



Please cite as: EUAA, '[7.1.3. Criminality](#)' in *Country Guidance: Afghanistan*, Μάιος 2024.

7.1.3. Criminality

COMMON ANALYSIS

Last update: May 2024

Criminal activities in Afghanistan are widely reported. Some of the crimes could trigger the considerations for exclusion, as they could qualify as serious (non-political) crimes and/or, depending on additional elements, as war crimes, crimes against humanity, or acts contrary to the purposes and principles of the UN.

Common criminality and organised crimes have been reported throughout the country, with an increase in recent years, especially in major cities such as Kabul, Jalalabad, Herat, and Mazar-e Sharif. Criminal groups target businesspersons, foreigners and local officials. Crimes reported comprised kidnappings of adults and children, robberies and burglaries, murders, extortion. Narco-trafficking and drug-related crimes are also committed in the whole country. The endemic corruption within the police (ANP and ALP), which is sometimes linked to these criminal groups, could explain rises of these groups and the inability of the authorities, or the absence of will to stop and prosecute them in order to secure law and order [[Security 2020](#), 1.4.2., pp. 42-43; 2.1.2., p. 59; [State structure](#), 2.1.2., pp. 31-32; 2.1.3., p. 34].

Although the immediate aftermath of the Taliban takeover saw a drop in the crime rate, by the second half of October 2021 sources began to report a rise in the number of crimes, including armed robberies, kidnappings and extortion described as occurring on a daily basis in the capital. There were reports of businesspersons' abductions in the capital as well as in Balkh, Kunduz, Nangarhar, Kandahar, and Herat provinces. Several sources stated that the crime levels 'have risen concurrently with the deepening of the humanitarian and economic crisis in the country,' particularly affecting the capital and other big urban areas [[Security 2022](#), 1.2.4., pp. 32-33]. The *de facto* government issued a decree banning poppy cultivation, ordered crops to be burned and farmers to be punished, and banned the production, use or transportation of other illicit drugs [[Targeting 2022](#), 1.3.2., p. 44].

Land is a primary source of conflicts and violence. Land disputes can find their roots in family, tribal or ethnic matters, as well as in agricultural matters, such as irrigation or the lack or ineffectiveness of land administration. Such conflicts happen in every province and sometimes lead to acts, such as land grabbing, illegal appropriation, violence, assassinations [[Criminal law and customary justice](#), 2.1., pp. 22-24; 2.2., pp. 24-25].

Blood feuds are also common in Afghanistan. Retributive justice is a central component of the Pashtunwali, which requires the restoration of honour through carrying out revenge. Blood feuds

happen mainly among Pashtuns but can also occur among other ethnic groups. Blood feuds can be the result of personal violence, disputes involving lands or family conflicts, and can go on for generations and impact entire tribes or communities. Excludable acts are committed in relation to blood feuds, including violence and murders [[Criminal law and customary justice](#), 3.1., pp. 29-31].

Violence against women and children (for example sexual violence, domestic violence and early/forced marriage, child labour, trafficking in children) is commonly reported in both public and private spheres [[Country Focus 2023](#), 4.7.7., pp. 79-80; [State structure](#), 3.3.1., p. 44; [Society-based targeting](#), 3.5., pp. 42-43; 3.8., pp. 53-55; 5., p. 67].

UN experts stated that restrictions imposed by the Taliban against women and girls since the takeover, increased the risk of exploitation including of trafficking for the purposes of child and forced marriage as well as sexual exploitation and forced labour. Reports state that since the Taliban takeover, the trafficking of Afghan children has increased and the age at which girls were sold into marriage has decreased. A decree issued by the Taliban on 3 December 2021 bans forced marriages. However, in the decree, no legal mechanisms to enforce this rule or to protect victims of forced marriage are defined, and it does not mention a minimum age for marriage. Under the de facto administration there are no laws in place protecting women from gender-based violence and almost all shelters that had previously offered young women and girls protection have reportedly been closed by the Taliban throughout the country [[KSEI 2022](#), 8.1., p. 60; 8.4., pp. 62-63; [Targeting 2022](#), 5.1.4., pp. 89-90; 5.1.5., pp. 90-94].

Afghanistan has the 9th highest rate of criminality in the world as of 2023, according to the Global Organised Crime Index. The report of the UN Secretary General mainly documented incidents of robbery, theft, and murder. According to an analysis by the Protection Cluster and UNHCR, increased crime levels, combined with the economic crisis and intimidation related to debt issues, were found to be the most common causes of insecurity among Afghan households' [[Country Focus 2023](#), 2.4., pp. 41-42].

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