



No Exit: Legal Persecution and the Lived Situation of LGBTI Women under Taliban Rule in Afghanistan

(2025-2026)



Rainbow Afghanistan is an independent, non-profit, community-led organisation established in Germany in May 2022 by Afghan LGBTIQ+ activists and members of the community. In 2025, Rainbow Afghanistan was formally registered as a non-profit association. Rainbow Afghanistan works to safeguard the rights, safety, human dignity and health of LGBTIQ+ people and to support their empowerment in Afghanistan. It also supports Afghan LGBTIQ+ asylum seekers, refugees and migrants in countries including Pakistan, Iran, Türkiye, Germany and elsewhere in Europe.

Rainbow Afghanistan's principal areas of work include research and the systematic documentation of human rights violations; recording survivors' testimonies in accordance with ethical standards and strict confidentiality; producing credible reports; and presenting findings to international institutions. Its work also includes education and awareness-raising on sexual orientation, gender identity and expression, and sex characteristics, as well as work on sexual and reproductive health and rights (SRHR), including access to accurate information, bodily autonomy, informed consent, sexual health and non-discriminatory access to services.

Rainbow Afghanistan works to combat violence and discrimination, reduce stigma, challenge social taboos and defend the rights of the LGBTIQ+ community. Through the production of educational resources, workshops and public awareness campaigns, national and international advocacy, and international engagement and lobbying—particularly within United Nations mechanisms and with governments and political decision-makers—Rainbow Afghanistan seeks to influence policies and mobilise concrete support for Afghanistan's LGBTIQ+ community. By submitting evidence and findings to relevant institutions and mechanisms, Rainbow Afghanistan also works to combat impunity and ensure accountability for perpetrators of human rights violations. Other key areas of Rainbow Afghanistan's work include counselling and legal and psychological support; supporting and facilitating the safe relocation of LGBTIQ+ people at risk; and providing humanitarian assistance, including medicines, food, clothing and other essential supplies, to vulnerable individuals in Afghanistan, Pakistan and Iran.

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1. Executive Summary

This report documents the legal persecution and lived experiences of lesbian, bisexual, transgender, and intersex (LBTI) women in Afghanistan under Taliban rule from January 2025 to June 2026, based on thirty individual testimonies and analysis of four Taliban issued legal instruments. The report concludes that LBTI individuals occupy a position of total legal exposure in which their identities are defined as criminal offenses, their domestic environments function as sites of confinement, their economic independence has been legislated out of existence, and international escape pathways have been systematically closed.

The Taliban has constructed an integrated four-layer legal system designed to criminalize LBTI identities and eliminate all mechanisms of escape. The Penal Code of Courts criminalizes same sex conduct and gender non conformity with penalties ranging from flogging to capital punishment. The Law on the Promotion of Virtue and Prevention of Vice transfers this criminalization into daily public life through enforcement officers who conduct arrests without judicial process. The Code on Judicial Separation of Spouses makes forced marriage legal and exit impossible. The Decrees on Women's Education and Employment remove the knowledge, income, and mobility necessary for survival or escape. Together, these instruments create a system from which no exit exists.

The thirty respondents, including twenty one transgender women, five intersex transgender women, and four lesbian women, documented severe violations including arbitrary detention, custodial torture, sexual violence, forced marriage, family violence, economic destitution, and displacement. Ten transgender women representing 48 percent experienced arbitrary arrest; nine representing 43 percent documented custodial torture; five representing 24 percent were raped by Taliban forces in detention. All experienced relentless verbal abuse and stigmatization, with systematic exclusion from education and employment.

The violations are not incidental but the direct product of the legal framework. The system operates through three reinforcing mechanisms: Family initiated state enforcement, state triggered domestic violence, and ideological reinforcement of family-based persecution. International policy decisions in late 2025 cancelling resettlement programs and deporting Afghan nationals have eliminated the final avenue of escape, making the system of control total. The report calls for urgent action by the CEDAW Committee, UN Human Rights Council, and states to recognize this crisis and provide concrete international response.

2. Introduction

This report documents the legal condition and lived experiences of lesbian, bisexual, transgender, and intersex women in Afghanistan under Taliban rule. It is based on thirty individual testimonies collected between January 2025 and June 2026, and on primary analysis of four legal instruments issued by the Taliban Supreme Leader since August 2021. The report is structured in three parts: a legal analysis of the normative framework governing LBTI individuals in Afghanistan; a findings section presenting testimonial evidence organized by respondent group and category of violation; and an analytical section examining the structural relationship between the legal framework and the violations documented in the testimonies.

The decision to examine legal instruments and individual testimonies within a single report reflects a methodological position. Human rights reporting that documents violations without examining their legal architecture risks presenting systematic persecution as a series of discrete incidents. Legal analysis that examines statutory provisions without reference to their operational consequences risks treating formal texts as self-contained objects rather than as instruments that produce real and documentable harm in the lives of specific individuals. This report proceeds from the position that neither form of analysis is adequate on its own, and that the full severity of the situation facing LBTI individuals in Afghanistan can only be assessed when the two are read together.

The legal framework examined in Part One consists of four instruments. The Penal Code of Courts¹, issued through Decree No. 12 of the Taliban Supreme Leader in March 2026, constitutes the formal basis for the criminalization of same-sex conduct and gender non-conformity, and prescribes penalties ranging from flogging and imprisonment to indefinite detention and capital punishment. The Law on the Promotion of Virtue and Prevention of Vice (LPVPV)², issued through Decree No. 1 in August 2024, transfers that criminalization from formal judicial proceedings into daily public life through the enforcement authority of the muhtasibin, who may intervene, detain, and punish without any judicial process. The Code on Judicial Separation of Spouses (CJSS)³, issued through Decree No. 18 in March 2026, creates a family law structure in which forced marriage is legally unimpeded and exit from marriage is practically foreclosed, structurally entrapping LBTI individuals within the domestic environments in which they face the greatest danger. The Decrees on Women's Education and Employment, issued in a series since August 2021, remove the instruments of knowledge, income, freedom of movement, and social connection

¹ Afghanistan Ministry of Justice (2026). Penal Code of Courts (PCC), Official Gazette No.1486. Decree No. 12.

² Afghanistan Ministry of Justice (2024). Law on the Promotion of Virtue and Prevention of Vice (LPVPV), Official Gazette No. 1452, Decree No. 1.

³ Afghanistan Ministry of Justice (2026). Code on Judicial Separation of Spouses (CJSS), Official Gazette No.1489, Decree No. 18.

without which survival or escape from persecution is not possible. These four instruments do not operate independently. Their combined effect, as this report demonstrates, is a system of control from which, for the population examined here, no exit currently exists.

The thirty respondents whose testimonies are documented in Part Two were interviewed under conditions of strict confidentiality. All names used in this report are aliases assigned to protect respondents from identification. The respondents originate from fourteen provinces across Afghanistan and represent three distinct groups: twenty-one transgender women, five intersex individuals who concurrently identify as transgender women, and four lesbian women. Their testimonies span experiences from as early as 2014, where those earlier experiences have left physical, psychological, or economic consequences that continue to define their lives in the reporting period, through to incidents documented as recently as March 2026. The violations recorded include arbitrary arrest and prolonged detention without charge, systematic physical torture in custody, rape and collective sexual assault by Taliban forces, forced marriage with no legal avenue of exit, family violence including attempted honor killing, economic destitution enforced by legal prohibition, and the progressive closure of both internal and international displacement pathways.

The reporting period coincides with a consolidation of Taliban governance that has materially worsened the conditions facing LBTI individuals on multiple fronts simultaneously. The Penal Code of Courts, the most recent of the four instruments examined in this report, was issued in March 2026 and represents the Taliban's first comprehensive codification of criminal penalties in a single formal document. Its issuance during the reporting period is significant not because it introduces entirely new categories of offense, but because it formalizes, systematizes, and explicitly grounds in classical Hanafi jurisprudence a set of provisions that had previously been applied through less consolidated mechanisms. At the same time, the cancellation of international resettlement programs for Afghan nationals and the active deportation of undocumented Afghans from neighboring jurisdictions have eliminated the final practical avenue through which individuals facing persecution were able to reach safety.

This report is submitted in the context of the CEDAW Committee's ongoing assessment of Afghanistan and the broader international monitoring of human rights conditions under Taliban rule. Its findings are intended to serve as a primary evidentiary basis for that assessment with respect to a population whose distinct and compounding vulnerabilities have not been systematically documented in prior reporting. LBTI individuals in Afghanistan do not occupy a position of restricted rights within the existing legal order. They occupy a position of total legal exposure, in which their identities are defined as criminal offenses, their domestic environments are structured as sites of confinement, their economic independence has been legislated out of existence, and the international pathways that once offered a last resort have been closed. The purpose of this report is to ensure that this condition is understood,

in its full legal and human dimensions, by those with the authority and the obligation to respond to it.

3. Research Methodology and Limitations

3.1 Research Design

This report employs a qualitative human rights research design integrating two distinct but interrelated bodies of evidence: primary legal analysis of Taliban legislative instruments and direct individual testimony. The research was conducted between January 2025 and June 2026. The decision to examine legal texts and lived experiences within a single analytical framework reflects a core methodological position: that the severity of the situation facing LBTI individuals in Afghanistan can only be adequately assessed when the normative architecture of persecution and its human consequences are read together.

3.2 Data Collection

Thirty semi-structured interviews were conducted with individuals self-identifying as lesbian, bisexual, transgender, or intersex. Respondents were identified through a purposive sampling methodology, prioritizing geographic diversity across provinces and representation across the three respondent groups examined in this report. Initial contact was established exclusively through trusted intermediary networks with pre-existing relationships with LBTI individuals inside Afghanistan and in Pakistan. Recruitment through open or public channels was not pursued, as doing so would have created unacceptable security risks for potential participants.

Interviews were conducted individually, in Dari and in some cases Pashto, under conditions of strict confidentiality. Questions were open-ended and organized around the thematic categories of violation examined in the Findings section, with respondents encouraged to describe their experiences in their own terms. Where security concerns or trauma required it, interviews were conducted across multiple sessions or abbreviated at the respondent's request. Interpreters used in the process were experienced in working with LBTI individuals in human rights contexts and were bound by the same confidentiality obligations as the research team.

The legal analysis is based on the official Arabic and Dari texts of the four instruments as published in the Taliban's Official Gazette. All translations of cited provisions were produced and verified by the research team against the original texts. Jurisprudential sources referenced in the instruments' footnotes were consulted in their original Arabic to assess the broader doctrinal context in which the provisions operate.

3.3 Data Analysis

Testimonial data was analyzed using thematic analysis as the primary analytical method. Following transcription and translation of interview materials, data was systematically coded through an initial open coding phase in which recurring

experiences, violation types, perpetrator categories, and contextual factors were identified across the full dataset without prior categorization. Codes were subsequently grouped into broader themes through an iterative process of review and refinement, resulting in the three primary thematic categories structuring the Findings section: state and systematic violence, family and domestic violence, and social and economic violence. Sub-themes within each category, including arbitrary detention, custodial torture, forced marriage, economic erasure, and displacement, emerged from the data rather than being imposed upon it, ensuring that the analytical structure of the report reflects the actual patterns present in respondents' testimonies rather than a predetermined framework.

Each testimony was additionally assessed for internal consistency and, where possible, cross-referenced against corroborating evidence including medical records, photographs, and the accounts of other respondents describing incidents involving the same locations, time periods, or perpetrating actors. Where independent corroboration was not available, testimonies were assessed on the basis of their internal coherence, specificity of detail, and consistency with patterns documented across the broader respondent group.

Legal analysis proceeded through close textual reading of each instrument's provisions, examination of their jurisprudential footnotes and cited sources, and assessment of their combined operational effect as an integrated system of control. The relationship between specific legal provisions and specific categories of documented violation was traced systematically to establish the structural, rather than merely coincidental, connection between legislative design and lived experience. The thematic categories derived from the testimonial analysis were then mapped against the legal framework to assess the degree to which documented violations correspond to the enforcement mechanisms prescribed or enabled by each instrument.

3.4 Confidentiality and Protection of Respondents

The protection of respondents was treated as the paramount ethical obligation throughout the research process, taking precedence over any methodological preference for standardized documentation procedures. All respondents are identified in this report exclusively by aliases assigned by the research team, bearing no relationship to their actual names. No identifying information, including precise location, occupation, or family composition, has been included where it could contribute to a respondent's identification. Where specific details of an incident could pose an identification risk, those details have been generalized to the minimum degree necessary without materially affecting the evidentiary value of the testimony. Informed consent was obtained from all respondents prior to interview; where written consent would have created a physical record posing a security risk, verbal consent was obtained and documented by the researcher.

3.5 Limitations

The most significant limitation of this research is access. The systematic criminalization of LGBTI identities under the legal framework analyzed in this report means that the population examined here is, by definition, a hidden population. The thirty respondents are individuals who have, in most cases, already experienced severe violations and subsequently made contact with intermediary networks through which they could be reached. This introduces a systematic selection effect: the testimonies documented here likely reflect the more severe end of the spectrum of experiences facing LGBTI individuals in Afghanistan, and the actual scope of violations across the broader population is almost certainly more extensive than this report can document.

Geographic representation is a further constraint. Respondents are concentrated in urban and peri-urban areas, particularly Kabul, Mazar-e-Sharif, and Jalalabad. Rural LGBTI individuals, who face geographic isolation, reduced access to support networks, and more intensive community surveillance, are significantly underrepresented. The Penal Code of Courts, one of the four instruments analyzed in this report, was issued in March 2026 during the final months of the research period; its full operational consequences had not yet manifested at the time of the last interviews, and the analysis of this instrument is therefore based on its textual provisions and their relationship to prior enforcement patterns rather than on a complete record of its operational impact. Finally, Taliban authorities were not contacted for a response to the findings presented here, as doing so was assessed as posing an unacceptable risk to respondents and intermediary networks.

4. Legal Status of LGBTI Women Under Taliban Rule

Since August 2021, when the Taliban regained control of Afghanistan, the country's legal foundation underwent a fundamental transformation. The 2004 Constitution, which guaranteed a minimum of individual protections, was set aside and replaced with a system whose sole source of legitimacy is the Taliban leadership's interpretation of classical Hanafi jurisprudence. In this system, there is no independent legislative body, no written constitution guaranteeing individual rights, and no independent review mechanism capable of challenging the Taliban Supreme Leader's decrees. Every law, and every decree acquires validity solely through the Supreme Leader's formal approval.

Within this framework, LGBTI individuals hold no legal standing. This is not a matter of restricted rights but a more precise condition: their identities exist in the legal system exclusively as criminal offenses. Gender, within the governing jurisprudential framework, is divided into two fixed, immutable categories determined at birth. Transgender identity is neither recognized nor registrable in identity documents, before courts, or by any administrative authority. Same-sex sexual orientation is not treated as part of human diversity; it is explicitly defined as a criminal act.

Consequently, these individuals have no legal protection, no procedural standing, and no avenue for recourse within the existing legal system. They face only prosecution.

What distinguishes this situation from many other repressive legal systems is its multi-layered character. In many jurisdictions, criminalization statutes exist alongside practical spaces of evasion or concealment. In Afghanistan under Taliban rule, four distinct legal layers operate together to close every such space: explicit criminalization in the Penal Code of Courts; daily enforcement without judicial process through the Law on the Promotion of Virtue and Prevention of Vice; structural entrapment within forced family relationships through the Code on Judicial Separation of Spouses; and the systematic removal of the instruments of independence through the Decrees on Women's Education and Employment. These four layers are the subject of this section.

5. Legislative Documents Under Analysis

This section analyzes four legal instruments that together constitute the operative framework governing the situation of LGBTI individuals in Afghanistan. Each instrument is examined in terms of its formal provisions, its jurisprudential basis, and its specific impact on LGBTI women and intersex individuals.

The Penal Code of Courts was published in Official Gazette No. 1486 through Decree No. 12 of the Taliban Supreme Leader on March 14, 2026. The document contains a preamble, three chapters, ten sections, and 119 articles. It constitutes the formal basis for criminalization and prescribes criminal penalties for a wide range of behaviors and identities, all formulated on the basis of classical Hanafi jurisprudence with direct references to primary jurisprudential sources.

The Law on the Promotion of Virtue and Prevention of Vice was published in Official Gazette No. 1452 through Decree No. 1 of the Taliban Supreme Leader in Asad 1403 (Solar Hijri). The document contains two chapters and twenty-seven articles, with detailed enumerations of prohibited acts (*munkaraat*) that the Ministry's enforcers (*muhtasibin*) are obligated to prevent. The fundamental distinction between this law and the Penal Code lies in its enforcement mechanism: not courts and judges, but *muhtasibin*, who have the authority to intervene immediately in public spaces without any judicial process.

The Code on Judicial Separation of Spouses (*Osulnama-ye Tafriq-e Zawjain*) was published in Official Gazette No. 1489 through Decree No. 18 of the Taliban Supreme Leader in Hamal 1405 (Solar Hijri). The document contains a preamble, two chapters, twelve sections, and thirty-one articles governing the dissolution of marriage and family rights. This instrument makes no mention of LGBTI individuals, but creates a structure in which forced marriage is legally unimpeded, exit from it is practically blocked, and any attempt at exit can expose a person's identity and subject them to criminal prosecution under the preceding instruments.

The Decrees on Women's Education and Employment constitute a series of consecutive decrees issued since August 2021 that have broadly restricted women's education, employment, and independent movement. Enforcement in the field is carried out by the same muhtasibin operating under the Law on the Promotion of Virtue and Prevention of Vice. From the perspective of direct impact, these decrees constitute the fourth layer of control: not by criminalizing identity directly, but by removing every tool necessary for awareness, independence, or escape from high-risk situations.

The combined effect of these four instruments is that no dimension of LGBTI individuals' lives remains beyond the reach of formal legal control. The Penal Code criminalizes identity. The Law on the Promotion of Virtue and Prevention of Vice brings that criminalization from the courts into everyday public space. The Code on Judicial Separation of Spouses ensures that individuals are confined in forced family structures with no legal avenue for exit. The education and employment decrees remove every instrument of knowledge, income, freedom of movement, and social connection necessary for survival or escape. Each instrument is examined in detail below.

An illustration showing a person's hand and forearm in a blue sleeve, with a metal handcuff attached to a vertical prison bar. The handcuff is connected by a chain to another cuff hanging down. The background shows a prison cell with multiple vertical bars and a tiled floor.

5.1 The Penal Code of Courts

Official Gazette No. 1486 | Decree No. 12 of the Taliban Supreme Leader | March 14, 2026 | 3 Chapters, 10 Sections, 119 Articles

The Penal Code of Courts is formulated entirely on the basis of classical Hanafi jurisprudence. Its jurisprudential footnotes reference primary sources including Radd al-Muhtar, Bada'l al-Sana'l, and al-Fatawa al-Hindiyya. The central instrument of this Code is ta'zir, a category of discretionary punishment that, unlike the fixed hadd penalties, carries no legislatively prescribed quantum and is determined entirely by the presiding judge. This flexibility makes ta'zir both the most frequently applied and the most unpredictable instrument against LGBTI individuals.

Application of Liwat Provisions to Transgender Individuals

To understand the Code's application to transgender individuals, it is necessary to establish what the governing jurisprudential framework does not recognize. Within this system, gender is treated as a fixed biological fact determined at birth and not subject to modification. Transgender identity, meaning the individual's experienced gender identity as distinct from the gender assigned at birth, is neither recognized nor registrable. A transgender woman whose gender assigned at birth was male is, before the Emirate's courts, permanently classified as male. Accordingly, any relationship she has with a man, irrespective of her actual identity, is treated in law as a relationship between two men and falls within the provisions on liwat (same-sex intercourse between men). This is not an expansive judicial interpretation; it is the direct and

unavoidable structural consequence of the system's categorical non-recognition of transgender identity.

Prescribed Punishments: Flogging, Imprisonment, and Execution

Article 9 of the Code establishes a sentencing criterion that governs all subsequent penalties: the degree of ta'zir is calibrated to the perpetrator's perceived social standing. Individuals classified as distinguished community members or persons of social standing are punished with verbal reprimand or imprisonment; individuals classified as belonging to the lower social strata are punished with lashes. Since LGBTI individuals are typically expelled from their families, lack tribal backing, and are excluded from protective social networks, they are in practice placed in the lower category, and their punishments overwhelmingly take the form of flogging.

Article 37 governs unlawful sexual conduct and prescribes one year of imprisonment for kissing, touching, and physical embrace, explicitly including acts that do not involve penetration. Physical intimacy is thus defined as an independent criminal offense independent of any completed sexual act.

Article 60 is the most consequential provision for LGBTI individuals. It criminalizes liwat and prescribes two years of imprisonment. The provision's most dangerous element is its second ruling:

"Any person against whom liwat is proven by the shari'a method in the presence of the judge is guilty; the judge shall sentence him to two years of imprisonment. If liwat was his habit, then with the permission of the Imam, he shall be killed." (Article 60, Penal Code of Courts)

The jurisprudential footnote to Article 60, drawn from Radd al-Muhtar, provides that even two repetitions may be interpreted as constituting a habit. For a transgender individual for whom any intimate relationship is automatically classified as liwat under the Code's gender categories, repetition is structurally inevitable rather than a matter of choice. Article 14 opens an independent path to capital punishment: it provides that a repeat offender of liwat may, on the basis of the vague criterion of public interest (maslaha al-amma) and with the permission of the Imam, be executed. This pathway operates independently of Article 60, meaning that even after serving a two-year custodial sentence, the threat of execution remains legally operative.

