

3.10. Individuals considered to have committed blasphemy and/or apostasy

COMMON ANALYSIS
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This profile covers persons who have or are considered to have abandoned or renounced the religious belief or principles of Islam (apostasy), as well as persons considered to have spoken sacrilegiously about God or sacred things (blasphemy)8. It includes individuals who have converted to a new faith, (e.g. converts to Christianity), as well as those who disbelieve or lack belief in the existence of God (atheists).

It can be noted that, often, the latter grounds would be invoked *sur place* (Article 5 QR).

For practical guidance on interviewing applicants with Religion-based Asylum Claims, including those with ***sur place*** claims, please refer to the EUAA Practical Guide on Interviewing Applicants with Religion-based Asylum Claims.

See also and CJEU, Bundesamt für Fremdenwesen und Asyl v JF, C-222/22, Third Chamber, judgment of 29 February 20249.

This profile should be read in conjunction with profile 3.11. Individuals perceived to have transgressed religious, moral and/or societal norms.

The analysis below is based on the following EUAA COI products: COI Update 2026, 1.; Country Focus 2026, 1.2.1., 1.2.7., 1.2.8.; Country Focus 2024, 1.2., 4.6.2.; Country Guidance should not be referred to as a source of COI.

The Taliban follow an ‘ultra-conservative’ interpretation of Sunni Islam and after the takeover declared that *sharia* would serve as the legal system in the country. As a consequence, the Taliban Supreme Leader ordered all *de facto* judges to fully implement *sharia*.

Allegations of blasphemy may be referred to anti-Islamic writings or speech, criticising the Taliban, or making positive comments on modern education in contrast to the educational system under the Taliban.

Converts and dissenters from Islam reportedly don’t speak out as criticising, abandoning or denouncing Islam is a taboo in Afghanistan. Therefore, very few incidents are recorded in relation to non-believers and apostates in Afghanistan.

Additionally, in 2026, the *de facto* government issued a ‘Criminal Procedure Code for Courts’. Although there is currently no available information about its implementation, it is reported that such code stipulates that it is permissible to kill those who ‘defend false beliefs contrary to Islam’ or ‘invite others to such beliefs’. It also prescribes that mockery and ridicule of Islamic rulings as well as abandoning the Hanafi school of thought may be punished with two years’ imprisonment.

Step 1: Do the reported acts amount to persecution?

Acts to which Individuals considered to have committed blasphemy and/or apostasy could be exposed are of a such severe nature that they would amount to persecution. Individuals who have left or disbelieve Islam or lack belief of God are considered as having committed apostasy which is punishable by death. Blasphemy is also punishable by death under the Hanafi jurisprudence, and an individual was reportedly sentenced to death for alleged blasphemy although the sentence is pending a de facto Supreme Court hearing. There have also been reports of arbitrary arrests of individuals being accused of promoting atheism or other religions than Islam. No formal policy on ‘hunting down’ converts has been released, due to a general expectation that converts will be killed by their own families, rather than by the *de facto* authorities.

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

A well-founded fear of persecution would in general be substantiated for individuals considered to have committed blasphemy and/or apostasy, including converts and atheists, as those individuals are considered as opponents of the Taliban religious ideology and therefore are targeted by the *de facto* authorities.

It should be highlighted that no applicant under this profile can reasonably be expected to abstain from their religious practice in order to avoid persecution[10].

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?

Persecution of individuals under this profile is highly likely to be for reasons of **religion** as such individuals are considered violating Islamic rules according to the Taliban’s interpretation of the religion.

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ECtHR, Case of D.M. v SWEDEN, application no. 32694/23, First Section, judgment of 26 March 2026, para 194.

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  CJEU, Bundesamt für Fremdenwesen und Asyl v JF, C-222/22, Third Chamber, judgment of 29 February 2024.

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  CJEU, Bundesrepublik Deutschland v Y and Z, joined cases C-71/11 and C-99/11, Grand Chamber, judgment of 5 September 2012, para. 80.

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