

# Guidance note

## Guidance Note

Last update: May 2024

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

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

The guidance note is part of the 'Country Guidance: Afghanistan' and should be read in conjunction with the [common analysis](#).

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

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

- [3.1. Members of the security institutions of the former government](#)
- [3.2. Judges, prosecutors and former court personnel](#)
- [3.3. Persons affiliated with foreign forces](#)
- [3.4. Individuals perceived as members or supporters of the National Resistance Front \(NRF\)](#)
- [3.5. Individuals perceived as members or supporters of the Islamic State in Khorasan Province \(ISKP\)](#)
- [3.7. Human rights defenders and activists](#)
- [3.8. Journalists and media workers seen by the Taliban as critical of them or as not complying with conditions set by the Taliban](#)
- [3.11. Individuals considered to have committed blasphemy and/or apostasy](#)
- [3.12. Individuals perceived to have transgressed religious, moral and/or societal norms by committing zina](#)
- [3.14.3. Hindus and Sikhs](#)
- [3.15. Women and girls](#)
- [3.17. LGBTIQ persons](#)
- [3.18.1. Men directly involved in blood feuds](#)

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

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

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

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

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

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

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

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

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

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

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

[4](#) Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R2303>