Lesbian Women: Ta'zir in Place of Hadd

Sexual relations between two women do not fall within the hadd punishment for zina in classical Hanafi jurisprudence, as penetration in the jurisprudential sense is held not to occur. This does not mean the absence of punishment. Article 15 precisely fills this gap through the ta'zir mechanism. Because ta'zir carries no fixed quantum, the severity of punishment is entirely at judicial discretion. In combination with Article 9, which directs harsher physical punishment toward individuals without social standing, ta'zir in practice takes the form of flogging for lesbian women who lack family support.

Article 37 applies equally in this context: kissing and touching between women, without penetration, carry one year of imprisonment as an independent offense.

Criminalization of Identity Rather Than Conduct

One of the most significant features of this Code is that criminalization is not limited to specific acts. Article 2 places the term *luti* (a person who engages in *liwat*) within the category of those who spread corruption (*fasad*) and who, in the jurisprudential language of the provision, are not corrected except by death. This definition operates at the level of social identity rather than specific proven conduct.

Article 47 grants the judge authority to impose *ta'zir* on a person who has merely acquired a reputation for corruption, without proof of any specific criminal act. Being known in one's community as a person of a different identity or orientation is thus itself sufficient grounds for punishment. Article 59, in its jurisprudential footnote, classifies *mukhannas* (an effeminate or gender-nonconforming person) as deserving of *ta'zir* and imprisonment until repentance. Because what is expected to be renounced is an identity rather than a specific act, this provision amounts to indefinite detention with no defined horizon of release. Article 40 prescribes one month of imprisonment for associating with persons classified as corrupt (*fasiqun*), thereby effectively criminalizing any support network available to LBTI individuals.

Analytical Assessment

The Penal Code of Courts creates a spectrum of criminal penalties stretching from flogging and short-term imprisonment through indefinite detention to capital punishment. This spectrum targets identity as a category rather than specific proven conduct. The provisions examined above demonstrate that an LBTI individual's existence within the formal legal system is not a neutral condition subject to selective prosecution; it is a permanently criminalized status. The following section examines how these criminal penalties are transferred from the courts into everyday public life.

5.2 The Law on the Promotion of Virtue and Prevention of Vice

Official Gazette No. 1452 | Decree No. 1 of the Taliban Supreme Leader | July 31, 2024 | 2 Chapters, 27 Articles

If the Penal Code is the formal legal basis for criminalization, this Law is its executive instrument in public space. The gap between a written criminal statute and the lived experience of targeted individuals is typically bridged by the law's enforcement structure. In this case, that structure is the Ministry for the Promotion of Virtue and Prevention of Vice and its field enforcers, the *muhtasibin*. Under the Penal Code, prosecution is theoretically mediated by courts: a complaint must be filed, an investigation conducted, and a judge must rule. This Law grants *muhtasibin* the authority to intervene immediately in public spaces without any prior judicial process. An LBTI individual may encounter both instruments in sequence: first subjected to arrest and extrajudicial punishment by a *muhtasib* in a public space, and then, where

the muhtasib deems it necessary, referred to court for the full range of Penal Code penalties.

Explicit Criminalization of LBTI Identities

Article 22 defines a list of specific prohibited acts (*munkaraat khassa*) that the muhtasib is obligated to prevent. Paragraph 2 of this Article places *takhannuth* (cross-dressing and gender non-conforming behavior) in this enumerated list, using the jurisprudential term *zanaka-bazi*. For a transgender woman, any form of gender expression consistent with her actual identity, including clothing, manner of speech, and social behavior, constitutes grounds for immediate muhtasib intervention in public spaces.

Paragraph 3 of Article 22 adds *sihaq*, which the Law's own text translates as female same-sex intercourse, to the same enumerated list. The jurisprudential footnote to this paragraph describes *sihaq* as prohibited by reason, by *shari'a*, and by nature (*muharrama aqlan wa-shar'an wa-tab'an*), granting muhtasibin explicit ideological authority to act with particular severity against lesbian women. Paragraph 4 adds *liwat* and, by including the phrase "even with one's own wife," expressly declares that the privacy of the marital home is not exempt from surveillance. The concept of a protected private sphere has no operative place in this legal system.

Paragraph 7 criminalizes the creation of conditions or provision of means for any of the above. This paragraph targets the social environment surrounding LBTI individuals: any person who has provided space, accommodation, or material assistance to these individuals is subject to prosecution. The practical consequence is the systematic elimination of any support network. The social environment of LBTI individuals is transformed from a potential source of protection into a source of danger both for themselves and for those who might assist them.

Control of Appearance and Dress

Article 13 prescribes detailed requirements for lawful Islamic dress (*hijab shar'i*) in nine separate paragraphs. Transgender men, who are categorized as women in the formal system, are subject to all these requirements without exception. Simultaneously, any adoption of male dress constitutes *takhannuth* and triggers muhtasib intervention from the opposite direction. There is accordingly no mode of dress that is legally safe for a transgender man: any choice of clothing may serve as the formal pretext for enforcement action. Paragraphs 18 and 19 of Article 22 additionally classify shaving the beard and wearing hair in a manner deemed non-compliant with *shari'a* requirements as prohibited acts subject to enforcement, creating a constant and unavoidable threat for intersex individuals whose secondary sex characteristics may not conform to the norms these provisions presuppose.

Muhtasib Penalties: Scope and Absence of Ceiling

Article 24 defines seven graduated levels of *ta'zir* that a muhtasib may apply in the field. The first level is verbal advice. The second is public reprimand. The third is

detention of one to twenty-four hours. The fourth is itlaf al-mal, the confiscation and destruction of property. For transgender individuals who may have obtained affirming clothing and personal items with considerable difficulty, this measure carries identity-based harm beyond its material dimension. The fifth level is detention of one to three days. The sixth is referral for long-term imprisonment. The seventh is any punishment the muhtasib deems appropriate, a formulation that contains no ceiling and no specific criteria, constituting the broadest and most dangerous enforcement authority granted by the Law.

Article 26 provides that a violator who does not reform is referred to court. For LBTI individuals, whose identity rather than a specific act is the basis of the muhtasib's intervention, the condition of reform cannot be satisfied. Referral to court and exposure to the full spectrum of Penal Code penalties is therefore a structurally inevitable outcome, not a conditional one.

Analytical Assessment

The Law on the Promotion of Virtue and Prevention of Vice transfers the criminal framework of the Penal Code from formal judicial proceedings into the fabric of daily public life. Together, these two instruments create a two-layered enforcement system in which neither formal proof and judicial process is required for immediate punishment, nor, once a person reaches court, is there any procedural pathway that offers protection from the full range of criminal penalties. The following section examines how LBTI individuals are additionally prevented, through family law, from escaping the domestic environments in which they face the greatest danger.

5.3 The Code on Judicial Separation of Spouses

Official Gazette No. 1489 | Decree No. 18 of the Taliban Supreme Leader | April 08, 2026 | 2 Chapters, 12 Sections, 31 Articles

The two preceding instruments define criminal penalties. This Code creates a different category of harm: it structurally entraps LBTI individuals within high-risk domestic environments from which there is no legal avenue of exit. The Code on Judicial Separation of Spouses contains no reference to LBTI individuals. It operates instead by constructing a marriage and guardianship system in which entry into marriage is possible without an individual's genuine consent, exit from marriage is practically foreclosed without the husband's agreement, and any attempt to pursue legal dissolution carries the risk of exposing an individual's identity to the very courts where that identity constitutes a criminal offense.

Elimination of Individual Agency in Marriage

Article 3 provides explicitly that a marriage contract concluded by a woman without the permission of her wali (legal guardian), with a man deemed not to be of comparable social standing (ghayr kaf'), is invalid. This provision renders not only the choice of partner, but the refusal of marriage itself, legally impermissible without the guardian's authorization. Article 8 limits the circumstances in which a guardian's decision may be

challenged, categorized as misconduct (*su' ikhtiyar*), to cases of depravity (*fisq*) and legal incapacity. A guardian who compels an LGBTI child into marriage on the basis of traditional or religious values has accordingly committed no legal violation cognizable under this Code. Forced marriage is thus legally unimpeded in the overwhelming majority of documented cases.

Article 6 invalidates marriages with non-comparable partners, but comparability (*kafa'a*) is defined in this Code by reference to lineage, ancestry, and religion, not by the individual's will or the presence of genuine consent. This exception cannot therefore be invoked by a person who refuses marriage on grounds of sexual orientation or gender identity. Article 5 recognizes the *khiyar al-bulugh*, the right of a minor to annul a marriage contracted on her behalf by a guardian other than her father or paternal grandfather upon reaching puberty, but immediately qualifies this right by requiring that the annulment be obtained by court order. For a lesbian or transgender individual whose identity constitutes a criminal offense before the same courts, pursuing this procedural remedy carries the direct risk that a family dispute becomes the occasion for criminal prosecution.

Systematic Foreclosure of Exit

Article 7 establishes a particularly consequential provision: the *khiyar al-bulugh* of a virgin is extinguished by silence after reaching puberty. A woman who remains silent, whether from fear, ignorance of her legal rights, or inability to assert objection within the family environment, automatically forfeits the right of annulment. Silence is treated by this provision as consent, in circumstances where it is most frequently the product of coercion, confinement, or the absence of any safe means of objection.

Even if a person reaches the stage of formally requesting dissolution, Article 19 provides that the judge cannot issue a dissolution order on the basis of the wife's request alone and without the husband's agreement. Paragraph 3 of Article 22 confirms this restriction even in cases where injustice has been established: arbiters (*hakaman*) and the presiding judge cannot grant dissolution, even upon formal finding of harm, without the husband's consent. For a lesbian woman trapped in a forced marriage, this means that documented evidence of domestic violence does not produce a legal remedy in the absence of cooperation from the perpetrator of that violence.

The Structural Trap for Transgender Men

The situation of transgender men under this Code illustrates with particular clarity the operation of a structural legal trap. Transgender men are classified as women in the formal system, and all the restrictions of this Code therefore apply to them in full: forced entry into marriage is legally possible, exit is foreclosed, and silence is deemed consent. Should their gender identity be revealed in the course of any family or dissolution proceeding, the same court before which they are appearing on a family matter may treat that disclosure as the basis for criminal prosecution under the *liwat* provisions of the Penal Code. Both concealment of identity and disclosure of identity

expose transgender men to serious harm within this system, and no legally safe path exists between the two.

International Law Assessment

The Code on Judicial Separation of Spouses adds the third layer of control to the framework examined in this section. Where the preceding two instruments criminalize identity and bring that criminalization into public space, this Code ensures that individuals are confined within forced family structures from which no legal exit exists. This structure gives rise to serious concerns under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in particular with respect to the equal right to dissolution of marriage under Article 16 and the state's obligation to eliminate discriminatory laws under Article 2.

5.4 Decrees

If the three preceding instruments define the legal position of LBTI individuals within the Taliban's normative framework, the decrees examined in this section remove the practical tools that would enable any resistance to, or escape from, that position. From August 2021 to the present, a series of decrees has been issued that have progressively and comprehensively restricted women's education, employment, and independent movement. Education of girls above grade six was prohibited from March 2022. Higher education for women was suspended from December 2022. Women's employment in non-governmental organizations was prohibited. Employment was restricted across broad sectors of government service. In September 2025, female employees of international offices were precluded from returning to work. The March 2024 decree declared unaccompanied movement by women, meaning movement without a male mahram (close male relative), a punishable offense. Enforcement of all these decrees is carried out in the field by the same muhtasibin operating under the Law on the Promotion of Virtue and Prevention of Vice, who possess the authority to detain individuals on the spot and refer them to courts.

Deprivation of Education: Severing Access to Knowledge and Networks

The relationship between education and physical security for LBTI individuals is direct and material. Access to education means access to information about legal rights, familiarity with asylum procedures, the capacity to read legal documents, and the practical ability to communicate with support organizations and legal representatives. An individual who does not know what options exist cannot pursue them. Beyond the informational dimension, educational environments, even under conditions of significant control, provided spaces in which social connection outside the immediate family circle was possible. The closure of these environments eliminates not only access to formal knowledge but also the last available opportunities for building contact with individuals in comparable circumstances.

Deprivation of Employment: Enforced Economic Dependency

Economic independence is a prerequisite for every other form of independence. For an individual seeking to leave a violent family environment, pursue asylum, or establish an autonomous life, an independent income is a structural necessity. The prohibition on women's employment across broad sectors has eliminated this possibility for the population examined in this report. Enforced economic dependency on family or spouse, for an individual whose identity places them at risk within that same domestic environment, means that no practical escape option exists. This situation is particularly acute for LBTI individuals who are frequently expelled from family structures or face the threat of expulsion. The mahram decree additionally restricts the physical ability to leave the home environment, even for the purpose of seeking basic necessities.

Analytical Assessment

These decrees are formally gender-based in their articulation; they are directed at women as a category rather than at sexual orientation or gender identity as such. LBTI individuals who are classified as women in the formal system are, however, subject to all these restrictions simultaneously, while also facing the criminalization of their identities under the preceding instruments. These decrees add the fourth and final layer to the control system: not through direct penalization of identity, but through the systematic removal of every instrument, comprising knowledge, income, freedom of movement, and social network, that is necessary for survival or escape.

Deprivation of Access to Healthcare: Denial of Physical and Psychological Survival

The restrictions imposed by Taliban authorities on women's medical education, women's employment in humanitarian sectors, freedom of movement, and access to public services have collectively undermined access to healthcare throughout Afghanistan. While these measures are formally directed at women as a category, their impact is particularly severe for LBTI individuals who are simultaneously subjected to criminalization, surveillance, and social exclusion.

The December 2024 decree prohibiting women from attending medical institutes represents one of the most consequential restrictions in this regard. By preventing women from training as nurses, midwives, laboratory technicians, and other healthcare professionals, the decree directly weakens the future capacity of Afghanistan's healthcare system. This restriction is especially significant in a context where women are frequently expected or required to receive treatment from female healthcare personnel. The resulting shortage of female healthcare providers creates a structural barrier to healthcare access for women and girls across the country.

For LBTI individuals, these barriers are significantly compounded. Many lesbian women, transgender women, and intersex individuals avoid healthcare facilities because they fear that their appearance, identity, or personal circumstances may

expose them to humiliation, denunciation, arbitrary detention, or violence. The Law on the Promotion of Virtue and Prevention of Vice has normalized public scrutiny of appearance and gender expression while granting broad powers to morality enforcement personnel. In practice, seeking healthcare may itself become a source of risk for individuals whose gender expression or perceived identity does not conform to Taliban norms.

Restrictions on women's employment in humanitarian and non-governmental organizations further reduce the availability of healthcare and psychosocial support services. Many organizations that previously provided trauma counselling, sexual and reproductive healthcare, protection services, and emergency assistance have reduced or suspended operations due to restrictions on female staff participation. For LBTI individuals, who frequently experience violence, forced displacement, family rejection, and severe psychological distress, the loss of these services removes some of the few remaining sources of support available outside the family structure.

The restrictions associated with the mahram requirement create an additional obstacle. Accessing healthcare often requires travel to clinics, hospitals, or specialized treatment facilities. Many LBTI individuals cannot safely rely on family members to accompany them because doing so may expose them to violence, coercion, forced disclosure of their identity, or further persecution. Others have already been expelled from their homes or forced into concealment. As a result, restrictions on independent movement disproportionately impede their ability to obtain even basic medical treatment.

The consequences extend beyond physical healthcare. Many survivors of arbitrary detention, torture, rape, and other forms of violence require long-term medical and psychological treatment. Yet the cumulative effect of Taliban policies has substantially reduced access to both physical rehabilitation and mental health services. Individuals who have survived severe trauma are therefore left without effective avenues for recovery, treatment, or protection.

Analytical Assessment

Unlike the Penal Code of Courts and the Law on the Promotion of Virtue and Prevention of Vice, healthcare-related restrictions do not explicitly target sexual orientation or gender identity. Their discriminatory impact nevertheless falls disproportionately on LBTI individuals. Persons whose identities are already criminalized, whose movement is restricted, and whose social support networks are often absent are significantly less able than others to overcome barriers to healthcare access. Measures that constitute serious obstacles for women generally become nearly insurmountable barriers for individuals simultaneously exposed to identity-based persecution.

The deprivation of healthcare therefore constitutes more than a public health concern. Within the broader legal framework examined in this report, it functions as an additional mechanism of control by denying access to physical recovery, psychological

support, and essential services necessary for survival. If the education decrees remove access to knowledge and the employment decrees remove economic independence, healthcare-related restrictions remove access to physical and psychological well-being itself. Their cumulative effect is to deepen the vulnerability, dependency, isolation, and marginalization of LGBTI individuals in Afghanistan.

5.5 Conclusion: The Combined Effect of the Four Legal Layers

The four legal instruments examined in this section together constitute a system of control in which, as a structural matter, all exits are foreclosed. The Penal Code of Courts criminalizes identity and prescribes punishments ranging from flogging and imprisonment to indefinite detention and capital punishment. The Law on the Promotion of Virtue and Prevention of Vice brings those punishments from formal court proceedings into everyday public space and makes immediate extrajudicial enforcement possible without any judicial process. The Code on Judicial Separation of Spouses ensures that LGBTI individuals are confined within forced family structures with no legally available exit. The Decrees on Women's Education and Employment remove every tool, comprising knowledge, income, freedom of movement, and social connection, necessary for survival or escape.

Assessing each instrument in isolation produces an incomplete picture of the actual situation. What makes this legal framework exceptional in its severity is the relationship between the four instruments: forced entry into marriage is legally unimpeded; exit is structurally foreclosed; identity itself is a criminal offense across all four layers; and every practical instrument of resistance has been removed. Each layer reinforces and depends upon the others, creating a system whose cumulative effect is categorically more severe than the sum of its individual components.

The CEDAW Committee, in its assessment of Afghanistan's legal situation, must evaluate these four layers in their totality. The violations documented in the testimonies that follow this section are not incidental to the legal framework analyzed here. They are its direct, systematic, and foreseeable product.

6. Findings

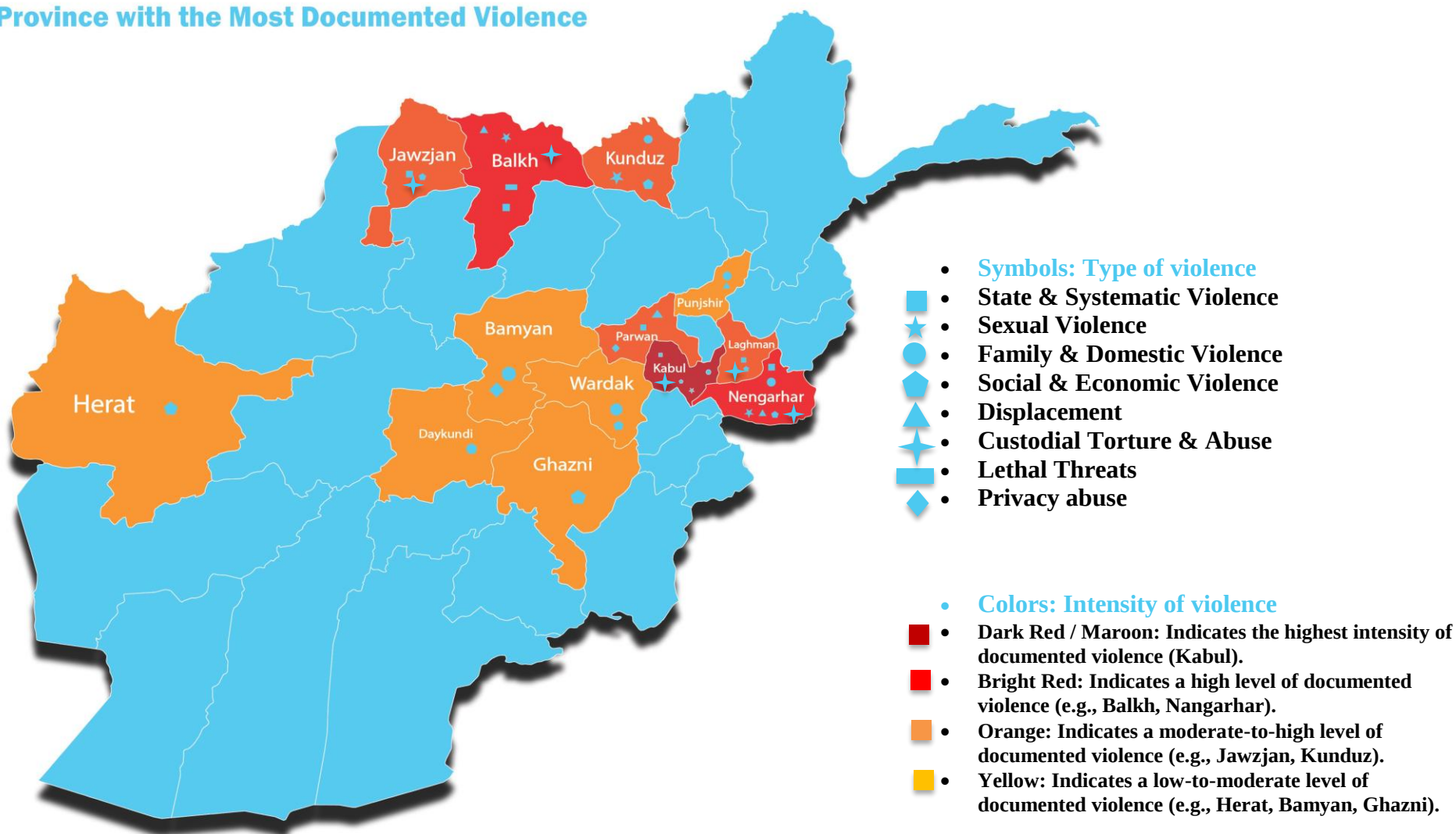
This section documents the lived experiences of 30 individuals interviewed for this report. The respondents are organized into three groups according to their self-identified gender identity and sexual orientation: transgender women, intersex individuals who concurrently identify as transgender women, and lesbian women. Each group is examined separately in terms of the violations they have experienced, organized thematically across three categories of harm: state and systematic violence, family and domestic violence, and social and economic violence.

