para. 58. See also, HRW, *Attacks Target Afghanistan's Hazaras*, 3 May 2024, www.hrw.org/news/2024/05/03/attacks-target-afghanistans-hazaras; The Diplomat, *The Plight of Hazaras Under the Taliban Government*, 24 January 2024, <https://thediplomat.com/2024/01/the-plight-of-hazaras-under-the-taliban-government/>.

¹¹³ UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 49; UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, paras 20, 32.

¹¹⁴ UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 49.

Afghans (perceived to be) of diverse sexual orientations, gender identities and/or gender expression (SOGIE)

38. The PVPV law criminalizes same-sex sexual practices and makes them subject to corporal punishment, extending also to the “creation of ‘opportunities and means’ for such relations”.¹¹⁵ The adoption of the law resulted in an immediate increase in the punishment of individuals accused of same-sex sexual behaviour.¹¹⁶ Individuals of diverse sexual orientation, gender identities and/or gender expression (SOGIE) have been arbitrarily arrested and detained in poor conditions, where they have experienced torture, ill-treatment, sexual and physical violence.¹¹⁷ Due to pervasive social stigma, persons of diverse SOGIE face discrimination and violence from their families and local communities, with no access to protection, justice or essential services.¹¹⁸
39. Noting that individuals of (perceived) diverse SOGIE face criminalization, harassment, torture and detention, both from the de facto authorities and from non-State actors, persons of this profile are likely to be in need of international protection.

Survivors of trafficking and persons at risk of being trafficked

40. Afghan men, women and children, especially those in vulnerable socio-economic circumstances, are trafficked for forced labour, sexual exploitation and other forms of abuse¹¹⁹ and, in the case of girls, forced marriage.¹²⁰ Reportedly, the ongoing economic and humanitarian crisis increases the risk of poor families forced into situations of bonded labour.¹²¹ Additionally, the practice of *bacha bazi*, where powerful men exploit young boys for social and sexual entertainment, continues in Afghanistan, although it has been outlawed by the Taliban in the PVPV law.¹²² The Taliban has jailed and mistreated survivors of *bacha bazi* and other forms of trafficking, treating them as criminals.¹²³ Forced and child marriage is reportedly rising, even for very young girls, for economic reasons but also to avoid being

¹¹⁵ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 59.

¹¹⁶ Ibid., para. 60; UN General Assembly, *Access to Justice and Protection for Women and Girls and the Impact of Multiple and Intersecting Forms of Discrimination*, 16 June 2025, A/HRC/59/25, www.ecoi.net/en/file/local/2127745/g2508942.pdf, para. 58. “[O]n 12 December 2024, the Supreme Court announced that three men in Kunduz had each been sentenced to 39 lashes and between four and seven years’ imprisonment for ‘sodomy’.” UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 67. See also, VOA, *Taliban Publicly Flog Afghan Woman, 3 Men Amid UN Outcry*, 29 October 2024, www.voanews.com/a/taliban-publicly-flog-afghan-woman-3-men-amid-un-outcry/7843308.html; UN General Assembly, *Situation of Human Rights in Afghanistan*, A/79/330, 30 August 2024, www.ecoi.net/en/file/local/2118768/n2425329.pdf, para. 53.

¹¹⁷ UN Security Council, *The Situation in Afghanistan and Its Implications for International Peace and Security*, 21 February 2025, S/2025/109, <https://docs.un.org/en/A/79/797>, para. 37; UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399.pdf, para. 68. See also, HRW, “Even If You Go to the Skies, We’ll Find You”, 26 January 2022, www.hrw.org/report/2022/01/26/even-if-you-go-skies-well-find-you/lgbt-people-afghanistan-after-taliban-takeover.

¹¹⁸ UN General Assembly, *Study on the So-Called “Law on the Promotion of Virtue and the Prevention of Vice”*, 25 February 2025, A/HRC/58/74, www.ecoi.net/en/file/local/2122388/g2503026.pdf, para. 60; US Department of State, *2023 Country Report on Human Rights Practices: Afghanistan*, 23 April 2024, www.ecoi.net/en/document/2107599.html. “With violence both committed and condoned by the Taliban, there are no paths to justice in Afghanistan for LGBTQIA+ individuals.” UN General Assembly, *The Phenomenon of an Institutionalized System of Discrimination, Segregation, Disrespect for Human Dignity and Exclusion of Women and Girls*, 13 May 2024, A/HRC/56/25, <https://docs.un.org/en/A/HRC/56/25>, para. 55.

