

# 3.16.2. Land disputes

COMMON ANALYSIS
Last update: June 2026

This profile refers to conflicts over ownership, control, or use of land that often involves individuals, families, tribes, powerful figures.

The analysis below is based on the following EUAA COI products: Country Focus 2026, 4.8.2., 4.8.3., 4.8.5., 4.8.6., 4.8.7.; Country Focus 2024, 4.6.1., 4.6.3. c.; Country Guidance should not be referred to as a source of COI.

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’. They often resurface with each change in power; the Taliban takeover led to an increase in land disputes, as many re-erupted across different areas of the country.

**Step 1: Do the reported acts amount to persecution?**

**Disputes over land would not in themselves amount to persecution**. However, the violence stemming from land disputes, together with the lack of an effective legal system to prevent it, may result in severe violations of basic human rights which would amount to persecution. In particular, it is reported that land disputes often result in threats, violence, forced evictions and displacement especially in rural areas. Several incidents of killings and injuries of individuals over land disputes were documented. Cases of de facto authorities arresting villagers involved in land disputes have been reported.

In the case of forced evictions of communities, the individual assessment of whether the discrimination and mistreatment against these communities could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures. The lack of an effective remedy for these communities should also be taken into account.

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

The individual assessment of whether there is a reasonable degree of likelihood for individuals involved in land disputes to face persecution should take into account **risk-impacting circumstances**, such as:

- **Ethnic background**: being a member of a minority group (Hazara, Tajik, Turkmen and Uzbek) increases the risk. It was reported that in general the de facto authorities support Pashtun communities. Representatives of minority communities involved in land disputes 'report feeling powerless, distrustful and fearful of the de facto authorities, often referring to their alleged bias or close connections with claimants'.
- **Power and influence of the actors involved in the land dispute**: being an individual or belonging to a community with ties to the Taliban decreases the risk.
- **Availability, accessibility and effectivity of (informal) dispute resolution mechanisms**: in cases of land and property disputes many individuals turn to informal dispute resolution methods, including community councils, such as *Shuras* and *Jirgas*.
- **Displacement**: it was reported that minorities and internally displaced persons are disproportionately affected by disputes over land and claims of usurpation.
- **Origin from rural areas**: land disputes often result in violence, especially in rural areas.

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.

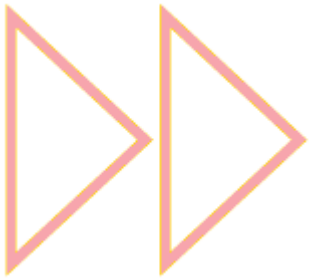
For additional information, see 3.13. Women and girls

See also 3.12.1. Individuals of Hazara ethnicity and other Shias, 3.12.4. Tajiks, 3.12.5. Turkmens and Uzbeks.

**Step 3: Is there a ground for persecution?**

The individual circumstances of the applicant need to be taken into account to determine whether or not a nexus to a reason for persecution can be substantiated in relation to the risks related to land disputes (e.g. race in relation to Taliban taking sides based on the ethnic background of the person).

Where there is no nexus to a reason for persecution, (the risk of) being subjected to forced eviction may qualify under Article 15(b) QR, depending on the severity of its consequences in the individual case.



Exclusion considerations could be relevant to this profile as individuals involved in land disputes may have engaged in excludable acts. See. 7. Exclusion.

© European Union Agency for Asylum 2026 | Email: info@euaa.europa.eu