The 30 respondents originate from fourteen provinces across Afghanistan, including Kabul, Nangarhar, Balkh, Kunduz, Baghlan, Ghazni, Herat, Laghman, Parwan, Panjshir, Maidan Wardak, Daykundi, Jawzjan, and Nangarhar. At the time of interview,

the majority were residing in Kabul and Nangarhar, with additional respondents located in Balkh, Kunduz, Herat, and Jawzjan. The highest density of documented violations was recorded in Kabul, followed by Balkh, Nangarhar, Kunduz, Jawzjan, Parwan, and Laghman. Three respondents were residing outside Afghanistan at the time of interview, in Islamabad and Peshawar, Pakistan, having been forced into cross-border displacement prior to or during the reporting period.

Of the 30 respondents, 21 (70 percent) identified as transgender women, five (17 percent) as intersex individuals who concurrently identify as transgender women, and four (13 percent) as lesbian women. The primary reporting period covers January 2025 through June 2026, during which the majority of documented incidents occurred. Where violations predate this period, they are included on the basis that their physical, psychological, or economic consequences continue to define the respondents' lives within the reporting period. Earlier incidents that have left no such continuing harm fall outside the scope of this section

The Province with the Most Documented Violence



6.1 The Lived Experiences of Transgender Women in Afghanistan



6.1.1 Introduction and Statistical Overview

Out of the 30 individuals interviewed for this comprehensive human rights report, 26 respondents identified as transgender women. Of these, five individuals who concurrently identified as intersex are documented separately in the intersex findings section of this report. The remaining 21 transgender women, whose testimonies form the basis of this section, are identified by their aliases as Almas, Zulaikha, Zeba, Ziba Gul, Sita, Raihan, Hania, Khalida, Raihan, Vara, Nisan, Arshiya, Zuhail, Bahar, Setara, Maryam, Pari, Niki, Azita, Alia, and Tabu.

The 21 respondents originate from a range of provinces across Afghanistan. Ten individuals originate from Kabul and its immediate surrounding provinces, including Parwan and Panjshir. Six originate from the eastern provinces of Nangarhar and Laghman. Two originate from Balkh in the north, two from Ghazni in the central region, and one from Herat in the west. At the time of interview, ten respondents were residing in Kabul, six in Nangarhar and Jalalabad, two in Balkh and Mazar-e-Sharif, two in Kunduz, and one in Herat. These locations also correspond to the primary geographic concentrations of documented violations, with the highest density of recorded incidents occurring in Kabul, followed by Balkh and Mazar-e-Sharif, Nangarhar and Jalalabad, Kunduz, Jawzjan, Parwan, and Laghman.

The documented testimonies of these 21 individuals reveal severe, overlapping patterns of state-perpetrated violence, domestic and familial abuse, economic erasure, and systemic social persecution. The non-conforming gender identities of these respondents render them exceptionally vulnerable to a distinct and compounding spectrum of human rights violations, executed interchangeably by forces of the ruling group, non-state armed actors, community members, and immediate family units intent on violently policing gender non-conformity. This report organizes those violations into three thematic sections: state and systematic violence; family and domestic violence; and social and economic violence. Within each section, documented incidents from 2025 and 2026 are presented first, followed by earlier cases whose consequences continue to define respondents' lives in the reporting period.

6.1.2 State and Systematic Violence

Forces of the ruling group actively and systematically identify, intercept, and arbitrarily detain transgender women across Afghanistan's provinces due to their non-conforming gender expressions, feminine appearance, and perceived identity. This pattern of state-perpetrated violence remains an acute, active reality in 2025 and 2026, with documented cases spanning Kabul, Balkh, Nangarhar, Jawzjan, and Parwan provinces. Survivors face a cascading sequence of violations including arbitrary arrest, brutal physical torture, custodial rape, and armed intimidation in public spaces, each compounding the destruction inflicted by the preceding violation. For those whose ordeals began in earlier years, the injuries, trauma, and enforced invisibility of those experiences continue to dictate their daily existence through 2025 and 2026. The

complete absence of legal recourse or institutional protection renders these women entirely defenseless within the very structures nominally responsible for their safety.

A quantitative breakdown of state-perpetrated violations reveals the structural and pervasive nature of this violence across four primary sub-categories. Ten of the 21 respondents, representing 48 percent of the group, documented experiences of arbitrary arrest and custodial detention, with cases spanning the period from January 2022 to February 2026 across Kabul, Balkh, Nangarhar, Jawzjan, and Parwan. Nine respondents, representing 43 percent, documented systematic physical torture in custody, including beatings with whips, cables, rifle butts, fists and boots, electric shock, forced starvation, deprivation of water, and deliberate denial of medical care. Five respondents, representing 24 percent, documented custodial rape and sexual violence perpetrated directly by Taliban forces between 2021 and 2025, with the two most recent cases recorded in October 2025 in Kabul. A further five respondents, representing 24 percent, experienced systematic harassment, humiliation, and explicit threats of lethal violence at Taliban checkpoints and in public spaces, creating a permanent climate of terror that severely restricts freedom of movement across all provinces of residence.

Arbitrary Arrest and Custodial Detention

Taliban forces detain transgender women without legal warrant, due process, or formal charges across multiple provinces, targeting them solely on the basis of their appearance, behavior, or gender expression. The ten documented cases of arbitrary arrest span the period from January 2022 to February 2026 and cover the provinces of Kabul, Balkh, Nangarhar, Jawzjan, and Parwan, demonstrating the geographic breadth and temporal continuity of this enforcement pattern. In several cases, arrest followed direct reports by neighbors, family members, or community figures, illustrating the degree to which Taliban enforcement has penetrated and instrumentalized civilian social networks. The 2025 and 2026 cases confirm that this pattern has not diminished but intensified under consolidated Taliban rule.

Vara was arrested in Jalalabad in February 2026 by the Ministry for the Promotion of Virtue and Prevention of Vice, held in solitary confinement for two days, and subjected to humiliating treatment intended to erase her identity:

“On February, 15 2026, while I was in Jalalabad city in Nangarhar, two members of the Taliban’s Ministry for the Promotion of Virtue and Prevention of Vice arrested me. They asked why I was acting in a feminine way and why I wore and behaved like a girl. They then took me to the police command and kept me in solitary confinement for two days, on February, 15 and 16 2026, in a dark and dirty room. During that time, I was given food only once or twice a day and very little water. They shaved my head with a machine, took my photo, and warned me not to behave that way again and to live like a man.”

Alia was detained in a public alley in Kabul on September 30, 2025, after neighbors disclosed her identity to arriving Taliban members:

“On September 30, 2025, in a public alley in Kabul, immediately after my identity was disclosed by two neighbors to arriving Taliban members, I was detained by three armed individuals without any arrest warrant, legal explanation, or formal accusation. The detention occurred on the spot without any legal process, solely based on identity-based allegations. I was not informed of any charges, nor was I allowed to contact family members or seek legal assistance.”

Nisan was arrested at her home in Mazar-e-Sharif in February 2025 following a report by her own mother, and detained for two days under explicit threat of execution:

“On February 15, 2025, Taliban forces came to our home in Mazar-i-Sharif without any legal warrant and forcibly took me to the 2nd security district. This arrest happened after one of my family members, out of anger, reported my relationships to them. At the district office, the commander accused me of sodomy with insults and violence, without any formal legal process or charges. To pressure me, they threatened to refer my case to court to be sentenced to long-term imprisonment or execution; however, since they had no evidence against me, they released me after two days of detention and torture, following my mother’s guarantee and a forced written pledge to change my behavior.”

Zeba experienced two sequential arbitrary arrests, first in Charikar, Parwan in November 2024, and again in Sheberghan, Jawzjan in January 2025, demonstrating the active continuity of this enforcement pattern across provinces:

“On 21 November 2024, two Taliban members came to our room and took me and one of my friends with them. They took us to the Charikar police command, detained us for one night, searched our phones and personal belongings, and said the case was based on reports from local residents.”

“On January 17, 2025, while I was living at my sister’s house in Sheberghan, a Taliban Ranger vehicle came behind the house and arrested me. They took me to the Sheberghan police command and detained me on charges of moral crimes, homosexuality, and sodomy. They held me for three nights and tortured me with slaps, kicks, and rifle butts to force a confession, but I did not confess. After three days, I was released on guarantee of my sister and her husband, but I later learned that an official arrest order had been issued against me.”

Pari was arrested while traveling toward Laghman in August 2024, chained, and held without food or water for two days:

“On the morning of August 20, 2024, while traveling to Laghman with my friend Sabnam for a performance, I was arrested by three Taliban members in the Surkhakan area. Upon seeing women’s clothes in the car, they took us to a detention cell without any legal warrant. We were held for two days and nights without access to a lawyer or legal process. During this time, our hands and feet were chained, and even bathroom visits were strictly controlled.”

Setara was arrested while dancing at a private gathering in Jalalabad in August 2024 and held for three days without a guarantor:

“On August 5, 2024, while I was dancing with another transgender friend named Parwiz at a private gathering of about ten people in Sayed Abad, Jalalabad, three officers from the Taliban’s Ministry for the Propagation of Virtue and Prevention of Vice arrived. They arrested us on accusations of bacha bazi. My friend was released after one day with a guarantor, but since I had no one to guarantee me, I was detained for three full days. During this time, they confiscated my ID.”

This active enforcement in 2024, 2025, and 2026 directly mirrors and builds upon patterns established in earlier years, whose consequences continue to shape survivors’ lives today. Maryam was arrested at a checkpoint in the Qala Zaman Khan area of District 16 in Kabul in March 2023, and the psychological damage of that detention remains with her through 2025 and 2026:

“On March 25, 2023, when I left my room to buy food for dinner and was passing through a Taliban checkpoint in the Qala Zaman Khan area of District 16 in Kabul, two Taliban members stopped me. They found my makeup and long hair suspicious and, without paying attention to what I said, transferred me to the 16th security district. That night and the following morning, I was detained and humiliated by Taliban personnel.”

Ziba Gul was detained for three days at Kabul police command in December 2022, an experience whose physical and psychological effects persist through 2025 and 2026:

“On December, 3 2022 in Kabul, while walking near Kabul University in Dehbori, Taliban forces stopped me at a checkpoint. They questioned my appearance and makeup, and under pressure I disclosed that I am transgender. They searched my phone and transferred me to Kabul police command. I was detained for three days and tortured with whips, fists, kicks, and rifle butts. At the end of the detention, I was told to correct myself and then released.”

Zuhal was stopped at a Taliban checkpoint in Kabul in early February 2022, held for ten days, and released only on family guarantee, an ordeal that directly precipitated the family violence and homelessness she continues to navigate through 2025 and 2026:

“In Kabul city, Afghanistan, in early February 2022, while returning home from work, I was stopped at a Taliban checkpoint. One of the armed personnel questioned my appearance and clothing, asking why I had long hair and feminine-looking clothes. They then confiscated and searched my mobile phone and transferred me without explanation to a security command station. There, I was held in a closed room, interrogated multiple times, and questioned about my gender identity and behavior. After about ten days, I was released on family guarantee.”

Bahar was arrested during a house-to-house search in Mazar-e-Sharif in January 2022, an arrest whose injuries left permanent physical damage still affecting her through 2025 and 2026:

“On January, 15 2022 in Mazar-e-Sharif, three Taliban soldiers came during a house-to-house search and took me from my home to District 10 security command. They

said someone reported that a homosexual person lives in this house, while I am a transgender woman. They detained me without any official warrant and kept me for two days in a cold and dark room.”

Khalida's detention in Mazar-e-Sharif in late 2021, spanning forty days in solitary confinement at Security Command No. 2, represents the earliest documented case in this section, yet its consequences of severe psychological trauma, forced displacement, and ongoing fear define her existence through 2025 and 2026:

“Later in 2021, after the torture in the bathhouse, I was arrested the same day by Taliban forces and taken to Security Command No. 2 in Mazar-e-Sharif. I was held without any legal warrant or due process, placed in a dark solitary cell, and detained for about forty days. During this time, I was denied medical care despite serious injuries, given minimal water once a day, and at times kicked by guards. My detention was arbitrary, based solely on my identity and presence in the bathhouse.”

Physical Torture in Custody

Transgender women held in Taliban detention face systematic, identity-based physical torture intended to humiliate, punish, and forcibly suppress their gender expression. Nine of the 21 respondents, representing 43 percent of the group, documented direct custodial torture at the hands of Taliban forces. Documented methods span beating with whips, cables, rifle butts, fists, and boots; electric shock applied through water; forced starvation and deprivation of water; deliberate denial of medical care; forced head-shaving; and prolonged chaining in stress positions. In 2025 and 2026, this pattern continues unabated, with cases documented in Kabul, Mazar-e-Sharif, and Laghman. For those tortured in earlier years, the physical injuries inflicted have proved permanent, with bones healed incorrectly, chronic pain, and lasting disability constituting an ongoing daily reality that connects earlier experiences directly to the reporting period.

Alia was subjected to prolonged torture inside a Taliban-controlled compound in Kabul on September 30, 2025, after her phone was searched and LGBTQ-related content was found:

“On September 30, 2025, after being forcibly transferred from a public alley in Kabul to a closed, guarded compound controlled by Taliban members, I was subjected to prolonged physical torture. While fully under their custody, three armed individuals beat me repeatedly using fists, boots, a belt, and the butt of a rifle. The torture was initiated after they searched my phone, found LGBTQ-related content, and decided to punish me for it. The abuse was intentional, sustained, and carried out in isolation, where I had no access to help, medical care, or escape.”

Nisan was subjected to electric shock torture during interrogation at District 2 security headquarters in Mazar-e-Sharif in February 2025:

“In February 2025, after being arrested by the Taliban in Mazar-i-Sharif, I was taken to the interrogation room of District 2. To force a confession, they sat me on a chair,

poured water under my feet, and threw an active electric wire into the water to torture me with electric shocks. Simultaneously, they slapped my face and threatened that if I didn't confess to sodomy and having relationships with men, they would send my case to court, where I would face execution or 10 years in prison."

Zeba was beaten with slaps, kicks, and rifle butts during three nights of detention in Sheberghan in January 2025:

"On January, 17 2025, while I was living at my sister's house in Sheberghan, a Taliban Ranger vehicle came behind the house and arrested me. They took me to the Sheberghan police command and detained me on charges of moral crimes, homosexuality, and sodomy. They held me for three nights and tortured me with slaps, kicks, and rifle butts to force a confession, but I did not confess."

Pari was chained, starved, and beaten fifteen times during two days of detention in the Surkhakan area of Laghman in August 2024:

"During my detention by the Taliban in the Surkhakan area of Laghman in August 2024, I was subjected to systematic torture. Taliban forces chained my hands and feet and kept my friends and me in absolute hunger and thirst for two days and nights. In addition to being beaten 15 times, we were deprived of basic human rights like free access to a bathroom, and they used threats to force us to unlock our mobile phones. These brutal actions took place in a sub-standard detention cell, leaving me with lasting psychological and physical scars."

These active patterns of custodial torture in 2024 and 2025 directly continue those inflicted upon survivors in earlier years, whose physical injuries remain unhealed. Maryam was beaten with cables and had her hair forcibly cut during her detention in Kabul in March 2023, injuries whose psychological impact has shaped her daily life through 2025 and 2026:

"In March 2023, I was arrested by the Taliban due to my gender identity and was detained. At the 16th security district, they kept me in a monitoring room. During the detention, they hit me several times with a cable. In the monitoring room, I was repeatedly struck on my back and arms, and one of them said they should hit my face because I had applied makeup to it. They also called me insulting names such as evil, damned, and izak, and repeatedly humiliated me. After that, they cut my hair, and my body was in severe pain."

Zuhal endured repeated beatings with whips across her hands, legs, and back during ten days of detention in Kabul in February 2022, injuries whose lasting effects constrain her daily life through 2025 and 2026:

"At a security command center in Kabul during detention in February 2022, I was held in a small closed room and interrogated repeatedly over several days. At night, some of them would come, insult me, and say that I had to be corrected. Several times, they beat me severely, striking my hands, legs, and back with whips. Sometimes the pain

was so intense that I would lose consciousness and remain lying in the corner of the cell room for hours.”

Bahar’s bones were fractured during two days of torture in Mazar-e-Sharif in January 2022 and the damage proved permanent, a physical reality she continues to live with through 2025 and 2026:

“On January 15, 2022, I was arrested by the Taliban on accusations of moral crimes and was detained for two days. During those two days, the Taliban repeatedly tortured me. They beat my hands, legs and back with sticks and whips. The bones in my hands and legs were completely fractured. My entire body was bruised and darkened from the injuries. Even a year after the incident, the marks and effects had still not disappeared. I visited doctors many times, underwent X-ray examinations, and repeatedly received medication. Although the pain has lessened over the years, my bones healed in a swollen, crooked, and improper way.”

Khalida was beaten with a rifle butt, had her nose broken, and had her leg forced under boiling water at a bathhouse in Mazar-e-Sharif in September 2021, physical injuries whose permanent scars remain with her through 2025 and 2026:

“On September, 06 2021 at Haji Khaled bathhouse in Mazar-e-Sharif, I was present with several transgender and gay individuals. Around six or seven officers from the Taliban’s Ministry for the Promotion of Virtue entered, saw us naked, and reacted violently. They called us apostates and threatened public stoning. One officer kicked me down and struck my head and face with a rifle butt, breaking my nose and causing heavy bleeding. Another forced my leg under boiling water, leaving severe burns. The beating was so intense that I nearly lost consciousness.”

Custodial Rape and Sexual Violence by Forces of the Ruling Group

The most severe manifestation of systematic state violence is the deployment of rape as a weapon of punishment and subjugation against transgender women held defenseless in detention. Five of the 21 respondents, representing 24 percent of the group, documented custodial rape perpetrated by Taliban members between 2021 and 2025, with the two most recent cases recorded in October 2025 in Kabul. The perpetrators in all documented cases were members of the ruling group acting within or immediately adjacent to official detention settings, exploiting the absolute power differential created by armed custody and isolation. None of the five survivors received any medical care, legal redress, or formal acknowledgment of the violence committed against them. For those whose assaults occurred in earlier years, the psychological devastation remains entirely unresolved through 2025 and 2026.

Alia was raped by three-armed Taliban members inside a locked compound in Kabul on September 30, 2025:

“On September 30, 2025, inside a locked compound in Kabul controlled by Taliban members, I was raped by three-armed individuals while being held in detention. This occurred after I had already been arrested, searched, and physically assaulted earlier

the same day in a public alley. I was restrained, isolated, and fully under their control, with no ability to resist or escape. The perpetrators used physical force, weapons, and their authority to ensure compliance, and the act was carried out in a coercive environment where consent was impossible.”

Raihan was raped by two Taliban members who forced entry into her home in Kabul in October 2025:

“On October 22, 2025, while I was living in a rented room in a public compound in Kabul, two Taliban members who were my neighbors came to my door at night. After I opened the door, they forced their way inside and locked it. They questioned why I was dressed that way and why I was living alone. Then they demanded sexual relations. When I refused, they beat me with a cable and both raped me. When I screamed, they fled the room. Afterward, I contacted a friend to take me away from there. This incident caused severe physical pain and left me with intense fear, anxiety, and distrust.”

This active pattern of custodial sexual violence in 2025 directly mirrors documented cases from earlier years, whose trauma continues to define survivors’ present-day reality. Maryam was raped by two Taliban members during her one-night detention in Kabul in March 2023, an experience whose psychological effects have persisted unabated through 2025 and 2026:

“In March 2023, the Taliban arrested me because of my gender identity. After two of them took me to the room and tortured me, another man came and told me that if I had a relationship with him, he would release me. I had no other choice and was forced to agree. Then he called another Taliban member, and the two of them raped me before releasing me.”

Bahar was raped multiple times by three Taliban members during her two-day detention in Mazar-e-Sharif in January 2022, an assault whose physical and psychological consequences remain unaddressed through 2025 and 2026:

“On January 15, 2022, I was arrested by the Taliban on accusations of moral crimes and was detained for two days. During those two days, in addition to being tortured, I was also raped several times by three of them.”

Khalida was gang-raped on multiple nights during her forty-day detention at Security Command No. 2 in Mazar-e-Sharif in late 2021, receiving neither medical care nor legal protection then or in any subsequent year through 2025 and 2026:

“During my forty-day detention at Security Command No. 2, approximately six or seven Taliban members entered my cell on multiple nights and gang-raped me. The assaults caused further physical injury and deep psychological trauma. I was never brought before a court, and no protection or medical treatment was provided. Eventually, my father secured my release through payment and personal connections.”

