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2.4. Other non-State actors

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

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

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

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

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

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

In 2023, the Global Organised Crime index scored the criminality rate of Afghanistan as the 9th highest in the world. The report of the UN Secretary General mainly reported incidents related to

robbery, theft, and murder. According to analysis by the Protection Cluster and UNHCR, increased crime levels, the economic crisis, and intimidation related to debt issues, were among the most common reasons for feeling insecurity among Afghan households [Country Focus 2023, 2.4., pp. 41-42].

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

See other topics concerning actors of persecution or serious harm:

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

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