¹¹⁹ RFE/RL, *Taliban’s Ban on Organ Transplants Deprives Afghans of Lifesaving Treatment*, 20 December 2024, www.ecoi.net/en/document/2120479.html; BBC, *Afghanistan: ‘I Drug my Hungry Children to Help Them Sleep’*, 24 November 2022, www.bbc.com/news/world-asia-63733683; Al Jazeera, *Desperate Afghans Sell Kidneys amid Poverty, Starvation*, 28 February 2022, www.aljazeera.com/news/2022/2/28/desperate-afghans-resort-to-selling-kidneys-to-feed-families; The Straits Times, *‘One-Kidney Village’: Desperate Afghans Resort to Selling their Organs to Feed Families*, 28 February 2022, www.straitstimes.com/asia/south-asia/one-kidney-village-desperate-afghans-resort-to-selling-their-organs-to-feed-families; New York Times, *In Afghanistan, a Booming Kidney Trade Preys on the Poor*, 6 February 2021, www.nytimes.com/2021/02/06/world/asia/selling-buying-kidneys-afghanistan.html.

¹²⁰ US Department of State, *2024 Trafficking in Persons Report: Afghanistan*, 24 June 2024, www.ecoi.net/en/document/2111579.html.

¹²¹ Ibid.

¹²² Ibid. “As highlighted in previous reports, the Special Rapporteur remains deeply concerned about a pattern of sexual violence against children. This includes the practice known as *bacha bazi*, a severe form of child abuse and exploitation that pre-dates rule by the Taliban. The Special Rapporteur notes that *bacha bazi* is prohibited in the [PVPV law]. However, there remains a disturbing lack of child protection mechanisms”. UN General Assembly, *Situation of Human Rights in Afghanistan*, A/79/330, 30 August 2024, www.ecoi.net/en/file/local/2118768/n2425329.pdf, para. 31. “*Bacha bazi* has been notoriously difficult to monitor, as it is practiced discreetly (particularly since its criminalization), mainly by higher-ranking, well-connected Afghan men.” UN Women, *Afghanistan: Gender Country Profile 2024*, 7 June 2024, www.unwomen.org/sites/default/files/2024-06/Afghanistan%20Gender%20Profile%202024.pdf, p. 30. See also, US Department of Labor, *2023 Findings on the Worst Forms of Child Labor: Afghanistan*, 5 September 2024, www.ecoi.net/en/document/2116109.html.

¹²³ US Department of Labor, *2023 Findings on the Worst Forms of Child Labor: Afghanistan*, 5 September 2024, www.ecoi.net/en/document/2116109.html. “The Taliban maintains detention facilities in which it forces detainees, including child and adult sex trafficking victims charged with ‘moral crimes,’ into unlawful prison labor or conditions indicative of forced labor.” US Department of State, *2024 Trafficking in Persons Report: Afghanistan*, 24 June 2024, www.ecoi.net/en/document/2111579.html.

forced into marriage with a member of the Taliban.¹²⁴ Restrictions on girls' education reportedly exacerbate child and forced marriage, trafficking and other forms of abuse.¹²⁵ The Taliban and other armed groups recruit and use children in armed conflict.¹²⁶ Child labour is widespread, and many children are forced to work in industries such as "carpet making, brick kilns, domestic servitude, sex trafficking (including *bacha bazi*), domestic work, herding livestock, agriculture, workshops, construction, mining, begging, low-skilled labor, poppy cultivation and harvesting, salt mining, petty crime, drug smuggling, weapons trafficking, truck driving, and in the transportation and hotel sectors."¹²⁷

41. Survivors of trafficking, and women and children in particular socio-economic circumstances or who are specifically vulnerable to trafficking, may be in need of international protection depending on the particular circumstances of the case.

Availability of Protection

42. In light of the available information about widespread human rights violations committed by the de facto authorities, and in the absence of an independent judiciary or court system,¹²⁸ UNHCR does not consider that the de facto authorities are willing or able to provide protection to Afghans at risk of persecution, including societal forms of persecution at the hands of family members and other members of the community.