Harassment, Threats, and Armed Intimidation at Checkpoints and in Public Spaces

Beyond formal detention facilities, five respondents, representing 24 percent of the group, documented systematic harassment, humiliation, and explicit threats of lethal violence at Taliban checkpoints and in public spaces. This form of state violence does not require formal arrest to achieve its objective. It creates a permanent climate of terror that renders free movement impossible and functions as a front-line mechanism of identity-based social control. The two most recent cases, documented in Kabul in December 2025 and February 2026, confirm that this enforcement has intensified alongside the broader hardening of Taliban rule.

Almas was physically assaulted and expelled from a public bathhouse in Shahr-e-Now, Kabul, in December 2025, an incident that illustrates how Taliban enforcement now extends into civilian-managed public spaces:

“On around December, 17 2025, at a public bathhouse in Shahr-e-Now, Kabul, I and one of my friends had gone there to bathe. After finishing, when we were about to leave, the bathhouse manager saw our relatively feminine appearance, long hair, and clothing, approached us, spoke harshly, then slapped and physically assaulted us while insulting us with degrading words such as izzak, and finally forced us out of the bathhouse.”

Almas was then stopped at a checkpoint in Kabul in February 2026 and explicitly threatened with arrest if seen again:

“On February, 15 2026 in Kabul, when I and one of my friends were heading to the market in the morning, we were stopped at a Taliban checkpoint. After seeing our appearance, including long hair and relatively feminine clothing, Taliban forces held us, spoke in a harsh and aggressive tone, repeatedly asked why we dressed that way and why our hair was long, and treated us in a humiliating manner. They told us that if they saw us again with such appearance and clothing, they would arrest us, and this threat caused serious fear.”

Vara received explicit and repeated threats from Taliban members following her arrest in February 2026, threats whose effect has been to eliminate her freedom of movement entirely:

“After the beating by my family and arrest by the Taliban in February 2026, I was repeatedly threatened by my father, brothers, and also by Taliban members. My family said that my feminine behavior had damaged their honor and that I must stop it immediately. In detention, I was also warned that if I were seen like this again, they would treat me much worse. These threats made me constantly feel in danger and afraid of being seen by others.”

Nisan received explicit death threats during interrogation at District 2 in Mazar-e-Sharif in February 2025, threats that have driven her into complete self-imposed isolation through 2025 and 2026:

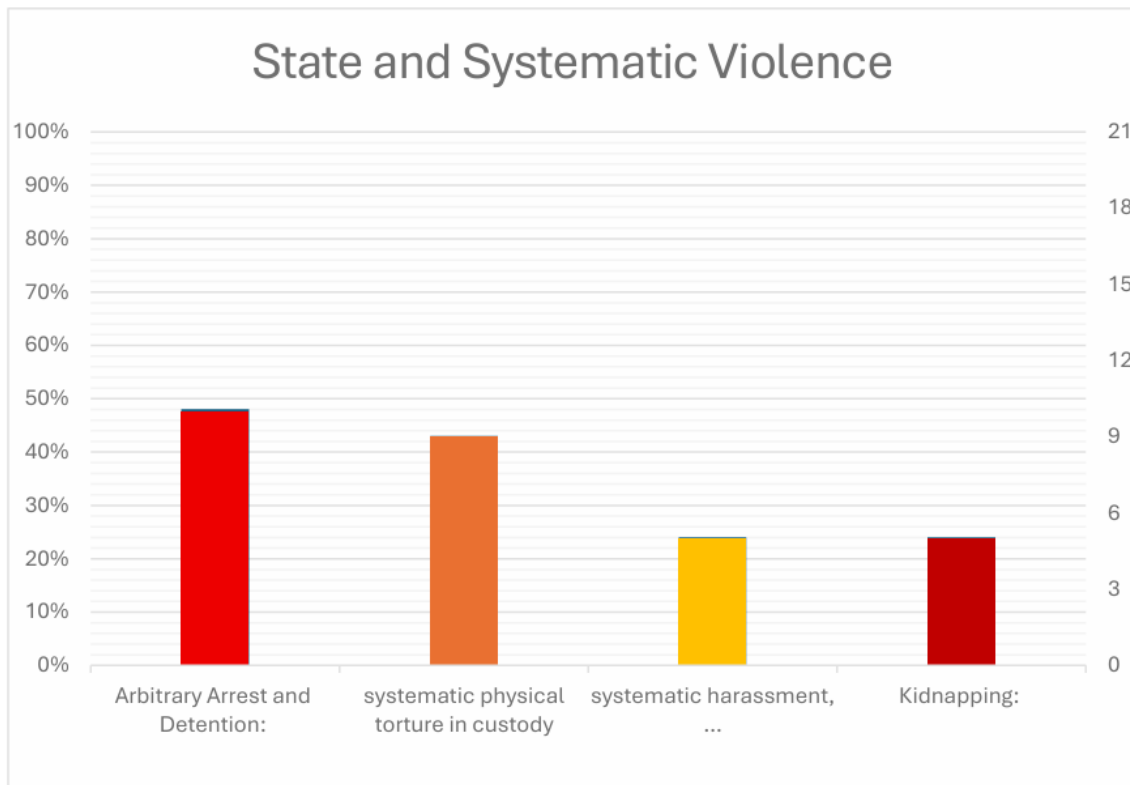
“During the interrogation at the 2nd security district in Mazar-i-Sharif in February 2025, Taliban forces repeatedly threatened me with death. They told me, We will send your case to court, and the court will sentence you to execution by hanging. These explicit threats of murder and execution became a lasting nightmare for me even after my release. The fear of being killed by the Taliban forced me into complete self-isolation; I no longer dared to leave the house for fear of my life, as they had warned me that I would not stay alive if they caught me again.”

Alia was threatened with severe retaliation upon her release from Taliban custody in Kabul in September 2025, ensuring her continued silence and confinement:

“On September 30, 2025, after I was released from Taliban custody in Kabul, armed members explicitly threatened me and instructed me not to disclose what had happened during my detention, including the beating, torture, and sexual violence. They warned that if I reported the incident or spoke to anyone about it, I would face severe consequences, including further harm.”

These active threats in 2025 and 2026 build directly upon the climate of fear established through earlier encounters. Bahar was stopped and publicly beaten at a checkpoint in Mazar-e-Sharif in July 2023, a pattern of public violence that ultimately forced her displacement to Kabul and whose effects persist today:

“On 5 July 2023, while going to the market in Mazar-e-Sharif, I was stopped at a Taliban checkpoint. They asked me why I was wearing feminine clothes and why I had no beard. After arguing with me, they beat me, slapped and punched me until local people intervened.”



- Yellow (Systematic Harassment): Represents high-frequency psychological and social intimidation tactics.
- Orange (Physical Torture): Represents severe institutional violence and direct trauma while in custody.
- Bright Red (Systematic Harassment): Represents high-frequency psychological and social intimidation tactics.
- Dark Red (Kidnapping): Represents absolute maximum severity, involving complete isolation and extreme existential danger.

6.1.3 Family and Domestic Violence

Far from providing protection, the immediate family unit functions as a primary site of violence, coercion, and confinement for transgender women in Afghanistan. Under Taliban rule, families face intensified social and ideological pressure to police the gender expression of their members, resulting in a marked escalation of domestic violence, forced confinement, and honor-based threats through 2025 and 2026. For survivors whose domestic abuse began in earlier years, the Taliban's consolidation of power has deepened family complicity, narrowed escape routes, and rendered the home an increasingly dangerous space in the reporting period.

A quantitative breakdown of family and domestic violations reveals five primary sub-categories. Ten of the 21 respondents, representing 48 percent of the group, experienced severe physical assault by fathers, brothers, uncles, or other family members in direct response to the discovery or visibility of their transgender identity. Four respondents, representing 19 percent, were subjected to enforced domestic

confinement and strict surveillance by family members, transforming the home into a site of detention. Three respondents, representing 14 percent, were forced into heterosexual marriage against their will, with marriage deployed as a corrective mechanism to conceal or suppress gender identity. A further three respondents, representing 14 percent, received explicit death threats from family members, threats that in each case served as the immediate trigger for forced displacement. Eight respondents, representing 38 percent, were driven from their homes as a direct result of family violence, frequently with no resources, support network, or legal status, making forced displacement the single most prevalent documented outcome of domestic abuse within the group.

Physical Assault and Battery by Family Members

Physical violence perpetrated by fathers, brothers, uncles, and other family members constitutes the most immediately documented form of domestic abuse across respondents' testimonies, occurring in direct and explicit response to the discovery or visibility of a transgender identity. Ten of the 21 respondents, representing 48 percent, documented severe family-perpetrated physical assault. Under Taliban rule, this violence has intensified as families now operate under the additional fear that failure to suppress a transgender relative may itself attract Taliban enforcement, creating a structural incentive for escalating domestic violence as a form of preemptive compliance.

Vara's family discovered her identity on March 20, 2025, and beat her severely the same day, forcing her to flee that same night:

"On March, 20 2025, when my family found out that I am trans, my father and brothers beat me severely. They hit me with their hands and feet and repeatedly said that I had disgraced the family and must stop my feminine behavior. After the beating, my body was in severe pain and I had bruises on different parts of my body. Because of the fear and pain, I felt unsafe in the house and was forced to leave that same night."

Raihan suffered a broken nose at the hands of three neighbors in March 2025 and was repeatedly slapped by his brothers at family gatherings for wearing women's clothing:

"On March, 29 2025, while I was outside for leisure, three neighbors blocked my way. They knew I was trans and, after verbally insulting me, made sexual demands. When I refused and resisted, all three of them beat me with fists and kicks and struck my face multiple times, breaking my nose. I have also been physically assaulted at home by my brothers, including an incident where they slapped me repeatedly because I wore women's clothing and spoke with girls at a family gathering, which caused significant psychological distress."

Nisan was severely beaten by her uncles in Dehdadi district of Balkh in June 2024, an assault the Taliban's ideological environment directly enabled:

“In June 2024, two days before Eid al-Adha, after local elders in Dehdadi told my uncle that I was having relationships with men, my family, including my uncles and mother, confronted me. My uncle showed a video he had secretly recorded of me dancing in girls’ clothes. Then, he and my other uncle severely beat me multiple times with sticks to force a confession, causing my entire body and back to be injured and in pain for a long time. This incident was not only the result of family and community pressure but also deeply influenced by the Taliban’s environment. Under Taliban rule, local elders and families feel legitimized to police private behavior, and their ideology has penetrated homes and communities, reinforcing violence, coercion, and control over individuals who do not conform to imposed norms.”

Azita was beaten by her father in October 2023 in Jalalabad, a pattern of violence that culminated in a suicide attempt and whose consequences of confinement, isolation, and forced displacement define her existence through 2025 and 2026:

“On October 1, 2023, in Jalalabad, a rickshaw driver came to our house and looked for me. After my father discovered this, he became furious and brutally beat me. He struck my head multiple times with his shoes and forcibly cut my hair. My father constantly said he could neither tolerate nor kill me, and as a result, he repeatedly beat and insulted me in front of family members and guests. These continuous physical assaults and heavy blows to my head led me to lose hope and attempt suicide to escape this agony.”

Raihan endured sustained family violence following her suicide attempt, with parents responding with beatings and insults rather than support, a pattern whose effects persist through 2025 and 2026:

“After my family became aware of my situation, especially following my suicide attempt, their behavior toward me became very violent. Instead of supporting me, my parents beat me and insulted me with degrading words, saying I was a source of shame for the family. This treatment continued at home and caused severe psychological harm, leaving me constantly in fear, distress, and emotional pressure.”

These assaults in 2024 and 2025 continue a pattern of domestic physical violence whose earlier iterations have left survivors with lasting harm. Hania was beaten and had her legs injured by brothers at approximately age ten, an experience she identifies as the foundation of the escalating family repression she faces under Taliban rule today:

“When I was about ten years old and in fourth grade, I dressed in feminine clothing and makeup and went to visit my sister’s house. My brothers found me there, dragged me out in anger, beat me severely, injured my legs, and locked me in a room. That experience left me with lasting fear and isolation as a child. Today, under Taliban rule in Afghanistan, this kind of family violence has become even worse. Families live in fear of punishment, so they impose harsher control and self-censorship on transgender relatives, making the violence and repression I faced in childhood even more severe in the present.”

Khalida was beaten with sticks, denied food, and threatened with death by her father and brothers following her release from Taliban detention in late 2021, domestic violence that compounded her custodial trauma and whose effects remain unresolved through 2025 and 2026:

“After my release from the Taliban’s jail in late 2021 and return home, my family became aware of my identity. My father and brothers confined me in a room and beat me multiple times with sticks. They called me an apostate and threatened that I should be killed. They even denied me food for several days.”

Sita was chained and beaten repeatedly by her father and uncles around 2014 and subsequently expelled from her home, a dispossession whose effects of homelessness and economic vulnerability have extended directly into 2025:

“In around 2014, when I was about 16 years old, after videos of my dancing reached my cousins and my family became aware, my father and uncles tied me with chains and severely beat me to force me to stop this behavior. This violence was repeated several times, and eventually, I was expelled from the home. Being beaten and chained is something not even done to animals, yet it was done to me. For days, my hands and feet were in pain, and my body was hurt from the weight of the chains.”

House Confinement and Restrictions on Movement

Families systematically employ physical confinement and strict surveillance to suppress the gender expression of transgender women, transforming the home into a site of detention. Four respondents, representing 19 percent of the group, documented direct experiences of enforced domestic confinement. Under Taliban rule, this practice has intensified as families fear external punishment for failing to enforce gender conformity among their members, rendering the family home simultaneously the site of abuse and the only space from which detection by state forces might be avoided. This double bind, in which confinement is both the product of family violence and a response to state danger, deepens in severity year on year through the reporting period.

Azita was confined to her home by her father following the beatings of October 2023 and subjected to the same restrictions upon returning from Iran, a pattern of confinement that continues through 2025 and 2026:

“After my father beat me in October 2023 because of my appearance and behavior, he confined me to the house and told me I was no longer allowed to go out. He even forbade me from entering the common room during gatherings, saying my movements and speech were shameful. This house confinement and severe restrictions left me with no contact with the outside world for a time, until I finally managed to escape to Kabul and then to Iran; however, even after returning from Iran, I was subjected to the same restrictions and domestic pressures.”

Pari has lived under severe restrictions on movement since the age of twelve, when her mother discovered her identity, and these restrictions have deepened further under Taliban rule:

“After my mother discovered my identity at age 12, she imposed severe restrictions on me. She claimed my behavior would ruin my future and feared we would be mocked by relatives. Consequently, she forbade me from visiting kin and kept me under constant control. This escalated on July 5, 2005; after a severe beating, my mother confined me to the house, stating I had no right to show any inappropriate behavior outside, which led to my complete social isolation.”

Hania’s brothers imposed strict movement restrictions following childhood beatings, a pattern of domestic control that has intensified under Taliban rule through 2025 and 2026:

“After being beaten and locked away as a child for expressing my transgender identity, my brothers imposed strict restrictions on my movement. I was not allowed to leave the house freely, and even inside I was constantly monitored and silenced. This confinement left me isolated and deprived of freedom. Today, under Taliban rule in Afghanistan, such family control and violence have become even harsher, as fear of punishment drives families to impose stricter self-censorship and repression on transgender relatives.”

Almas had her movements restricted by her father and brother after her identity became known within the family, a confinement that persists through 2025 and 2026:

“In Afghanistan, after my identity and behavior became known within my family, my movements were restricted by my father and brother, and I was not allowed to go out freely or communicate with others, leading to a gradual reduction of my social relationships and exclusion from normal social interaction.”

Forced Marriage and Coercive Gender Realignment

Forced heterosexual marriage is deployed by families as a corrective mechanism to conceal or suppress a transgender identity, a practice that the Taliban’s ideological environment has institutionalized at a societal level, providing explicit legitimacy to coercive family enforcement. Three respondents, representing 14 percent of the group, documented experiences of forced marriage. In all three cases, the marriage was imposed despite the family’s awareness of the respondent’s transgender identity, and in two cases was accompanied by explicit death threats to ensure compliance.

Pari was forced into marriage in 2011 despite her family’s knowledge of her identity, and remains trapped within the consequences of that marriage through 2025 and 2026:

“In 2011, despite knowing my trans identity, my family forced me into marriage through threats. I had no desire for this relationship and cried even on my wedding day,

knowing it was not my choice. This marriage, which resulted in three children, has deeply harmed my mental state. Such forced marriages are reinforced by the Taliban's environment, which legitimizes coercion and denies women and trans people autonomy."

Niki was forced into child marriage at the age of twelve on July 15, 2005, under Taliban-controlled conditions in her area that now characterize the entire country:

"From my teenage years I was emotionally attracted to boys and had no desire to marry a girl because I am a trans woman. My family became suspicious and later decided to marry me off as a child. On July 15, 2005, when I was only 12, my father arranged a wedding without my consent. I objected, but he ignored me, and that night I was forced into marriage. At that time our area was under Taliban control, and now they rule the whole country. Forced marriage, especially against trans people, is part of their culture and policy."

Bahar was forced into an engagement with a woman under family pressure and ended it after eight months to avoid compounding harm:

"Under family pressure I got engaged to a girl, although I was not willing. After 8 months, I asked to separate because I did not want to ruin her life."

Death Threats and Attempted Honor Killing

Explicit threats of murder within the family context represent the most acute domestic danger faced by transgender women, frequently serving as the immediate trigger for forced displacement and flight. Three respondents, representing 14 percent of the group, received explicit death threats from family members. In each case, these threats were not isolated incidents but the culmination of sustained cycles of beatings, confinement, and coercion, and in each case they rendered continued residence in the family home unsurvivable.

Khalida received explicit death threats from her father and brothers following her release from Taliban detention, threats that ultimately forced her to flee in early 2025:

"After my release from the Taliban's jail in late 2021 and return home, my father and brothers confined me in a room and beat me multiple times with sticks. They called me an apostate and threatened that I should be killed. In addition, they tried to force me into marriage with a woman so that I would deny my identity."

"In early 2025, due to continuous violence, death threats from the Taliban, and pressure for forced marriage, I was compelled to flee my home. I no longer felt safe, and it was impossible to continue living there. I sought refuge at my friend Jahan Naseri's house in Mazar-e-Sharif, where I currently reside. I have no direct contact with my family."

Pari was threatened with death by her family if she pursued education or refused marriage, threats replicated in form by Taliban forces during her detention in 2024 and continuing to govern her movements through 2025 and 2026:

“My family used death threats to control me. When I wanted to attend university after finishing school, they blocked me and threatened to kill me or kick me out of the house if I persisted or refused marriage. Similarly, during my 2024 detention by the Taliban, interrogators used a threatening tone, weapons, and chains to exert intense psychological pressure for a confession. These constant threats have caused me to live in perpetual fear; even after release, I do not dare leave the house to earn a living.”

Azita was driven to a suicide attempt by the cumulative weight of her father’s violence and continues to experience suicidal ideation through 2025 and 2026:

“The continuous physical violence, my father’s foul insults in front of guests and family, and labels like Izzak and disgrace led me to become completely discouraged with life. The pressure was so intense that I repeatedly had suicidal thoughts. Once, out of desperation, I took rat poison to end this painful life, but my family took me to the hospital and I recovered. However, even after this incident, my father and brother’s behavior did not change, and I still live in a state where I feel death is the only escape from these humiliations.”

Forced Displacement as a Result of Family Violence

When domestic violence, confinement, and death threats become unsurvivable, transgender women are driven into internal flight or cross-border displacement, frequently with no resources, support network, or legal status. Eight respondents, representing 38 percent of the group, were forced from their homes directly as a result of family violence, making this the single most prevalent documented outcome of domestic abuse within the group. Critically, this displacement does not represent safety. In the majority of cases, it exposed survivors to new and compounding vectors of state violence, economic destitution, and social isolation in 2025 and 2026.

Vara was forced out of her family home on the night of March 20, 2025, immediately following the severe beating by her father and brothers, and remains displaced with no safe return in 2026:

“After the beating, my body was in severe pain and I had bruises on different parts of my body. Because of the fear and pain, I felt unsafe in the house and was forced to leave that same night.”

Khalida fled to a friend’s house in Mazar-e-Sharif in early 2025 following years of beatings, confinement, and death threats, and currently lives with no contact with her family:

“In early 2025, due to continuous violence, death threats from the Taliban, and pressure for forced marriage, I was compelled to flee my home. I no longer felt safe, and it was impossible to continue living there. I sought refuge at my friend Jahan Naseri’s house in Mazar-e-Sharif, where I currently reside. I have no direct contact with my family.”

Nisan and her mother, brother, and sister were forced to flee their home in Dehdadi to Mazar-e-Sharif twelve days after the beatings of June 2024:

“In June 2024, after my identity was revealed in the small and traditional Kod-e-Barq area of Dehdadi district and I was severely beaten by my uncles, we had no security or dignity left. Consequently, 12 days after that incident, I, along with my mother, brother, and younger sister, was forced to leave our home and relatives and flee to Mazar-i-Sharif to escape the social and familial pressures of that region.”

Alia and her family were forced to relocate from District 10 to District 11 in Kabul in September 2025 following the public exposure of her identity:

“As a direct result of these combined events, including public exposure and violence, we were forced to leave our home in District 10 of Kabul and relocate to District 11. This relocation was not voluntary but driven by safety concerns, threats of further harm, and social exclusion caused by the incident.”

