

3.2. Public officials and servants of the former government and judicial system

COMMON ANALYSIS
Last update: June 2026

This profile refers to individuals employed by the previous government and members of the judiciary, including court personnel and civil servants. Situation of family members is also addressed.

The analysis below is based on the following EUAA COI products: Country Focus 2026, 4.1.1., 4.1.2., 4.1.3., 4.1.4., 4.1.5., 4.8.1.; Country Focus 2024, 4.1.1., 4.1.2., 4.1.3., 4.1.4., 4.1.5., 4.1.6.; Country Guidance should not be referred to as a source of COI.

During the years of conflict, employees of certain ministries (for example the Ministry of Defence, the Ministry of Interior Affairs, and the Ministry of Justice) and judicial staff, including judges and prosecutors, were regularly targeted by the Taliban. After the takeover, the Taliban issued a general amnesty for individuals who had served the former government, but the text has not been made publicly available, creating uncertainty regarding its scope and enforcement. Despite the amnesty and the call on former government officials to resume work and return from abroad, retaliatory acts by Taliban members against persons under this profile were reported, albeit to a lesser extent than against former security personnel. The de facto authorities have reportedly deterred reporting on killings, while ambiguity and limited control over de facto officials have enabled arbitrary arrests and abuses without accountability. Most civilian former public officials, except female civil servants, have been able to resume their duties within the new de facto administration in Kabul, although a gradual replacement of this personnel has been taking place.

Step 1: Do the reported acts amount to persecution?

Some acts to which public officials and servants of the former government and judicial system could be exposed are of such severe nature that they would amount to persecution. *Inter alia* extrajudicial killings, torture and other ill-treatment, arbitrary arrests, and enforced disappearance have been documented, including sporadic cases in which former government officials returning from abroad as well as individuals who had been personally invited back by the Taliban were victimised. Most recorded violations against persons under this profile have occurred in the months following the takeover, although retaliatory violence has continued ever since.

The severity and/or repetitiveness of other acts that family members of public officials and servants of the former government and judicial system could be subjected to and whether they occur as an accumulation of various measures, should also be considered. For example, ransom was extorted from families of former government officials who are perceived to have the means to pay.

Step 2: What is the level of risk of persecution?

For judges, prosecutors, and court personnel of the former government and judicial system a well-founded fear of persecution would in general be substantiated as they have faced extensive and continued targeting at the hands of the Taliban, including threats, harassment and killings. The UN Special Rapporteur stated that former judges are among the groups severely affected by human rights violations. Additionally, almost all judges, prosecutors, and former court personnel have been fired, and many left the country or went into hiding for fear of reprisals.

For public officials and servants of the former government and judicial system other than judges, prosecutors, and former court personnel, the individual assessment of whether there is a reasonable degree of likelihood to face persecution should take into account **risk-impacting circumstances**, such as:

- **Possible personal enmities**: personal hostilities or rivalries could increase the risk, taking into account the pervasive 'revenge culture' in Afghanistan.
- **Ethnic background**: individuals belonging to non-Pashtun groups may be exposed to higher risks as for example Hazaras have been 'systematically treated differently' by the local Taliban. See also 3.12.1. Individuals of Hazara ethnicity and other Shias

Family members may also have a well-founded fear of persecution, for example in the context of the Taliban searching for the individual they are related to.

In the case of a female applicant under this profile, it is reminded that in light of the current situation, a well-founded fear of persecution would in general be substantiated for Afghan women and girls.

For additional information, see 3.13. Women and girls

Step 3: Is there a ground for persecution?

Where well-founded fear of persecution is substantiated for individuals under this profile, persecution is highly likely to be for reasons of **political opinion**, as having served the former government is considered as collaborating with 'the enemy'. In some cases, **membership of a particular social group** and/or **religion** could also be seen as relevant grounds, such as in the case of former female judges and other female public officials. See also 3.13. Women and girls. **Race** may also be substantiated.

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