Internal Flight or Relocation Alternative

43. In view of the volatility of the situation throughout Afghanistan, coupled with the grave economic and humanitarian situation in the country, UNHCR does not consider it appropriate to deny international protection to nationals and former habitual residents of Afghanistan on the basis of an internal flight or relocation alternative.

Exclusion Considerations

44. Among Afghan nationals seeking asylum there may be individuals who have been associated with acts that bring them within the scope of the exclusion clauses contained in Article 1F of the 1951 Convention.¹²⁹ In such cases, it will be necessary to examine carefully any issues of individual responsibility for crimes which may give rise to exclusion from international refugee protection. In addition, to preserve the civilian character of asylum, States would need to assess the situation of arrivals carefully so as to identify those involved in military activities and separate them from the civilian refugee population.¹³⁰

¹²⁴ "The prevalence of early, forced, and child marriages among girls is alarmingly high and is on the rise. Fear of forced marriage to the Taliban is driving families across the country to marry off their young daughters as a means of protection. Additionally, economic hardships are prompting families to use marriage as a strategy to alleviate financial burdens." Global Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, www.ecoi.net/en/file/local/2121426/afghanistan_pau_dec_2024_final_0.pdf, p. 10. See also, US Department of Labor, *2023 Findings on the Worst Forms of Child Labor: Afghanistan*, 5 September 2024, www.ecoi.net/en/document/2116109.html.

¹²⁵ RFE/RL, *Millions of Afghan Girls Barred From School for Fourth Consecutive Year*, 27 March 2025, www.ecoi.net/en/document/2123845.html; UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 1; Global Protection Cluster, *Afghanistan: Protection Analysis Update*, January 2025, www.ecoi.net/en/file/local/2121426/afghanistan_pau_dec_2024_final_0.pdf, pp. 7-8, 10-11. In February 2024, UN Women predicted, using statistical projections, that if the restrictions on education remained in place, the rate of child marriage would increase by 25 per cent. UN Women, *Projections for Afghan women and girls: "We Hope We Will Not Be Left Alone to Fight for our Rights"*, February 2024, https://asiapacific.unwomen.org/sites/default/files/2024-05/af-cx-unwomenxdoha-brief_feb2024.pdf, p. 1.

¹²⁶ UN General Assembly, *Children and Armed Conflict: Report of the Secretary-General*, 17 June 2025, A/79/878, www.ecoi.net/en/file/local/2126448/n2510498.pdf, para. 14; US Department of State, *2024 Trafficking in Persons Report: Afghanistan*, 24 June 2024, www.ecoi.net/en/document/2111579.html.

¹²⁷ Ibid.

¹²⁸ "Religious scholars, jurists in Islamic law, and individuals with personal ties to the Taliban have replaced judges, resulting in a judiciary that is determined by political considerations and cannot be considered independent." Bertelsmann Stiftung, *BTI 2024 Country Report Afghanistan*, 19 March 2024, www.ecoi.net/en/file/local/2105789/country_report_2024_AFG.pdf, pp. 11-12. "Many Afghans have also made clear to the Special Rapporteur that they have lost trust in the judiciary after the Taliban systematically replaced female and male judges and prosecutors with men who often lack legal training." UN General Assembly, *Situation of Human Rights in Afghanistan*, 20 February 2025, A/HRC/58/80, www.ecoi.net/en/file/local/2122391/g2501399, para. 90. See also, The Law Society of England and Wales, *The Situation of Women in the Justice System in Afghanistan*, 10 February 2024, <https://prdsitecore93.azureedge.net/-/media/files/campaigns/international-rule-of-law/the-situation-of-women-in-the-justice-system-in-afghanistan.pdf>, pp. 3-4.

¹²⁹ UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, 4 September 2003, CR/GIP/03/05, www.refworld.org/policy/legalguidance/unhcr/2003/en/14733.

¹³⁰ See UNHCR, *Guidance Note on Maintaining the Civilian and Humanitarian Character of Asylum*, December 2018, www.refworld.org/policy/legalguidance/unhcr/2018/en/122651.