Azita was forced to flee from Jalalabad to Tehran in October 2023 following the escalation of her father’s violence, and upon deportation from Iran was forced back into the same dangerous domestic environment from which no exit remains available in 2025 and 2026:

“The unbearable pressure from my father and brother, along with repeated beatings, made it impossible for me to stay in my home and city, Jalalabad. In October 2023, after my father cut my hair and tore my clothes, I was forced to flee illegally and with great difficulty to Tehran, Iran, to save my life and escape violence. Even after returning from Iran following deportation, I tried to flee to Pakistan due to continued violence, but I failed because the Torkham border was closed.”

Maryam was forced to relocate from Laghman to Kabul after her identity was exposed, a displacement that directly led to her arrest and rape by Taliban forces in 2023, the psychological consequences of which persist through 2025 and 2026:

“After my relationship with Najib was exposed in Laghman and my family and people in the area learned about my identity and behavior, I could no longer stay in Laghman. My mother told me that I had to leave the province and go somewhere else because both my family and the people in the area knew about everything. For that reason, I moved to Kabul with Najib and rented a room in the Maiwand area.”

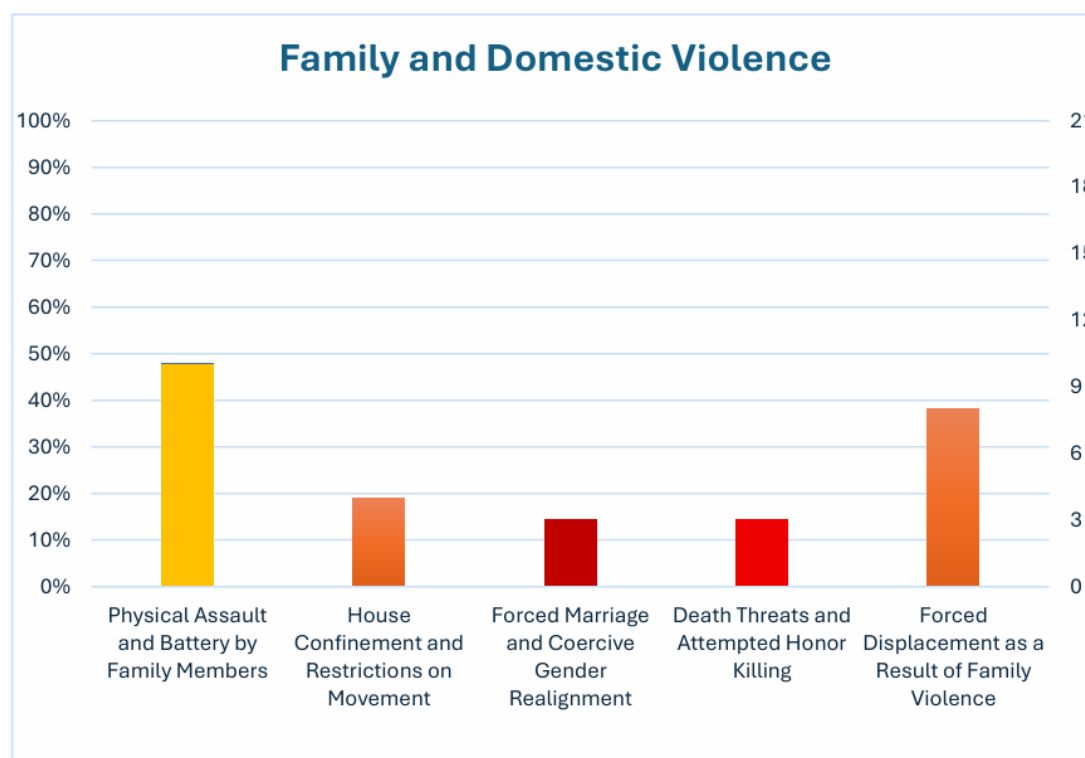
Zuhal was forced onto the streets of Kabul immediately after her release from Taliban detention in February 2022, when family violence made remaining at home impossible, a homelessness and economic precarity that continues through 2025 and 2026:

“In Kabul, Afghanistan, after leaving home due to family violence in February 2022, I lived on the streets for several days. Without family or social support, I had to work as a cleaner in a commercial market to survive and lived there.”

Sita was expelled from her family home following repeated beatings and chaining around 2014, driven into street homelessness and economic exploitation as the sole

means of survival, circumstances whose consequences have shaped every subsequent year of her life through 2025:

“After repeated violence at home, the situation became such that I was forced to leave. My family expelled me, and I was homeless on the streets for some time, trying to survive. I went to parties and danced so that I could earn some money to survive until I knew a person who then supported me for some years.”



- Yellow (Physical Assault): Represents high-frequency direct physical harm occurring within domestic spaces.
- Orange (House Confinement & Displacement): Represents spatial control, trapping victims or forcing them from safety.
- Bright Red (Death Threats & Honor Killing): Signals extreme, high-severity threats directly targeting a victim's life
- Dark Red (Forced Marriage): Represents maximum severity resulting in total loss of personal liberty and sovereignty.

6.1.4 Social and Economic Violence

The systematic exclusion of transgender women from public life, education, employment, and economic participation constitutes a third and self-reinforcing layer of violence operating alongside state persecution and domestic abuse. Under Taliban rule, pre-existing patterns of social stigmatization, institutional discrimination, and economic marginalization have intensified sharply, as the ruling group's ideological enforcement has penetrated schools, workplaces, and community spaces, providing renewed legitimacy to the humiliation, exclusion, and exploitation of transgender individuals. Across all four categories documented in this section, the cumulative effect

is the same: the systematic erasure of transgender women from any meaningful participation in social and economic life, a process that was underway before 2021 and has accelerated without interruption through 2025 and 2026.

A quantitative breakdown reveals the following distribution across four primary sub-categories. All 21 respondents, representing 100 percent of the group, experienced relentless verbal abuse, public humiliation, and stigmatizing labeling across every social environment they inhabited, making this the single most universally documented violation in this report. At least eight respondents, representing 38 percent, were systematically driven out of the educational system due to institutional bullying, safety fears, and family withdrawal of financial support. At least nine respondents, representing 43 percent, experienced direct employment discrimination, complete loss of livelihood, or were forced into precarious, dangerous, or exploitative means of economic survival, including performance work, sex work, and begging. Four respondents, representing 19 percent, faced the systematic closure of international or internal displacement pathways in 2025 and 2026, trapping them in environments of active persecution with no viable route to safety.

Verbal Abuse, Public Humiliation, and Stigmatization

All 21 respondents experienced relentless verbal abuse, public humiliation, and stigmatizing labeling across every social environment, making this the single most universally documented violation in this report. The derogatory terms Izzak, Zanchu, Dukhtarchap, Hijra, and hermaphrodite were deployed systematically by classmates, teachers, neighbors, family members, and Taliban forces alike, functioning as instruments of social marking that exposed respondents to escalating physical violence and exclusion. In 2025 and 2026, this verbal violence continues unabated, now reinforced by the Taliban's ideological framework, which grants community members and family units explicit permission to humiliate and report those who deviate from enforced gender norms.

Alia was publicly labeled and humiliated by two neighbors in her residential alley in Kabul on September 30, 2025, an act that directly preceded and triggered her arrest, torture, and rape by Taliban forces the same day:

“On September 30, 2025, in a residential alley in Kabul, two neighbors identified as Shir and Samim verbally assaulted me by blocking my path and using derogatory language related to my gender expression. They publicly insulted me, labeled me as deviant, and mocked my appearance and behavior in front of others present in the area. The verbal abuse was deliberate and sustained, aimed at humiliating me and reinforcing social stigma before escalating into physical violence.”

Arshiya was insulted by her cousin in Herat in 2025, creating a household atmosphere of hostility and fear that continues to govern her daily life:

“In 2025 in Herat, my cousin came to our house in anger, addressed me as izzak, and called me a source of shame for the family. My father also asked why I do things that bring insult to the family. That day a sorrowful atmosphere took over our home.”

Nisan was subjected to degrading slurs by her uncle in front of the entire family in June 2024, an act of public humiliation that compounded the physical beating she received the same day:

“When my secret was revealed to the family, my uncle addressed me with derogatory terms like Zanchu and Izzak in front of everyone, calling my actions immoral and un-Islamic. He even insulted my mother, saying she hadn’t raised her child properly. At Sultan Ghiyathuddin High School and later in the Taliban detention center, I was insulted with the same foul language and social labels, which led to my social rejection and complete isolation.”

Maryam recounts the systematic use of slurs against her from school years onward, a pattern that has intensified under Taliban rule:

“When I was at school, especially in grades eight and nine, my classmates mocked me for my behavior and for spending time with girls, calling me insulting names such as izzak. Later, when my relationship with Najib became known in the area, people used the same terms and humiliated me again. Today, under Taliban rule in Afghanistan, this kind of humiliation has become even worse, as fear of punishment has intensified verbal abuse, stigma, and social exclusion against transgender people.”

Zulaikha was mocked and insulted throughout her school years in Kunduz for her manner of walking and behavior, experiences that drove her into near-complete social withdrawal:

“During my school years in Kunduz province, Afghanistan, when classmates and people in my neighborhood noticed differences in my behavior and the way I walked, they repeatedly called me with insulting terms such as Izzak and Shampoo-e Dokhtarchap. My way of walking, which involved crooked and indirect steps, drew attention and led others to mock and insult me. These behaviors made being present at school and in society a humiliating and psychologically distressing experience for me.”

Azita has been subjected to labeling and public humiliation across every stage of her life, consequences of which define her present situation in 2025 and 2026:

“I have faced labeling and social exclusion in every environment of my life. In school, classmates called me Hijra, and in my neighborhood in Jalalabad, no one would socialize with me. My father insulted me in front of my siblings’ spouses and children, calling me a disgrace to the family. This stigmatization led me to become completely isolated; I would sit alone on the rooftop until late at night and only come down when everyone was asleep.”

Raihan was subjected to collective public mockery in 2018 and continues to face verbal abuse from both neighbors and family members through 2025:

“In school and outside the home, I have repeatedly been called insulting names such as izzak, dukhtarchap, and zanchu. These terms were used when others noticed my feminine behavior. In one incident in 2018, several people gathered around me and mocked me collectively. Even at home, my brothers use similar insults when they are angry and humiliate me because of my behavior and the way I dress.”

Zeba was publicly humiliated by classmates during school presentations, contributing directly to her educational and economic exclusion:

“At school, while I was studying, my behavior and appearance were also known in the classroom. When I tried to present lessons, classmates would loudly say it was the turn of the izzak, dukhtarchap, and hermaphrodite, and everyone would laugh. This was repeated many times and made me feel shameful, isolated, and distant from others.”

Denial of Education and Forced Academic Exclusion

The cumulative weight of institutional bullying, safety fears, and family withdrawal of financial support systematically strips transgender women of their fundamental right to education, with consequences extending across every subsequent dimension of their economic and social lives. At least eight respondents, representing 38 percent of the group, were forced out of the educational system at school or university level due to identity-based persecution. Under Taliban rule, which has institutionalized the exclusion of women and gender non-conforming individuals from public life, this pre-existing pattern of educational erasure has been further entrenched, eliminating any possibility of redress or reinstatement in 2025 and 2026.

Zulaikha was denied employment at the state electricity company Breshna in Kunduz on September 6, 2025, solely on the basis of her appearance and behavior, despite passing the qualifying examination, an incident that illustrates how educational qualifications provide no protection when identity-based discrimination governs institutional decisions:

“On September, 6 2025 in Kunduz city, Afghanistan, after I passed the online exam for the state electricity company Breshna, I went to the company for an in-person interview. During the interview, the director Mawlawi Shahdullah Naseem and engineers noticed my appearance and behavior, including not having a beard, trimming my eyebrows, and having hand movements they described as feminine. The director told me that my appearance and behavior were not in accordance with Islamic Sharia and resembled Western styles, and therefore I was not suitable for the position. He also asked why I did not have a beard and why I had trimmed my eyebrows, and ultimately, despite my technical qualifications, I was forced to leave the interview.”

Pari was blocked from attending university by her family despite passing the Kankor entrance examination, a denial of educational opportunity whose consequences of economic dependency and vulnerability persist through 2025 and 2026:

“Despite successfully finishing school and passing the Kankor exam for university entrance, my family did not allow me to continue my education. They believed education was unsuitable for someone with my behaviors and instead forced me to work and marry. This deprivation of education left a deep scar and cost me opportunities for professional growth and financial independence.”

Zeba was denied financial support for education by her father because of her gender identity, and was subsequently dismissed from a tailoring apprenticeship, a compounding exclusion from both education and employment that continues to define her situation:

“Because of my situation at home and school as a transgender woman, my father stopped supporting my education, and I could not attend university preparatory courses. When I tried to join a course myself, I had to leave due to financial problems. Later, when I worked as an apprentice in a tailoring shop, the employer said after a few days that I was different from other workers and not suitable for customers, and he fired me. As a result, I was excluded from both education and employment.”

Bahar’s transgender identity prevented her from continuing her education, a formative exclusion whose economic consequences shaped every subsequent stage of her life and remain unaddressed through 2025 and 2026:

“When I became aware of my identity, I was not satisfied with my situation. My transgender identity prevented me from continuing my education and from proving myself in society. I always blamed myself for being like this and felt there was a difference between me and my brothers. This situation was very painful for me and I lived with it for years until I was forced to accept it because I believed it could not be changed.”

Discrimination in Employment, Economic Survival, and Exploitation

The intersection of social stigmatization, educational exclusion, and Taliban-era restrictions has eliminated stable employment as a realistic option for the majority of respondents. At least nine respondents, representing 43 percent of the group, experienced direct employment discrimination, complete loss of livelihood, or were forced into precarious, dangerous, or exploitative means of economic survival. In 2025 and 2026, this economic erasure has deepened as Taliban enforcement has shut down informal income sources, particularly performance and dancing work, and as the withdrawal of international support programs has eliminated the few remaining structural lifelines available to this population.

Pari has been reduced to begging for survival following her arrest and torture in August 2024, which ended her only source of income:

“During the Republic, I earned a secret income by dancing at parties. However, after the incident of arrest and torture by the Taliban in August 2024, I no longer dare to attend any program out of fear for my life. This has caused me to completely lose my only source of income. Currently, my economic situation is so dire that I have been forced to beg for charity just to survive and provide for my children’s basic needs, yet I receive little help and live in absolute poverty.”

Nisan can no longer work following her beating in June 2024 and arrest in February 2025, driving her household into extreme poverty and forcing her mother into domestic labor:

“After my father’s death, I was the sole breadwinner, supporting my mother and younger siblings through dancing at parties or having relationships. However, the beating in Dehdadi and the arrest by the Taliban in 2025 meant I could no longer attend parties or work. This led us to extreme poverty, forcing me into isolation at home while my mother had to go to people’s houses to work as a cleaner just to earn a few Afghanis.”

Niki was stabbed in the leg and raped by her employer at a bakery in early 2026 after refusing repeated sexual demands:

“In the early 2026, I was working in a bakery shop. My employer gradually became aware of my identity. Several times he asked me for sexual relations, but I refused. Eventually, he threatened me with a knife and raped me, leaving me traumatized and harmed.”

“In the early 2026, I was working in a bakery shop. My employer gradually became aware of my identity. After I refused his repeated demands, he attacked me with a knife. He threatened me and finally injured my leg with the knife, leaving me wounded and in pain.”

Raihan has been unable to sustain employment due to identity-based harassment, most recently being forced to abandon street vending in 2025 after facing repeated sexual demands from customers:

“I have not been able to find suitable employment because, with this identity, job opportunities are extremely limited, and trans people face discrimination and harassment in the workplace. Under family pressure, I was forced to do hard labor such as street vending with a handcart, but even in that job I faced harassment and inappropriate demands from others. Eventually, I had to quit that work as well, and I still do not have access to stable employment.”

Arshiya worked freely in cooking, tailoring, and fashion design in Iran but has been unable to pursue these occupations since her return to Afghanistan in 2025:

“I am a trans woman. In Iran I worked in cooking, tailoring, and fashion design, all suited to my identity. But after returning to Afghanistan in 2025, I cannot pursue the jobs I love. I am forced to run a small fast-food shop in partnership with my cousin.”

Azita was dismissed from employment in a packing shop in Tehran in October 2023 on the grounds of her gender identity, losing her only source of income and precipitating her arrest and deportation by Iranian authorities:

“While I was in Tehran in October 2023, I was employed in a shop packing and moving goods. However, I faced discrimination due to my appearance and different behaviors, which indicated I was trans. One of the shop owners claimed that my body was weaker than others and that I couldn’t work like the rest. Despite the other brother’s disagreement, they ultimately decided I had to leave my job because of this discriminatory view of my identity.”

Sita experienced sexual exploitation within a relationship that began as economic support following her expulsion from home around 2016, an exploitation whose full dimensions only became clear upon the relationship’s end in September 2025:

“Around 2016, after being forced out of my home, I danced in male gatherings to earn money. In one of these gatherings, I met a person named Akhtar Mohammad Akhtar, who later became close to me, gave me money, and even rented a room for me. This relationship eventually led to marriage in December 2020 and continued until 2025, but later I found out that he had relationships with other transgender women and girls. Despite my objections, he ignored me and eventually said that we should separate. On September, 15 2025, I was divorced, and later I realized that the relationship had been exploitative. This was extremely painful for me, and I suffered severe emotional distress.”

Setara was assaulted, mocked, and refused payment after traveling to Laghman in February 2024 to work as a dancer:

“On February 4, 2024, when I went to Mihtarlam in Laghman province to work as a dancer, three of my friends persuaded me to attend their gathering and dance in exchange for money. After the gathering ended, when I asked for my payment, they refused and said they would pay later. When I insisted, they mocked me, called me an izzak, said dancing was my duty, slapped me, and threw me out without paying anything.”

Bahar lost her employment in HIV campaign programs in Balkh and Kunduz provinces when the Taliban took power in 2021, and has been unable to find stable employment since:

“I worked from 2014 to 2021 in HIV campaign programs for LGBTQ people in health organizations in Balkh and Kunduz provinces. When the Taliban took power in 2021, our project was stopped and all staff were dismissed. After that, I lost my job and was forced to flee from Kunduz to Mazar-e-Sharif.”

Raihan was forced into sex work as the sole means of survival following her expulsion from home and homelessness in Kabul in 2018, a form of economic exploitation whose structural causes remain unchanged through 2025 and 2026:

“In 2018, when my family expelled me from home, I became homeless in Kabul and lived in parks and streets for some time. I tried to rent a room, but due to lack of ID and being underage, many places refused me. Eventually, I found a very basic room without proper facilities, but due to lack of money, I had to frequently change places. Under these conditions, I was forced into sex work as a means of survival. It was the only way I could sustain my life.”

Forced Displacement and Immigration Barriers

For transgender women who attempt to reach safety outside Afghanistan, international policy changes and border closures in 2025 and 2026 have created new and devastating barriers, trapping survivors in environments of active persecution with no viable exit route. Four respondents, representing 19 percent of the group, directly documented the closure of international or internal displacement pathways in this period. This barrier operates as a multiplier for all previously documented categories of violence: when the last avenue of escape is closed, the cumulative effects of state persecution, domestic violence, and economic erasure become permanently inescapable.

Arshiya migrated to Iran in 2016 to escape the restrictions and insecurity of Afghanistan, worked freely according to her identity for years, but was ultimately forced to return to Afghanistan in 2025, where she once again faces the same pressures and invisibility:

“Because I am a trans woman and due to the restrictions that existed in Afghanistan, I felt that I could not live freely or work according to my interests and identity. For this reason, I migrated to Iran in 2016. In Iran, I worked in fields such as cooking, tailoring, and fashion design, which matched my personality and interests. The situation of LGBTQ people in Iran was better compared to Afghanistan, and I felt relatively more freedom there. However, every time I returned to Afghanistan, I again faced social pressure, restrictions, and feelings of insecurity. My final return in 2025 once again made it impossible for me to live and work freely according to my identity and interests.”

Zeba fled Charikar after her November 2024 arrest and was re-arrested in Sheberghan in January 2025, at which point an official arrest order was issued against her, leaving her with no safe province of refuge within Afghanistan and no accessible pathway out:

“In November 2024, after my partner Shirzai Sharifi and I were detained by the Taliban for one night in Charikar, Parwan, my friend said he could not stay with me because it could create a security risk for him, so he left me. I had no place to stay in Charikar and could not return to Kabul because I feared my family’s reaction and pressure due

to my gender identity. Therefore, I left Charikar immediately after release and went to Sheberghan in Jawzjan province to my sister.”

