

4.8.2. Land disputes

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After the Taliban takeover, the de facto authorities started to reclaim government land[1643] for infrastructure projects and to recover land they claim was usurped.[1644] Within the reference period of this report, the de facto authorities have seized large areas of land reclassified as state property in several provinces across the country, including in Ghor, Maidan Wardak, Takhar, Nuristan, Badghis, Panjshir,[1645] Logar[1646], Badakhshan,[1647] Nangarhar[1648] and Kabul provinces,[1649] and especially in urban areas.[1650] The Taliban's land reclamation process has been marked by lack of transparency and legal safeguards,[1651] with affected landowners often denied the ability to file appeals, present ownership documents,[1652] or obtain compensation.[1653]

The UN Special Rapporteur on human rights stated that land disputes, frequently between different communities or related to fertile land, resources, as well as struggles for power and wealth, 'have plagued Afghanistan for generations'.[1654] Disputes over land ownership involving individual citizens have been a recurrent issue in Afghanistan,[1655] and often resurface with each change in power.[1656] After the Taliban takeover in 2021, there was another shift in power balance and representation of communities, including at local levels and in the legal system.[1657] This led to an increase in land disputes,[1658] as many re-erupted[1659] across different areas of the country.[1660] Land disputes have *inter alia* involved Pashtun returnees from Pakistan, most of whom are Kuchis (a nomadic pastoralist group), reclaiming land upon return.[1661] Disputes between local communities and Kuchis have affected different ethnic groups, including Hazara, Pashtuns, Tajiks, Turkmen, and Uzbeks.[1662] However, such disputes have also re-emerged in provinces with a homogenous ethnic composition, often along tribal or clan-based lines.[1663] Afghanistan expert Fabrizio Foschini indicated that '[a]lmost every Afghan province, if not district, has its own, specific type of land dispute, often dating back some decades'.[1664] However, the UN Special Rapporteur on human rights in Afghanistan also reported in 2025 that, although disputes over land and claims of usurpation occurred across Afghanistan, they disproportionately affected minorities and internally displaced persons.[1665] The de facto authorities have reportedly supported Pashtun communities, especially in land conflicts with non-Pashtuns,[1666] while local de facto courts and Taliban-controlled commissions have consistently ruled in favour of the Kuchis,[1667] sometimes ordering the payment of compensation for alleged land-use losses[1668] to the Kuchis who raise these claims.[1669]

Land conflicts between sedentary Hazara communities and nomadic Kuchi pastoralists trace back to the late 19th century,[1670] when Amir Abdur Rahman Khan displaced many Hazaras and redistributed lands to Kuchi tribes.[1671] According to an academic research fellow with RWI,

‘[l]and has long been a deeply contested and politicized issue’ in Afghanistan’s Hazarajat region (the central region of the country which has historically been disputed between the Kuchis/local Pashtuns and the Hazara people). Before the Taliban’s return to power in 2021, land conflicts between Hazaras and Kuchis often led to seasonal confrontations.1672 State interventions under previous governments lacked long-term solutions,1673 thus many of these disputes had remained unresolved.1674 Since the Taliban takeover, the land conflict in Hazarajat between Hazara communities and Kuchi has intensified.1675 As ‘a greater number’ of Kuchi nomads, compared to previous years, have moved into Hazarajat1676 and gained broader access to the region,1677 an increase in land disputes was reported.1678 In some provinces, Kuchis have asserted collective ownership over entire villages, basing their claims on historical rights to pasturelands as well as agricultural and residential areas,1679 while many such claims often lack formal documentation.1680 Land claims were also raised against Hazaras in Hazarajat region by ethnic Tajiks.1681

The UN Special Rapporteur on human rights in Afghanistan stated that land disputes are handled through informal dispute resolution mechanisms or de facto courts.1682 In a previous report, the same source indicated that many legal disputes in general are resolved through informal dispute resolution processes ‘both because litigants prefer those mechanisms and because judges refer disputes to them’.1683 Due the absence of a clear legal framework for housing, land, and property administration since 2021,1684 along with ambiguity in the enforcement of property laws, in cases of land and property disputes many individuals turn to informal dispute resolution methods,1685 including community councils, such as Shuras1686 and Jirgas.1687 Abdul Ghafoor Rafiey, former director and founder of the Afghanistan Migrants Advice & Support Organization (AMASO) told ACCORD that implementation of certain rules or regulations varies by region, with these differences depending on the specific issue being addressed, such as land grabbing.1688 Women frequently face difficulties obtaining the official documentation, including identity documents and land titles, limiting their ability to prove ownership or defend legal land claims in cases of land disputes.1689 As noted by the UN Special Rapporteur on human rights in Afghanistan, women seeking resolution through the Taliban court system ‘face intimidation and humiliation’,1690 while community mechanisms are often biased towards women.1691 Information in public reports published by the de facto authorities indicated that in the period 31 October 2024–3 August 2025, at least 109 local conflicts, including land disputes, had been resolved ‘through mediation by local community elders, religious scholars and the de facto authorities’ in several provinces.1692 Regardless of the mechanism to settle land disputes, representatives of minority communities facing such land claims ‘report feeling powerless, distrustful and fearful of the de facto authorities, often referring to their alleged bias or close connections with claimants’.1693 For instance, Sharan noted that Hazaras faced limited prospects for a favourable outcome in legal disputes, including land conflict cases, due to lack of representation.1694

In some cases, threats and violence were employed to enforce land claims,1695 leading to disputes not reaching de facto courts.1696 Other reports have suggested that land disputes often result in forced evictions and displacement especially of minority groups, including Hazaras, and have been facilitated or tolerated by the de facto authorities.1697 In July 2025, Afghan media in exile reported that the de facto authorities forcibly evicted the residents of Rashk village in Panjab District, Bamyan Province – a predominantly Hazara community1698 –

after a Taliban court ruled in favour of Kuchi nomads in a decades-old land dispute, which re-emerged after the Taliban takeover. A de facto authorities' delegation, accompanied by Kuchi tribesmen, reportedly enforced a previously issued 15-day eviction order by removing belongings from houses and locking the properties, in an allegedly 'biased' legal process. Residents reportedly accused the de facto authorities of arresting villagers involved in the dispute.[1699]

Although incidents of violence have reportedly occurred less frequently than during the Islamic Republic,[1700] land disputes often result in violence,[1701] especially in rural areas.[1702] Within the reference period of this report, media sources reported on several incidents of killings and injuries of individuals over land disputes, including in Nangarhar,[1703] Takhar,[1704] Kapisa,[1705] Nuristan,[1706] and Uruzgan provinces.[1707] These incidents referred to cases of land disputes within[1708] and between families.[1709] According to Afghan media in exile in a village of Warsaj District, Takhar Province, family members of a local Taliban commander shot a resident and physically assaulted others over a land ownership dispute. The de facto authorities reportedly arrested a relative of the commander, while the other involved remained free and threatened residents against filing complaints.[1710] Exile media also reported on a Hazara farmer in Behsud District of Wardak Province being killed by armed Kuchis in July 2025, after attempting to prevent their livestock from entering his farmland.[1711] According to Kabul Now, the de facto authorities later detained the suspected perpetrators.[1712] In November 2025, a similar killing was reported in Daymirdad District, Wardak Province.[1713]

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