Changed Circumstances as a Ground for Fresh or Subsequent Applications

45. UNHCR calls on asylum States to ensure that Afghan applicants who lodged their claim prior to 15 August 2021 but who have not yet received a decision, are able to provide additional information to support their claim in light of the changed circumstances in Afghanistan and the new or heightened risks they may face as a result. Similarly, UNHCR calls on asylum States to ensure that Afghans who were already outside Afghanistan prior to 15 August 2021 but who had until that point no need to apply for asylum are able to lodge a sur place claim based on the new risks they may face in Afghanistan due to the changed circumstances in the country.
46. UNHCR also calls on asylum States to ensure that Afghans whose claim for international protection was rejected prior to 15 August 2021 are able to lodge a fresh or subsequent claim, on the basis that the current situation in Afghanistan amounts to changed circumstances that may give rise to a need for international protection as refugees or otherwise.
47. In light of the primacy of the 1951 Refugee Convention,¹³¹ UNHCR calls on asylum States to allow Afghans who, prior to 15 August 2021, received complementary forms of international protection, including subsidiary protection under EU law, that are not equivalent in terms of legal status and access to rights as refugee protection, to lodge a new claim for refugee protection in light of the changed circumstances in Afghanistan.

Temporary Protection

48. In countries without functional asylum systems, UNHCR continues to call on States to ensure that all Afghans are protected from refoulement in line with their obligations under international and regional law. UNHCR encourages States to provide a legal basis of stay to Afghans, such as forms of temporary protection or other stay arrangements, with appropriate safeguards, until such time as it can be determined, on the basis of an objective assessment, that the human rights and security situation in Afghanistan has durably improved and, in the absence of international protection needs, voluntary return is reasonable and can be carried out in safety and dignity.¹³² Until such time, persons from Afghanistan benefitting from temporary protection or other stay arrangements should have access to basic services and fundamental rights on an equal and non-discriminatory basis, including civil registration, access to health care, access to education, family unity, freedom of movement, access to shelter, and the right to work.¹³³

Family Reunification

49. UNHCR continues to urge States to facilitate and expedite family reunification procedures for Afghans whose families are left behind in Afghanistan or who have been displaced across the region. The principle of family unity is protected under international law, including in binding regional legal instruments.¹³⁴ Family reunification is often the only way to ensure that the right to family life and family unity of refugees is respected. In light of the current situation in Afghanistan, UNHCR is concerned that many Afghan refugees may face considerable administrative barriers in realizing this legal right. With many embassies and consulates continuing to be closed in Afghanistan, UNHCR is also urging countries to take into account the constraints that refugees may face in being able to meet demanding administrative and documentation requirements for these admissions. UNHCR proposes that a more

¹³¹ UNHCR, *Providing International Protection Including Through Complementary Forms of Protection*, 2 June 2005, EC/55/SC/CRP.16, www.refworld.org/docid/47fdb49d.html, paras. 6, 26.

¹³² UNHCR, *Guidelines on Temporary Protection or Stay Arrangements*, February 2014, www.refworld.org/policy/legalguidance/unhcr/2014/en/74916.

¹³³ Ibid.; Executive Committee of the High Commissioner's Programme (ExCom), *Conclusion on Civil Registration No. 111 (LX/IV)-2013*, 17 October 2013, www.refworld.org/policy/exconcl/excom/2013/en/18494.

¹³⁴ UNHCR, *The Right to Family Life and Family Unity of Refugees and Others in Need of International Protection and the Family Definition Applied*, January 2018, 2nd edition, www.refworld.org/reference/research/unhcr/2018/en/120412 (see in particular Chapter 2); UNHCR, *Summary Conclusions on the Right to Family Life and Family Unity in the Context of Family Reunification of Refugees and Other Persons in Need of International Protection*, Expert Roundtable, 4 December 2017, www.refworld.org/reference/confdoc/unhcr/2017/en/120836 (see in particular para. 3 and references to regional legal instruments provided therein). See also, UNHCR *Guidelines on International Legal Standards Relating to Family Reunification for Refugees and other Beneficiaries of International Protection*, December 2024, www.refworld.org/policy/legalguidance/unhcr/2024/en/149243.

pragmatic and flexible approach be taken, including through the use of innovative processing methods and remote interviews. UNHCR encourages States to apply liberal and humane criteria in identifying qualifying family members under these schemes, taking into account diverse family compositions and structures.¹³⁵