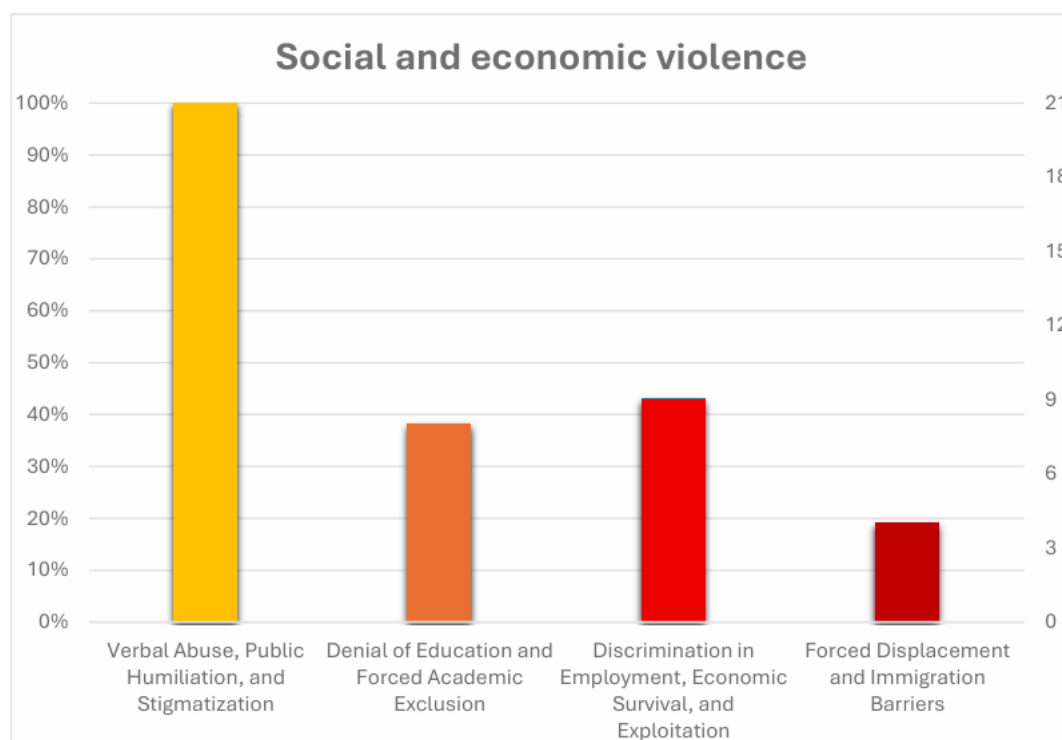
Azita attempted to flee to Pakistan following her deportation from Iran, but found the Torkham border closed, a barrier that has left her trapped without any viable escape route through 2025 and 2026:

“Even after returning from Iran following deportation, I tried to flee to Pakistan due to continued violence, but I failed because the Torkham border was closed.”

Alia and her family were forced to relocate within Kabul in September 2025 following the public exposure of her identity, a displacement that provides no genuine safety and leaves her in a state of continuous fear and social withdrawal:

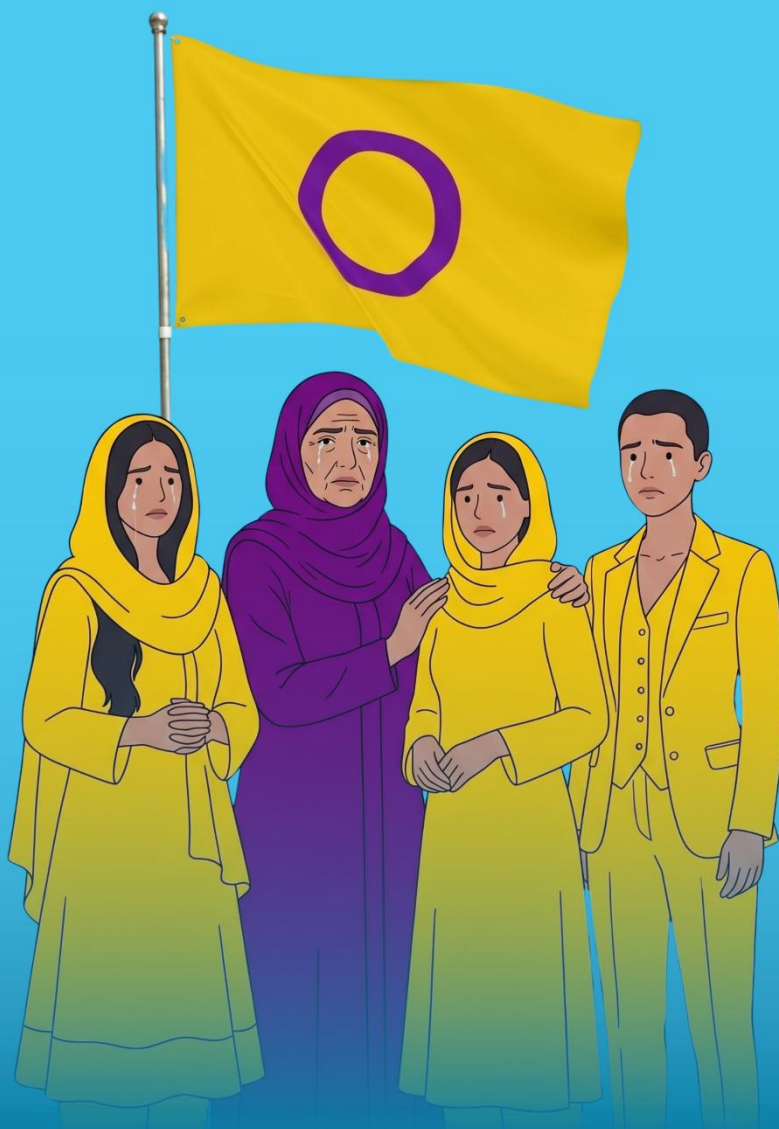
“As a direct result of these combined events, including public exposure and violence, we were forced to leave our home in District 10 of Kabul and relocate to District 11. This relocation was not voluntary but driven by safety concerns, threats of further harm, and social exclusion caused by the incident.”

These barriers to external flight compound the forced internal displacements documented in the family violence section, creating a situation in 2025 and 2026 in which transgender women face violence at home, persecution by the state, and the systematic closure of the international pathways that once offered a final avenue of survival.



-  Yellow (Verbal Abuse): Represents high-frequency social harm targeting personal dignity.
-  Orange (Academic Exclusion): Represents institutional barriers that block future development.
-  Bright Red (Economic Exploitation): Signals a high-severity threat to a victim's basic survival.
-  Dark Red (Forced Displacement): Represents maximum severity causing a total disruption of life.

6.2 The Lived Experiences of Intersex Individuals in Afghanistan



6.2.1 Introduction and Statistical Overview

Out of the 30 individuals interviewed for this comprehensive human rights report, five respondents self-identified as intersex individuals who concurrently navigate a gender identity as a transgender woman. The documented testimonies of these five individuals, identified by their aliases as Barish, Azita, Laila, Darya, and Khushbo, reveal severe, overlapping patterns of targeted familial abuse, domestic torture, economic erasure, and systemic persecution by forces of the ruling group. The intersecting nature of their unique biological differences and non-conforming gender identities renders them exceptionally vulnerable to a distinct spectrum of human rights violations executed interchangeably by the ruling group's authorities, non-state armed actors, and immediate family units intent on violently policing gender non-conformity.

The five respondents originate from the provinces of Kabul, where Barish and Darya were born and reside, Maidan Wardak, the province of origin of Azita, Kunduz, where Laila is from, and Nangarhar, the home province of Khushbo. Documented rights violations, arbitrary detentions, armed assaults, and acute domestic abuses were primarily carried out across Kabul, specifically in the Kote Sangi and Karte Parwan areas, Kunduz, and Jalalabad, particularly in the Shaheed Garden area. This hyper-violent environment has forced survivors into permanent states of life-threatening internal containment, dangerous internal flight, or cross-border displacement into Pakistan and toward the Iranian border.

A quantitative breakdown of the specific abuses endured by these five respondents reveals the structural and pervasive nature of the violence across three primary thematic categories. In the category of state and systematic violence, three respondents, representing 60 percent of the group, documented arbitrary arrest and custodial detention: Barish in April 2022, Darya in July 2023, and Khushbo in March 2026, each unlawfully intercepted and imprisoned without warrant, targeted solely for their feminine behaviors, attire, or visible intersex traits. The same three respondents, representing 60 percent, were subjected to brutal physical torture in custody, including merciless beatings, punches, slaps, and whipping with cables. In an equally severe pattern, Barish, Darya, and Khushbo, again representing 60 percent, were subjected to custodial rape and collective sexual assault by members of the ruling group while held defenseless in detention. One respondent, Azita, representing 20 percent, was forcefully abducted in Kabul by an eight-member armed group in April 2022 and held captive for ten days for financial extortion. That same respondent survived a direct weapon-based assault on January 30, 2026, when an armed individual pointed a gun at her throat inside a vehicle after identifying her gender identity.

In the category of family and domestic violence, two respondents, representing 40 percent, were subjected to severe domestic physical assault and weapon-based battery by family members. One respondent, Darya, representing 20 percent, was

physically chained inside a small dark wooden room by her brothers upon her release from Taliban detention. One respondent, Darya, representing 20 percent, faced explicit murder threats from her brothers that forced her into immediate flight. Two respondents, Khushbo and Azita, representing 40 percent, experienced forced marriage and coercive gender realignment by their families. In the category of social and economic violence, all five respondents, representing 100 percent, experienced relentless verbal abuse, public humiliation, and stigmatizing slurs. Three respondents, Azita, Laila, and Barish, representing 60 percent, were systematically driven out of the educational system. Two respondents, Barish and Khushbo, representing 40 percent, were pushed into economic discrimination and forced survival labor. Two respondents, Darya and Khushbo, representing 40 percent, were forced into cross-border displacement and subsequently encountered severe international immigration barriers.

6.2.2 State and Systematic Violence

Forces of the ruling group actively and systematically track, intercept, and arbitrarily detain intersex transgender women due to their non-conforming gender expressions and visible biological differences. This pattern remains an acute, active reality in 2026, seamlessly continuing the oppressive institutional enforcement documented in previous years and compounding a permanent atmosphere of terror for all five respondents. The violence documented in this section spans the full period from April 2022 through March 2026, with the most recent case recorded during Eid week of that year in Jalalabad. For those whose ordeals began in earlier years, the physical injuries, psychological trauma, and enforced invisibility of those experiences continue to govern every dimension of their daily existence through 2025 and 2026.

Arbitrary Arrest and Custodial Detention

Three of the five respondents, representing 60 percent of the group, were unlawfully intercepted and imprisoned without warrant by forces of the ruling group. In all three cases, detention was initiated without legal basis or formal charges, targeting respondents solely on account of their feminine behaviors, attire, or visible intersex characteristics. The geographic spread of these arrests, spanning Kabul and Nangarhar, and their temporal distribution across 2022, 2023, and 2026, demonstrates the continuity and institutional breadth of this enforcement pattern. The most recent case, recorded in Jalalabad in March 2026, confirms that this targeting has not diminished but persists as an active operational priority of the ruling group.

In the most recent case, Khushbo was arrested in Jalalabad during Eid week of March 2026 purely because of her biological traits and attire:

“On March 26, 2026, during the Eid week, I went to Shaheed Garden in Jalalabad for recreation. That day, as usual, I was wearing thin white short trousers and a blouse. While jogging in the garden, part of my stomach and upper breasts were visible. I am a trans woman and an intersex; therefore, my body resembles that of girls. There, two Taliban forces stopped me on charges of improper hijab and violating the ban on

women entering the garden. Then, with their six-member group in a Ranger vehicle, they took me to the central police command of Jalalabad city. I was detained there for several days.”

This active 2026 enforcement mirrors operations executed in previous years whose consequences directly fuel the current containment of survivors. In July 2023, Darya was intercepted in the Karte Parwan area of Kabul due to her feminine behaviors and appearance:

“On July 3, 2023, in the Karte Parwan area of Kabul, while I was talking on the phone, I was stopped by Taliban forces because of my different appearance and feminine behaviors. One of them threateningly asked, ‘Are you an Izak or what?’ and subsequently detained me, holding me in prison for two full weeks under custody and interrogation.”

Barish was intercepted in the Kote Sangi area of Kabul in April 2022 after forces systematically gathered local intelligence to target her identity, initiating an ordeal that completely dictates her current forced isolation:

“On April 27, 2022, three soldiers of the Taliban forces, who had gathered information about my identity from local shopkeepers, arrested me in the Kote Sangi area of Kabul. Without any legal warrant or formal charges, they blindfolded me and took me to an unknown location. I was arbitrarily detained for two days and nights, during which I endured severe torture and abuse. Finally, after two days, they released me in the Karte Parwan area. This detention completely shattered my sense of security, and I now live in forced isolation to avoid being identified by them again.”

Physical Torture in Custody

While held within detentions managed by the ruling group, the same three respondents who were arrested, Barish, Darya, and Khushbo, were subjected to merciless, identity-based physical torture intended to humiliate their biological reality. Documented methods include beatings with whips and cables, punches and slaps delivered to the whole body, and deliberate exploitation of the physical vulnerability created by intersex biological conditions. For survivors tortured in earlier years, this physical destruction remains an active, daily vulnerability through 2025 and 2026, as their thin biological conditions exacerbate the longevity of internal injuries and reduce their capacity to perform basic daily activities.

During her multi-day imprisonment in March 2026, Khushbo was heavily tortured after forces discovered her gender status and survival mechanisms:

“In March 2026, two Taliban forces arrested me in a garden in Jalalabad on charges of improper hijab. In detention, they checked my phone and interrogated me. Eventually they found out that I am a trans woman and intersex and that I dance at parties. They tortured me several times with whips and punches. They told me that I behave against Sharia. I told them that I have a husband and several children and that I am forced to dance to earn money. But they did not pay attention to my words.”

For survivors tortured in earlier years, this physical destruction remains an active daily vulnerability through 2025 and 2026. Darya recalled the particular severity of her July 2023 torture, compounded by her intersex biological condition:

“During my detention in July 2023 in Kabul, six Taliban members threw me to the ground and severely beat me with punches and slaps due to my transwoman identity and intersex status. Because my body was already very thin and sensitive due to my biological condition, these blows caused multiple injuries, widespread bruising, and persistent pain, which reduced my ability to perform daily activities even after my release.”

Barish similarly described how the physical trauma from her 2022 custodial beatings continues to limit her basic daily functioning through 2025 and 2026:

“On April 27, 2022, during my two-day detention by the Taliban in Kabul (Kote Sangi), I was subjected to brutal beatings. They hit me mercilessly, resulting in severe physical pain and general weakness. This physical violence, combined with the psychological pressure of detention, has left me with chronic fatigue and bodily pain to this day. The beatings were intended not only to cause physical harm but to break my spirit and humiliate my identity, the destructive effects of which still weigh heavily on my life and ability to perform daily tasks.”

Custodial Rape and Collective Sexual Violence by Forces of the Ruling Group

The most severe manifestation of systematic state violence is the deployment of sexual rape as a weapon of absolute subjugation against intersex transgender women held defenseless in official detention facilities. Three of the five respondents, representing 60 percent of the group, were subjected to custodial rape and collective sexual assault by members of the ruling group. The most recent case was documented in March 2026 in Jalalabad. For those assaulted in earlier years, the psychological and physical scars of these violations remain entirely unhealed through 2025 and 2026, with survivors describing ongoing nightmares, chronic insomnia, constant fear, and complete inability to feel safe in any environment.

Khushbo was subjected to extreme collective sexual violence during her detention at the central police command in Jalalabad in March 2026:

“In March 2026, when I was arrested and then tortured by Taliban forces, I was kept in prison for some time. One night, six Taliban members came to the room where I was imprisoned. They mocked me with offensive words such as ‘izzak.’ Then they collectively raped me.”

This devastating pattern directly mirrors the earlier testimonies of Darya and Barish, whose psychological and physical scars remain entirely unhealed through 2025 and 2026. Darya testified to her repeated rape during her two-week confinement in July 2023:

“During my two-week detention in the Taliban prison in July 2023, because of my gender identity as a transwoman, I was repeatedly subjected to sexual rape in addition to daily beatings and humiliation. This horrific experience in the prison environment caused constant fear and terror to overwhelm me, making me feel that I had no way to escape or save my life and dignity.”

Barish was repeatedly assaulted while blindfolded in April 2022, resulting in severe psychological trauma that continues to paralyze her night-to-night existence through 2025 and 2026:

“I was arrested by the Taliban in April 2022 due to my gender identity. After being arrested in Kote Sangi, Kabul, I was taken to a location where I was held for two days and nights. During this detention, Taliban forces not only severely beat me but also repeatedly raped me. This horrific experience occurred while I was blindfolded and defenseless. The aftermath has left me with constant anxiety, shame, and a profound sense of insecurity; I cannot sleep peacefully at night, fearing every moment that I might face such brutal violence again.”

Armed Attacks, Lethal Threats, and Kidnapping by Armed Actors

Beyond official detentions by the ruling group’s units, the complete collapse of legal protections and the absence of any access to justice has enabled unchecked armed violence and abductions targeting intersex individuals in public spaces. One respondent, Azita, documented two distinct incidents of non-state armed violence in Kabul, one in April 2022 and one in January 2026, connected by the same targeting of her intersex transgender identity. The January 2026 incident demonstrates that this non-state armed threat remains an active and immediate danger in the reporting period, compounding the state-perpetrated violence already documented above.

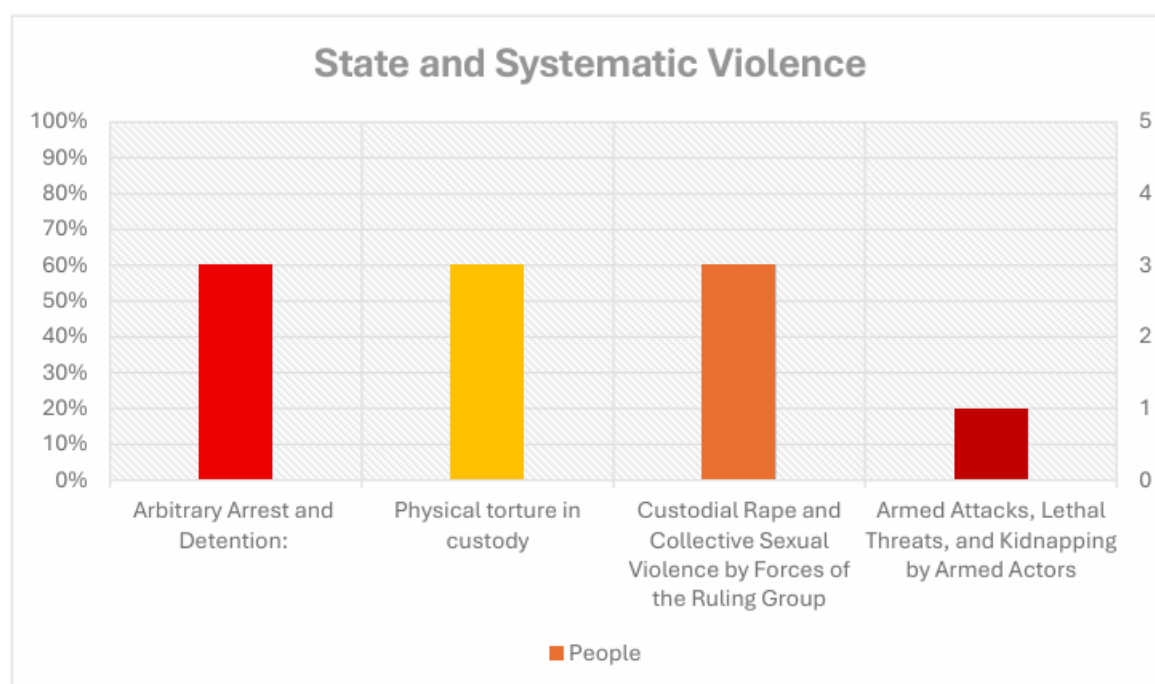
On January 30, 2026, Azita faced an immediate life-threatening armed assault inside a vehicle in Kabul after an individual identified her gender identity:

“On January 30, 2026, while I was in a car with my partner, an armed individual attacked us because he identified my identity as a transwoman and my intersex status. He pointed the weapon at me while I cried in fear for my life and beat my partner; this incident resulted from my identity and orientation being targeted in an extremely unsafe environment.”

This targeted assault directly compounded the historical trauma of her April 2022 abduction, when she was seized by an eight-member armed group in Kabul, held captive for ten days for financial extortion, and physically mutilated with knives, injuries whose permanent physical scars remain with her through 2025 and 2026:

“On April 21, 2022, six months after the regime change in Kabul, I was kidnapped by eight individuals in the Kote Sangi area due to my identity as a transwoman and my different appearance. They forced me into a car and imprisoned me in an unknown location for ten days to extort money from my family because of my specific gender identity and biological (intersex) condition. During the ten-day kidnapping, the

abductors subjected me to severe torture and beatings due to my identity as a transwoman and my biological (intersex) differences. They tore part of my thigh and cut my finger with a knife; this physical violence, which occurred directly because of my gender status, was so severe that the scars of those injuries still remain on my body.”



- Yellow (Physical torture in custody): Represents physical torture in custody.
- Orange: Represents severe sexual violence used by ruling forces.
- Bright Red (Arbitrary Arrest and Detention:): Represents systemic unlawful detention.
- Dark Red (Armed Attacks, Lethal Threats, and Kidnapping by Armed Actors): Represents direct lethal threats and abductions.

6.2.3 Family and Domestic Violence

The immediate household and local spheres, far from acting as protective spaces, function as primary vectors for severe physical trauma, coercive confinement, and lethal threats against intersex individuals. Under Taliban rule, families face intensified ideological pressure to police the gender expression and biological presentation of their members, resulting in a marked escalation of domestic abuse, physical restraint, and honor-based murder threats through 2025 and 2026. The four sub-categories documented in this section, physical assault and weapon-based battery, forced house confinement and physical chaining, attempted murder and lethal domestic threats, and forced marriage and coercive gender realignment, frequently operate in combination and sequence, with each violation reinforcing and enabling the next.

Physical Assault and Weapon-Based Battery by Family Members

Two respondents, representing 40 percent of the group, documented severe physical assault perpetrated by family members or individuals within their immediate social environment. In one case the violence was weapon-based, leaving permanent physical injuries. In both cases the assaults were directly motivated by the respondent's gender identity and, in one instance, by her refusal to submit to sexual demands. The scars and injuries from these attacks remain with survivors through 2025 and 2026, constituting a permanent physical reminder of the violence inflicted upon them.

Laila experienced extreme physical violence inflicted by her own brother in Kunduz in 2016, as well as a subsequent assault by former classmates in 2022, both of whose consequences remain with her today:

"On June 29, 2016, when I was 16 years old, at a friend's house in Kunduz, I was brutally attacked by my brother, Shoaib, who hated my identity as a transwoman; he struck my head with a glass tumbler, which caused a torn hand, a broken tooth, and severe head injuries, leaving me unconscious for two full days. The scars of this physical violence remain with me. On October 19, 2022, while I was on my way in Kunduz, I was severely beaten and assaulted by two of my former classmates named Mustafa and another individual because of my gender identity and my refusal to have sexual relations with them; in addition to the physical injury, they forcibly seized my phone."

Forced House Confinement and Physical Chaining

Family units systematically utilize unlawful confinement and physical restraint to forcefully mask, punish, or suppress an individual's intersex and transgender identity under the guise of protecting family honor. One respondent, Darya, representing 20 percent of the group, was physically chained inside a confined domestic space by her brothers immediately following her release from Taliban detention in July 2023. This case illustrates the compounding logic of intersecting state and domestic violence: the Taliban's detention and public labeling of Darya as a transgressor directly triggered the family's subsequent imprisonment of her, creating a seamless continuum of custodial abuse from state to household.

Following her release from state custody, Darya was forcefully chained inside a small wooden space by her immediate family members:

"After being released from prison on July 17, 2023, my brothers Mirullah and Sohrab, considering my transwoman identity and intersex status a 'stain of shame' for the family, chained me in a small, dark wooden room in my sister's house. During this week of house confinement, they repeatedly threatened and humiliated me, saying I had disgraced the family."

Attempted Murder and Lethal Domestic Threats

The severity of familial persecution escalates in a documented case to immediate and explicit threats of honor killing, making ongoing domestic survival impossible. One respondent, Darya, representing 20 percent of the group, was forced into sudden flight to preserve her life after her brothers explicitly threatened her with murder following her period of physical chaining. This sequence of events, from Taliban arrest and torture, to family chaining, to explicit death threats, to forced border flight, illustrates the total elimination of safety in both the public and domestic sphere for intersex transgender women in Afghanistan.

Following her chaining, Darya was forced into immediate flight to the Iranian border after her brothers threatened her with murder:

“After disclosing my identity as a transwoman, my brothers Mirullah and Sohrab explicitly threatened that if I continued with this identity, my life would be in danger, and my mother confirmed that they might murder me. These serious death threats from family members forced me to flee toward the Iranian border to save my life after my mother released me from house confinement.”

Forced Marriage and Coercive Gender Realignment

Forced heterosexual marriage is deployed by families as a corrective tool to violently alter or conceal a respondent's biological condition and gender identity, a practice that the Taliban's ideological framework has institutionalized and enforced at a national level. Two respondents, Khushbo and Azita, representing 40 percent of the group, experienced forced marriage or sustained coercive pressure toward gender realignment. In both cases, the family's full knowledge of the respondent's intersex and transgender status did not deter the coercion but was absorbed within a broader framework of honor management and identity erasure.

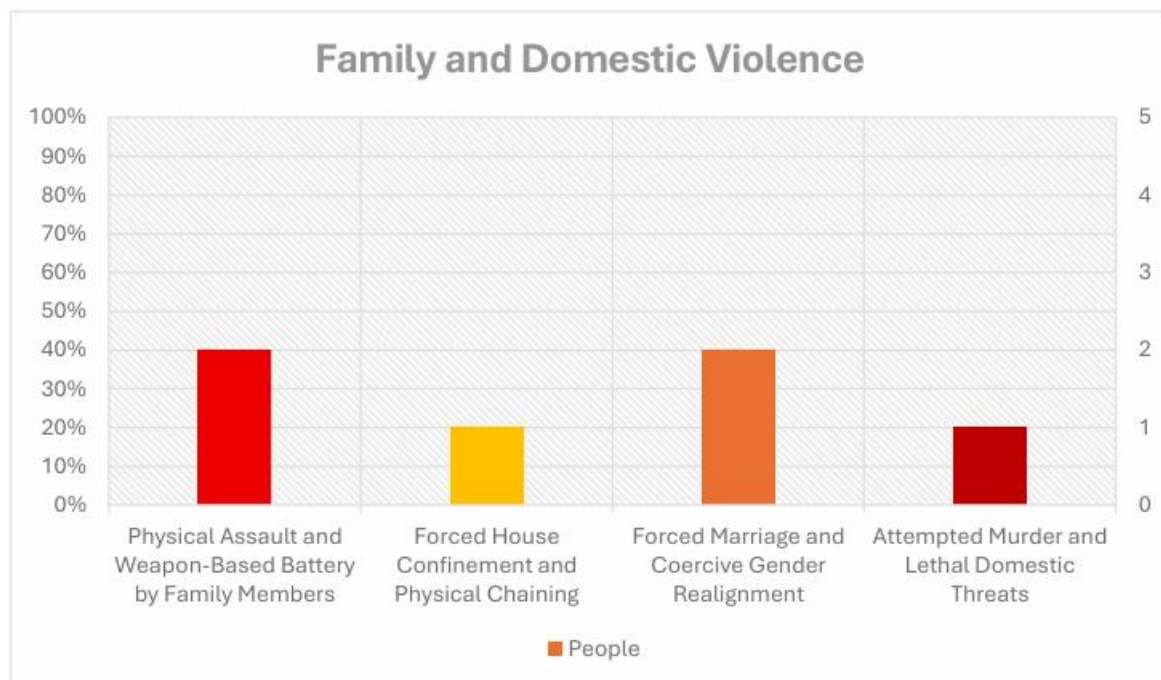
Khushbo was forced into marriage in May 2015 due to deep-seated cultural policies that are now actively enforced throughout the country under the current regime:

“Although my family knew that I am a trans woman and intersex, they still forced me into marriage. In May 2015 I was compelled to marry. The policy of forced marriage, especially against the LGBT community, is a culture in the southern regions of Afghanistan. At present, the Taliban also implement this policy throughout the country.”

Azita faced intense coercive domestic pressure from her father to alter her voice and enter a forced cousin marriage, a demand only abandoned after her father acknowledged her biological incapacity to fulfill traditional male roles, though psychological pressure continued regardless:

“Without considering that I identify as a girl (transwoman), my father insisted that I marry my female cousin; but when he realized that I am also biologically female (intersex) and lack the capacity to be a man, he withdrew his decision. Nevertheless,

my family continued to put me under psychological pressure, forcing me to deepen my voice and act like a man, contrary to my female identity.”



- Yellow: Represents forced house confinement and physical chaining within the domestic sphere.
- Orange: Represents forced marriage and coercive gender realignment imposed by family members.
- Bright Red: Represents physical assault and weapon-based battery within the family.
- Dark Red: Represents attempted murder and lethal domestic threats against the individual.

6.2.4 Social and Economic Violence

The systematic exclusion of intersex individuals from education, economic participation, and public life constitutes a third and self-reinforcing layer of violence operating alongside state persecution and domestic abuse. All five respondents experienced relentless verbal abuse and social stigmatization across every environment they inhabited, a universality that distinguishes intersex individuals as targets of near-total societal rejection. Three respondents, representing 60 percent, were forced out of the educational system. Two respondents, representing 40 percent, were pushed into economic discrimination and forced survival labor. Two respondents, representing 40 percent, attempted cross-border flight and encountered severe immigration barriers that ultimately returned them to environments of active persecution. Under Taliban rule, pre-existing patterns of social erasure have intensified without interruption through 2025 and 2026, and international policy changes have now eliminated even the most basic external escape routes.

Verbal Abuse, Public Humiliation, and Stigmatization

All five respondents, representing 100 percent of the group, experienced severe, relentless psychological trauma due to societal degradation, insults, and public slurs utilized by teachers, peers, family members, and Taliban forces alike to isolate and mark them for further violence. The derogatory terms *Izzak* and *Dokhtarchap* were deployed across every social environment, from family homes and school classrooms to public streets and Taliban detention facilities, demonstrating that verbal violence against intersex individuals operates as a structural constant across all spheres of life. In 2025 and 2026, this dynamic continues and has intensified under the ideological reinforcement provided by the ruling group.

Laila recalled the constant use of derogatory terms within her home and school environments in Kunduz, including by a teacher who publicly mocked her in front of classmates:

“I was constantly addressed with the derogatory term ‘Izzak’ in my home and community due to my identity as a transwoman; my brothers mocked me for doing housework, and even at school, my teacher, Sayed Masoud, would call me by mocking names in front of others and ask ‘Where is your sister-friend?’, causing me systematic shame and humiliation in public.”

Barish described how classmate- and teacher-led mockery during her ninth-grade year permanently destroyed her self-confidence and transformed her school years into the worst memory of her life:

“My school years were filled with psychological trauma. In 9th grade, whenever I stood up to explain a lesson, classmates and even some teachers mocked me for my feminine voice and the way I dressed. Despite my clothes being neat and clean, they criticized and humiliated me. Some teachers even threatened that if I had a relationship, they would use it against me. These constant insults and humiliations in an environment that should have been safe completely destroyed my self-confidence, making my school years the worst memory of my life.”

Denial of Education and Forced Academic Exclusion

The cumulative impact of targeted societal harassment, institutional bullying, and acute safety fears systematically strips intersex individuals of their fundamental right to education, forcing them into premature academic withdrawal whose consequences extend across every subsequent dimension of their economic and social lives. Three respondents, Azita, Laila, and Barish, representing 60 percent of the group, were driven out of the educational system. Under Taliban rule, which has institutionalized the exclusion of women and gender non-conforming individuals from public life, this pre-existing pattern of educational erasure has been further entrenched, eliminating any possibility of reinstatement or remedy in 2025 and 2026.

Azita detailed how systematic insults forced her to abandon her studies at Kabul University, driving her into a state of permanent masked concealment in public spaces to avoid identification and attack:

“In schools and social environments in Kabul, due to my identity as a transwoman and intersex physical traits such as a high-pitched voice and different gait, I was constantly humiliated with the derogatory label ‘Izzak.’ This systematic insult based on my gender caused me severe stress and neurological problems, eventually forcing me to drop out of Kabul University. Because of these, I was marginalized and labeled, and forced to give up my education. Now, to protect my life from people who consider my identity a disgrace, I must always wear a mask in public places to avoid being recognized and attacked.”

Economic Discrimination and Forced Survival Labor

Severe family discrimination routinely manifests as total financial abandonment, stripping intersex individuals of economic support and forcing them into dangerous or exploitative survival mechanisms from early childhood. Two respondents, Barish and Khushbo, representing 40 percent of the group, were pushed into economic discrimination and forced survival labor. In both cases, the financial deprivation was not incidental but deliberate and identity-based, functioning as an extension of the family’s broader project of punishment and erasure. Under Taliban rule, the elimination of formal employment opportunities and the criminalization of the performance and dancing work that provided informal income for some respondents has deepened this economic destitution through 2025 and 2026.

Barish recounted how her family completely cut off her educational and living expenses at age twelve, forcing her into street vending while simultaneously attending school:

“I grew up in a family that practiced severe inequality between me and other members. While my parents provided money to my two brothers and full financial support to my four sisters, they forced me to work as a street vendor from the age of 12 to earn my own living. My family wouldn’t even pay for my school expenses, forcing me to work while studying. This economic discrimination and inequality in rights made me feel worthless and robbed me of opportunities for academic growth and financial independence since childhood.”

Forced Displacement and Immigration Barriers

Internal flight and cross-border displacement represent the final options for survival for intersex individuals facing simultaneous state persecution, domestic violence, and social erasure. Two respondents, Darya and Khushbo, representing 40 percent of the group, were forced into cross-border flight and subsequently encountered severe immigration barriers that either depleted their resources entirely or returned them involuntarily to Afghanistan. International policy changes in late 2025 constitute a critical new dimension of this violence in the reporting period, eliminating established resettlement pathways and trapping survivors in environments of active persecution

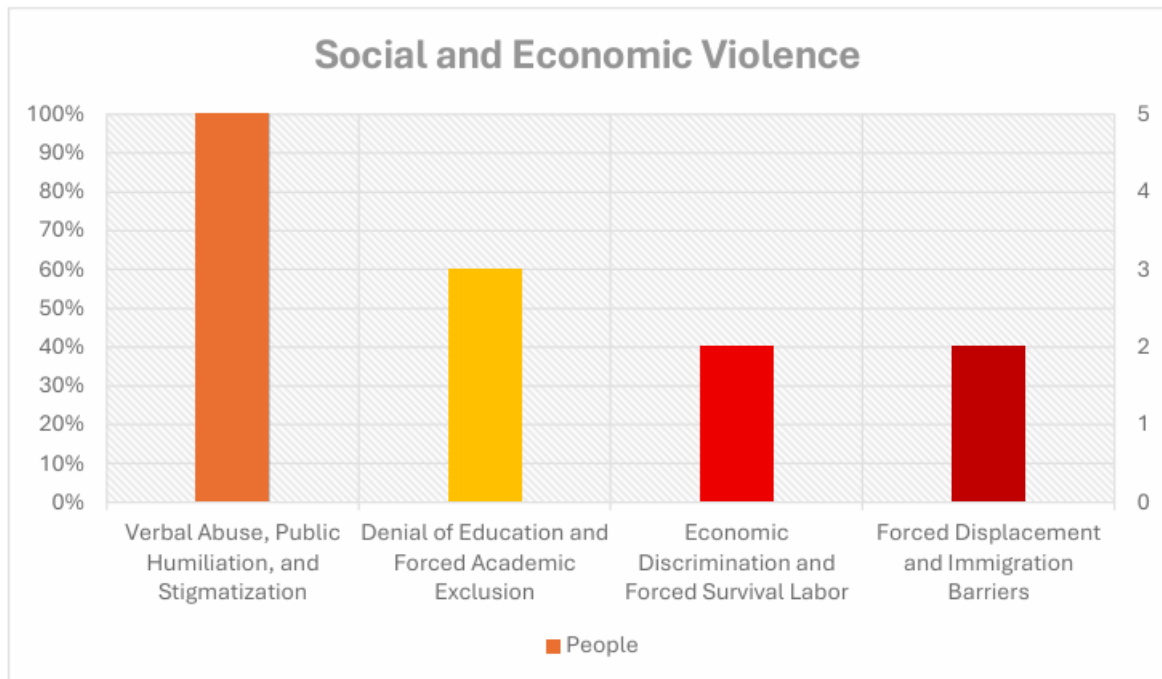
with no viable exit route. For those unable to flee, the only remaining option is extreme, self-imposed domestic confinement within Afghanistan, a form of voluntary imprisonment that represents the total negation of freedom of movement.

Khushbo fled to Islamabad, Pakistan, in 2023 and was accepted into Germany's resettlement program, only to have her escape route blocked by the sudden cancellation of all German programs for Afghans in late 2025, forcing her involuntary return to Afghanistan:

"In Afghanistan, because of my gender identity, I experienced a lot of family and state violence. Eventually I was forced to flee Afghanistan and in 2023 I escaped to Islamabad, Pakistan. From there I applied to Germany's resettlement program. My application was accepted, but in late 2025 all of Germany's programs for Afghans were stopped. Since I did not have enough money in Pakistan, I was compelled to return to Afghanistan."

While some survivors are forced into dangerous border crossings or returned into harm's way by policy closures, others, like Barish, are driven into extreme self-imposed house arrest within Kabul through 2025 and 2026, living as prisoners in their own homes to escape re-identification, sexual exploitation, and re-arrest:

"Currently in Kabul, I live in a state of forced and self-imposed confinement to protect my life. The fear of being re-identified and arrested by the Taliban, or being sexually exploited outside, has led me to completely halt my daily activities. I have restricted myself to my home and can no longer move freely in the city. This isolation has caused me to stay awake at night out of fear and live with intense anxiety during the day, as every step outside represents a risk of re-arrest or violence."



- Yellow: Represents denial of education and forced academic exclusion.
- Orange: Represents verbal abuse, public humiliation, and stigmatization.
- Bright Red: Represents economic discrimination and forced survival labor.
- Dark Red: Represents forced displacement and immigration barriers.

6.3 The Lived Experiences of Lesbian Women in Afghanistan



6.3.1 Introduction and Statistical Overview

Out of the 30 individuals interviewed for this comprehensive human rights report, four respondents self-identified as lesbian women. The documented testimonies of these four individuals, identified by their aliases as Arezo, Sahar, Sana, and Sara, reveal severe, overlapping patterns of targeted familial abuse, domestic torture, economic erasure, and systemic state persecution. The intersecting nature of their sexual orientation and gender identity renders them exceptionally vulnerable to a distinct spectrum of human rights violations executed interchangeably by immediate family units, spouses, and forces of the ruling group intent on violently policing sexual non-conformity.

The four respondents originate from the provinces of Baghlan, from which Arezo originates; Daykundi, the home province of Sahar; Kunduz, where Sana is from; and Maidan Wardak, the province of origin of Sara. Documented rights violations, forced marriages, weapon-based assaults, and acute domestic abuses were primarily carried out across Baghlan, specifically in Pol-e-Khumri; Balkh, specifically in Mazar-e-Sharif; Daykundi, specifically in Neli; and Kabul. This environment of compounding state and familial violence has forced three of the four survivors into cross-border displacement into Pakistan or Iran, while the fourth remains trapped within an abusive forced marriage inside Afghanistan with no viable exit route available through 2025 and 2026.

A quantitative breakdown of the specific abuses endured by these four respondents reveals the structural and pervasive nature of the violence across six primary thematic categories. In the category of forced marriage and coercive marriage pressure, all four respondents, representing 100 percent of the group, experienced either the execution of a forced marriage or acute, violent pressure from family members to enter one: Arezo and Sahar were forced into marriages with men they had no attraction to, while Sana and Sara resisted sustained and escalating family coercion in Kabul in early 2025. In the category of severe physical violence and assault, three respondents, Arezo, Sahar, and Sara, representing 75 percent, were subjected to brutal physical beatings by fathers, brothers, or spouses, resulting in severe bodily injuries, permanent physical trauma, and weapon-based threats. In the category of attempted murder and lethal threats, three respondents, Arezo, Sahar, and Sara, representing 75 percent, faced explicit threats of honor killing or immediate execution by family members or spouses due to their sexual orientation.

In the category of marital rape, forced pregnancy, and sexual exploitation, two respondents, Arezo and Sahar, representing 50 percent of the group, endured systemic marital rape within forced marriages and were made pregnant against their will on multiple occasions, with each forced pregnancy constituting a direct and documentable consequence of sexual violence. In the category of denial of education, three respondents, Sahar, Sana, and Sara, representing 75 percent, were completely stripped of their right to education, driven either by punitive family containment following the exposure of their orientation or by the Taliban regime's systematic closure of secondary schools for girls. In the category of economic marginalization and

total loss of livelihood, all four respondents, representing 100 percent, faced absolute financial dependency and poverty due to patriarchal family blockades, the absence of a legal male guardian as required under Taliban regulations, or the ruling group's decrees banning women from formal employment. In the category of forced displacement and border exile, all four respondents, representing 100 percent, were forced to flee their immediate homes or provinces to preserve their lives, with three, Sahar, Sana, and Sara, experiencing cross-border displacement into Iran or Pakistan, where they face compounding dangers of deportation and legal invisibility through 2025 and 2026.

6.3.2 Identity Discovery, Forced Disclosure, and Family Response

The realization of a lesbian identity typically begins during early adolescence for respondents in Afghanistan, unfolding within traditional or deeply religious household environments where no framework for understanding sexual orientation exists and where discovery is met with immediate repression. Disclosure is rarely a voluntary act; instead, identities are overwhelmingly exposed through involuntary means, including the surveillance of social circles, parental suspicion, or severe interrogation by family members. In each documented case, the moment of family discovery functioned as the initiating event that triggered all subsequent layers of domestic violence, confinement, and coercive control.

Reflecting on the involuntary exposure of her identity during her youth in Pol-e-Khumri, Baghlan province, Arezo explained:

“I first realized that my orientation differs from what is considered normal in society when I was in the seventh grade, around 2007, and almost 13 years old while growing up in my family home in Pol-e-Khumri, Baghlan province. I understood that this situation is a type of sexual orientation and falls under the category of homosexuality. In the end, my orientation was exposed involuntarily. I did not intend to share it with my family, but over time, some behaviors, relationships, or perhaps conversations I had with friends made my mother suspicious. She asked me directly if I had an attraction to my own gender. Finally, I also confessed under pressure. This is how my family members became aware of my orientation.”