Returns to Afghanistan

50. UNHCR recognizes individuals' fundamental human right to return to their country of origin. Any assistance provided by UNHCR to refugees to return to Afghanistan aims at supporting individuals who, being fully informed of the situation in their places of origin or an alternative area of their choice, choose voluntarily to return. Any action by UNHCR to support the voluntary repatriation to Afghanistan, including efforts aimed at sustainable reintegration for returnees and IDPs in Afghanistan, should not be construed as an assessment by UNHCR of the safety and other aspects of the situation in Afghanistan for individuals who have sought international refugee protection in countries of asylum. Voluntary repatriation and forced return are processes of a fundamentally different character, engaging different responsibilities on the parts of the various actors involved.
51. Refugees and people who have not yet had the opportunity to have their refugee status determined, should not be forcibly returned, in line with States' non-refoulement obligations.¹³⁶ The situation in Afghanistan continues to be volatile and may remain uncertain for some time to come, creating significant challenges for the safe and dignified return of those determined not to be in need of international protection. Against that background, UNHCR calls on States to exercise caution when considering forced returns to Afghanistan of those determined not to be in need of international protection, taking into account the sustained and large-scale humanitarian crisis in the country and the potentially destabilizing impact of large-scale returns on the fragile situation in Afghanistan.¹³⁷
52. In line with the commitment by UN Member States under the Global Refugee Forum to the equitable sharing of responsibility for international refugee protection, UNHCR considers that it would not be appropriate for countries of asylum to send Afghan asylum-seekers and refugees to Iran or Pakistan, as these countries have for decades generously hosted the vast majority of the total global number of Afghan refugees.¹³⁸
53. UNHCR will continue to monitor the situation in Afghanistan with a view to assessing the international protection needs of Afghans.

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¹³⁵ UNHCR, *UNHCR Calls on States to Expedite Family Reunification Procedures for Afghan Refugees*, 15 October 2021, www.unhcr.org/news/briefing/2021/10/616935614/unhcr-calls-states-expedite-family-reunification-procedures-afghan-refugees.html.

¹³⁶ United Nations General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, UN Treaty Series, Vol. 189, p. 137, www.refworld.org/legal/agreements/unga/1951/en/39821; and United Nations General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, UN Treaty Series, Vol. 606, p. 267, www.refworld.org/legal/agreements/unga/1967/en/41400.

¹³⁷ UNHCR, *Needs Intensify as 1.4 Million People Return to Afghanistan*, 4 July 2025, www.unhcr.org/news/briefing-notes/unhcr-needs-intensify-1-4-million-people-return-afghanistan; UNHCR, *UNHCR Sees Sharp Increase of Afghan Returns in Adverse Circumstances from Iran to Afghanistan*, 28 June 2025, www.unhcr.org/news/press-releases/unhcr-sees-sharp-increase-afghan-returns-adverse-circumstances-iran-afghanistan.

¹³⁸ By 30 June 2025, there were 3,477,100 registered Afghan refugees, asylum-seekers and Afghans in a refugee-like situation in Iran, and 1,758,600 in Pakistan. Between 1 January and 11 September 2025, 2,680,241 people have returned or been forced to return to Afghanistan, including over 2 million from Iran. UNHCR, *Data Portal: Afghanistan Situation*, <https://data.unhcr.org/en/situations/afghanistan> (accessed 15 September 2025). UNHCR continues to advocate with countries in the region to ensure that returns to Afghanistan are voluntary, safe, and dignified. UNHCR, *Needs Intensify as 1.4 Million People Return to Afghanistan*, 4 July 2025, www.unhcr.org/news/briefing-notes/unhcr-needs-intensify-1-4-million-people-return-afghanistan; UNHCR, *UNHCR Sees Sharp Increase of Afghan Returns in Adverse Circumstances from Iran to Afghanistan*, 28 June 2025, www.unhcr.org/news/press-releases/unhcr-sees-sharp-increase-afghan-returns-adverse-circumstances-iran-afghanistan; UNHCR, *As Afghans Are Forced to Return, UNHCR Seeks Support for Humanitarian Crisis*, 29 April 2025, www.unhcr.org/news/briefing-notes/afghans-are-forced-return-unhcr-seeks-support-humanitarian-crisis.