Recounting how the discovery of her emotional attachment to a classmate in Neli, Daykundi province, triggered instantaneous familial backlash, Sahar shared:

“I had a lesbian orientation since childhood, but this orientation was consolidated when I was around the 9th to 11th grade. It was in the 9th grade, around 2010 in my hometown of Neli, Daykundi province, that I fell in love with a female classmate named Bahar, and with each passing day, I developed stronger emotional feelings for her. Over time, my mother became aware of these feelings. Naturally, mothers notice their daughters' behavior and who they spend their time with. My mother found out about this issue and immediately shared it with my father, which triggered the subsequent abuse from my family.”



House Confinement and Restrictions on Movement

Upon discovering a daughter's lesbian orientation, families routinely resort to unlawful confinement and strict deprivation of liberty. These measures are designed to enforce absolute isolation, strip the individual of communication tools, and sever any protective peer networks. Under Taliban rule, which has institutionalized the policing of women's movement and behavior, families now operate with heightened ideological reinforcement for such confinement, which enables and amplifies domestic detention through 2025 and 2026.

Detailing the immediate loss of her freedom and the enforcement of absolute surveillance within her family home in Baghlan province, Arezo recalled:

“After my orientation became apparent to my family in Pol-e-Khumri, Baghlan province, my life changed significantly. The initial reaction of my family, and especially my mother, was very harsh and based on traditional and religious views. Going out of the house, seeing friends, and even going to school regularly were called into question. At certain points, I was practically placed under house arrest; meaning I

could not leave the house without my family's permission. Furthermore, my phone, calls, and the type of relationship I had with my friends and classmates were monitored."

Illustrating how her parents weaponized house arrest and equated her sexual orientation with familial disgrace in Daykundi province, Sahar noted:

"When my parents found out about my lesbian orientation around 2012 in Neli, Daykundi province, both of them put a lot of pressure on me. They locked me in the house and would not let me go to school. They told me that I was a disgrace to them and that if I go to school, I will destroy their credibility and honor. They would not allow me to go to school and said that I was meeting Bahar at school, so I should not go."



Forced Marriage and Coercive Marriage Pressure

Forced marriage is systematically utilized by patriarchal family units as a corrective tool to forcefully alter, suppress, or cure a lesbian woman's sexual orientation, a practice that the Taliban's ideological framework has institutionalized and legitimized at a national level. Survivors are subjected to extreme psychological coercion, physical ultimatums, and mounting domestic pressure to consent to marriages with men, completely discarding their orientation.

In two documented cases this pressure culminated in the execution of a forced marriage; in the remaining two cases it continued as an active, escalating threat through 2025 and 2026.

Describing the escalation of domestic pressure and the strategic use of marriage as a tool for forced identity modification in Kabul, Sana stated:

“When my family began raising the issue of marriage and finding suitors for me, I realized more clearly than ever that I have no attraction to men and could not marry a man. In early 2025 in Kabul, after a long period of resistance, I was forced to tell my mother that I am a lesbian and that I am not attracted to men. After this disclosure, the situation became worse. My mother and older brother increased the pressure on me, repeatedly found suitors for me, and tried to persuade or force me into marriage. I feel that they see marriage as a way to change me, distance me from my sexual orientation, or fix me. I have repeatedly rejected these proposals, but the pressure continues and grows stronger every day.”

Highlighting the conditional and coercive terms imposed by her family in Neli, Daykundi province, where access to basic schooling was conditioned upon marital submission, Sahar detailed:

“When I insisted on going to school in Neli, Daykundi province, my parents set a condition for my schooling. They said that if I wanted to continue my education, I must marry, and only then would they allow me to go to school. I accepted even though I had absolutely no consent. The reason was so I could go to school. Ultimately, in early 2013 in Neli, I was forcibly married to a person named Roohullah Alamzada. This was a forced marriage and I had no consent in this relationship, and I still do not, because I am a lesbian and have no attraction to men. My parents thought that if I got married, I would give up my lesbian orientation.”

Testifying to the violent finalization of her forced marriage to an older religious figure in Pol-e-Khumri, Baghlan province, Arezo recounted:

“I realized I was a lesbian from about the age of 13 in 2007. Over time, my family became aware of the issue. They considered my orientation a sin and a deviation. Ultimately, this situation led to forced marriage, which took place on June 18, 2014, in Pol-e-Khumri, Baghlan province. With direct pressure from my family and without considering my orientation or consent, I was forced into marrying a religious man and a mullah in a mosque who was also years older than me. I was forced into an arranged marriage with a person named Firooz Hasani. I have absolutely no attraction to him or to any other man.”

Outlining the intersection of deep-seated religious traditions, childhood orientation realization, and violent marriage coercion in Kabul, Sara shared:

“In January 2025, while living in Kabul, my family pressured me to marry. I refused and said that I did not want to marry a man. My father, mother, and brother intensified the pressure, and eventually I was forced to tell them that I am a lesbian and not attracted to men. This ultimately led to severe family violence, physical injury, and my escape from Afghanistan. I should say that I grew up in a traditional and deeply religious family that believed girls should marry at a young age. During school, I realized that unlike other girls, I was emotionally attracted to girls. One of my friends told me that I might be a lesbian; after searching online, I realized that I was indeed a lesbian.”

Marital Rape, Forced Pregnancy, and Sexual Exploitation

Lesbian women forced into heterosexual unions face continuous, severe cycles of sexual and gender-based violence. Lacking any natural attraction to men, these women experience routine sexual acts within marriage as explicit marital rape, which frequently results in forced, non-consensual pregnancies and severe reproductive exploitation. Two respondents, Arezo and Sahar, representing 50 percent of the group, documented this pattern of conjugal violence in detail. Under Taliban rule, which eliminates all legal recourse against marital violence and reinforces the husband's absolute authority, the impossibility of exiting these unions has deepened through 2025 and 2026.

Detailing the daily reality of marital rape and its ongoing reproductive consequences in Mazar-e-Sharif, Balkh province, Arezo testified:

"This cycle is sexual and gender-based violence. The lesbian orientation, as a traditional and religious sin, led to control, forced marriage on June 18, 2014, in Pol-e-Khumri, Baghlan province, and rape in the form of marriage for me. I simply refuse to have relations with him because I have no desire for the opposite sex. But he approaches me with violence and force. This is openly rape because I have no consent in this relationship. Forced pregnancy is also the major harm. I became pregnant twice without any desire or readiness and gave birth to two children. Moving into 2025 and 2026, the consequences of this marital rape continue daily as I am forced to raise these children in a household devoid of consent, where my body is treated as property."

Describing the deployment of physical violence to exact sexual compliance and force childbearing within her marriage in Daykundi province, Sahar explained:

"After my forced marriage in Neli, Daykundi province in 2013, my husband would approach me for sex by force, beating, slapping, and punching me because I refused to submit to him due to my lack of attraction to men as a lesbian. All of this caused me to become pregnant unintentionally and forcibly in the years 2014 and 2018, respectively, and I gave birth to two children. My husband approached me against my will after marriage and said we must have children. Even after escaping the home in 2019, the trauma of this sexual exploitation and the forced separation from my children remains an open wound affecting my life profoundly through 2025 and 2026."

Severe Physical Violence and Threats of Honor Killing

Physical assault, weapon-based torture, and the immediate threat of honor killings are structural realities for lesbian women in Afghanistan. Violence is exerted by birth families to punish non-conformity and by husbands to suppress sexual resistance within forced marriages. Three respondents, Arezo, Sahar, and Sara, representing 75 percent of the group, documented severe physical abuse, and in all three cases the violence was accompanied by explicit or implicit threats of lethal harm. The most recent documented incident occurred on February 10, 2026, in Mazar-e-Sharif, Balkh province.

Recounting a severe, knife-based domestic assault executed by her father and brother in Kabul upon the disclosure of her orientation, Sara stated:

“After I told my family in January 2025, in Kabul, that I am a lesbian and did not want to marry, my father and brother severely assaulted me. They both beat me with punches and kicks. I was thrown against the wall several times. My brother attacked me with a knife, held it against my throat, and said, You must marry and you must give up these disgusting beliefs and orientations. They said that I was destroying the family’s honor. The beating was so severe that my back was seriously injured, and my leg and spine were badly damaged. At that moment, I truly felt that I could be killed by my own family simply because I am a lesbian and refused to enter a forced marriage.”

Detailing the extreme, ongoing physical abuse she faces in Mazar-e-Sharif, Balkh province, alongside the severe risk of an honor killing by her spouse, Arezo shared:

“From the time I was forcibly married to a man who I not only have no sexual attraction to, but who is also years older than me, I am subjected to physical violence and beatings almost every day living with him in Mazar-e-Sharif, Balkh province. I am completely a lesbian. I only refuse to have relations with him, but he approaches me with force, violence, and beatings. He has beaten me many times. The last time, a week ago on February 10, 2026, at our home in Mazar-e-Sharif, he beat me so severely that my whole body was bruised and black. My husband is unaware of my orientation, and if he finds out, he will definitely kill me here in Mazar-e-Sharif, Balkh province, because he is an extremist and a mosque mullah. My total suppression of sexual desire has caused my body to always be in a state of tension and resistance, leaving me with chronic body pain and permanent physical trauma that persists into 2026.”

Describing the compounding physical violence inflicted interchangeably by her parents and husband in Daykundi province, Sahar recalled:

“Beating and battery was not a new event for me. From the time my lesbian orientation was exposed to my parents in Neli, Daykundi province, I have experienced physical violence. My father used to beat me with punches and kicks. Because I had no attraction to men, I did not submit to my husband and refused to have a relationship with him. In return, my husband also beat me and forced himself on me. In the beginning, when I was beaten by my husband, I would flee to my parents’ house, but my parents also beat me and sent me back to my husband’s house. The last time was in late 2019 in Neli, after I graduated from university, when my husband beat me. With every beating, black and blue bruises remained on my body, and my body ached for a long time, causing chronic physical vulnerabilities that I still suffer from today.”

6.3.3 Structural Deprivation: Education and Employment

The Taliban’s systemic restrictions on women’s liberties intersect directly with the compounding vulnerabilities of lesbian individuals, creating a dual layer of persecution in which state decrees banning women from secondary schools and formal

employment operate alongside identity-based family punishment to eliminate any avenue of economic independence or escape. For lesbian women already subjected to domestic confinement, the loss of education and employment removes the last structural mechanisms through which self-sufficiency and eventual flight might otherwise have become possible.

Explaining how the Taliban's employment bans permanently dismantled her avenues for financial self-sufficiency in Mazar-e-Sharif, Balkh province, Arezo observed:

"Following the forced marriage and my relocation to Mazar-e-Sharif, Balkh province, any remaining hope of securing employment or establishing financial independence was completely destroyed by state violence. Especially after the Taliban takeover, the systematic bans on women's employment and their extremist policies dismantled all job opportunities for me. The state-enforced restrictions on women working outside the home, combined with the constant surveillance at checkpoints, have completely blocked me from finding a job, trapping me in economic instability and total financial dependency on my abuser."

Detailing how the absence of an available male guardian legally precluded her from obtaining work in Kabul, Sana testified:

"After the Taliban took power, I applied for work many times, but most places were not hiring women. In some private offices and organizations that were willing to employ women, I was told that I needed a male guardian, such as a father or brother, in order to work and travel to work. However, my father has passed away, and my two brothers are married and live separately from us; because of this, I did not have an available mahram and was unable to find employment. I live alone with my mother and sister. My mother previously worked as a cleaner in a local bank, but after the Taliban imposed restrictions on women's employment, she lost her job and became unemployed. Today, we live under severe economic hardship and serious financial difficulties."

Describing how the state-enforced closure of female secondary education abruptly terminated her schooling, Sara noted:

"When the Taliban returned to power in 2021, I was in Grade 9. After girls' secondary schools were closed, I was no longer able to continue my education. I wanted to study, but solely because I am a girl, I was denied my right to education, and to this day I have not been able to complete my schooling."

Reflecting on her incomplete education following structural blockades within Afghanistan and temporary displacement to Iran, Sana added:

"I studied up to Grade 10 in Mazar-e-Sharif, Balkh province. After the fall of the government in 2021 and the Taliban's return to power, my mother, sister, younger brother, and I were forced to migrate to Iran. We lived there for two years, but we could not sustain our lives and were forced to return to Afghanistan. After returning, we lived in a rented room in Kabul, but after the Taliban closed secondary schools for girls, I

was no longer able to continue my education. At the time of this interview, I still have not been able to return to school, and my education remains incomplete.”

Psychological Trauma and Enforced Social Isolation

The severe intersection of domestic battery, marital rape, constant surveillance, and social invisibility induces profound, long-term psychological destruction, manifesting in clinical trauma, severe depression, and existential dread. Two respondents, Arezo and Sahar, documented diagnoses or symptoms consistent with Post-Traumatic Stress Disorder as a direct result of the compounding violence they endured. For those still residing within Afghanistan, the absence of any mental health support, therapeutic resource, or safe disclosure space renders this psychological destruction entirely unaddressed through 2025 and 2026.

Detailing the onset of severe clinical trauma and persistent anxiety caused by her marital environment in Balkh province, Arezo shared:

“Forced marriage and the subsequent violence have caused Post-Traumatic Stress Disorder, severe depression, complete emotional numbness, constant anxiety, and other negative psychological effects. Now in 2025 and 2026, I still have nightmares every night. I cannot feel happiness, and I always live in debilitating fear of my husband. Every time I face my husband or he approaches me, I wish for death a thousand times. Socially, I also became isolated, and my relationships with my friends were strictly controlled and monitored. This has all caused me to remain silent under a mountain of violence and pushed me into forced isolation, which has intensified in 2025 and 2026, leaving me completely cut off from any protective peer network or social life in Mazar-e-Sharif.”

Describing the ongoing psychological deterioration endured while living under constant structural fear, Sahar observed:

“Overall, all of these events, starting from the discovery of my lesbian identity, the forced marriage, and the subsequent physical and sexual abuse in Neli, Daykundi, caused me to suffer from severe psychological problems. Living in exile in Islamabad through 2025 and 2026, under the constant fear of deportation and the trauma of my past, I continue to suffer from debilitating Post-Traumatic Stress Disorder, severe depression, permanent fear, anxiety, and panic attacks.”

Forced Displacement, Cross-Border Exile, and Survival Challenges

To survive severe domestic violence and execution threats, lesbian women are forced into unstable internal flight or dangerous cross-border escape routes, frequently without documentation, financial resources, or institutional support. In exile, survivors face legal invisibility, lack of valid documentation, severe financial deprivation, and the constant threat of deportation back to Afghanistan, where both state persecution and familial violence await them. International policy changes and border restrictions in 2025 and 2026 have further narrowed the already severely limited pathways available to this population.

Outlining her journey through Iran and her current undocumented status in Islamabad, Pakistan, Sahar explained:

“Since the situation became unbearable for me due to the beatings from my husband, I ran away from home in Neli, Daykundi province, in late 2019. I contacted my friend Bahar, whom I was in love with, and we left Daykundi province together and went to Kabul. We were there until August 2021, when the Taliban took Kabul, and then we fled to Iran. In the middle of 2022, after almost a year in Iran, I traveled smuggled to Pakistan. I lived secretly in Pakistan for a while. On November 7, 2023, I received a six-month visa from the government of Pakistan, which expired on May 6, 2024. Now in 2026, I am living completely undocumented in Islamabad. The Pakistani government is actively arresting and forcibly deporting illegal Afghan migrants. I am under constant, immediate threat of arrest and forced deportation back to Afghanistan, where I face certain death from the Taliban and my family.”

Describing her sudden flight to Peshawar, Pakistan, to preserve her life, and the daily struggle of manual labor for basic survival, Sara recounted:

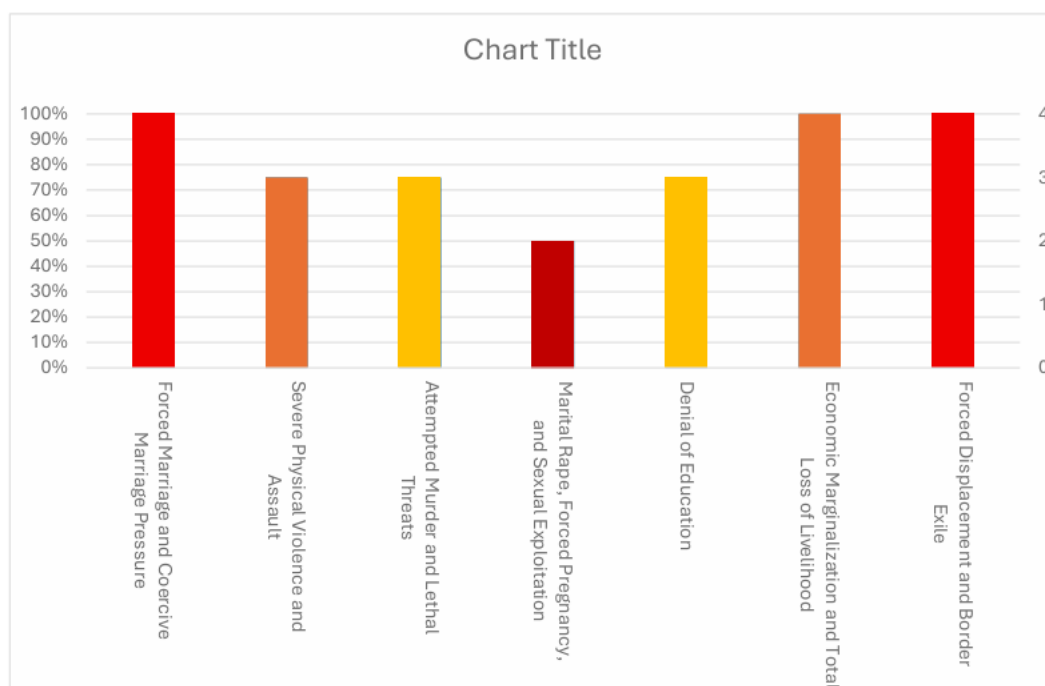
“After the violence I experienced at home in Kabul, I no longer felt safe and feared that my family would again try to force me into marriage or even kill me. I had to contact my sister and my partner. My partner gave me money so that I could obtain a visa for Pakistan. To save my life, I fled to Peshawar, Pakistan, on March, 14 2025. I now live in Peshawar and, in order to survive, I clean people’s houses to earn money and cover my living expenses.”

Coping Mechanisms and Resistance

In unique instances, survivors have managed to navigate strict patriarchal control by leveraging the severe social stigma associated with homosexuality against their own abusers, converting their families’ fear of public dishonor into temporary concessions. This mechanism, while representing a form of agency exercised under conditions of extreme duress, simultaneously underscores the totality of the social stigma surrounding lesbian identity in Afghanistan, where the mere threat of public disclosure functions as leverage precisely because the consequences of discovery are understood by all parties to be catastrophic.

Explaining how she secured permission to attend higher education by leveraging her family’s fear of public exposure in Neli, Daykundi province, Sahar stated:

“The reason I was able to continue university later, in 2016 in Neli, Daykundi province, was that I strongly insisted on going to university and said that if I did not go, I would tell everyone everywhere that I am a lesbian. My family and my husband, out of fear that I might make this issue public and cause them disgrace, allowed me to go to university.”



- Yellow: Represents attempted murder, lethal threats, and denial of education.
- Orange: Represents severe physical violence, assault, economic marginalization, and total loss of livelihood.
- Bright Red: Represents forced marriage, coercive marriage pressure, forced displacement, and border exile.
- Dark Red: Represents marital rape, forced pregnancy, and sexual exploitation.

7. Analysis

The testimonies documented in the Findings section, read against the legal framework examined in the Legal Status section, reveal a relationship between formal law and lived experience that is not incidental but structural. The violations recorded across the three respondent groups are not the product of individual enforcement decisions or local aberrations. They are the direct and foreseeable output of a legal system constructed, layer by layer, to ensure the total exposure of LGBTI individuals to state and non-state violence, with no procedural pathway available for protection or recourse. This section examines that convergence across four dimensions: the function of legal design as a generator of systematic harm; the relationship between state, family, and community enforcement; the compounding effect of economic and educational erasure; and the closure of displacement pathways as a critical new dimension of vulnerability in the reporting period.

7.1 Criminalization of Identity and Its Penal Consequences: Detention, Torture, and the Juridical Path to Execution

The four legal instruments analyzed in this report do not operate through the selective application of criminal provisions to discrete acts. They operate through the

criminalization of identity itself. Article 2 of the Penal Code of Courts places the category *luti*, a social identity rather than a specific proven conduct, among those who spread corruption and who are not corrected except by death. Article 47 grants the judge authority to impose punishment on a person who has merely acquired a reputation for corruption, without evidence of any particular act. Article 59 subjects a gender-nonconforming person to indefinite detention pending repentance of an identity rather than a specific conduct. What these provisions produce, when read against the testimonies, is precisely what the legal analysis predicted: punishment initiated on the basis of appearance, not act.

This is confirmed across respondent groups without exception. Vara was detained because she acted in a feminine way. Alia was arrested immediately after neighbors disclosed her identity to arriving Taliban members, without any accusation of a specific act. Darya was stopped because of her different appearance and feminine behaviors. Khushbo was detained because her body resembled that of girls. In each case, the initiating event was identity, perceived or disclosed, and the legal framework was designed to treat that identity as a sufficient and self-contained basis for enforcement.

The Penal Code's most consequential structural feature is the habit provision of Article 60, which provides that a person for whom *liwat* is proven to be his habit may, with the Imam's permission, be killed, with the jurisprudential footnote clarifying that even two repetitions may constitute a habit. For a transgender woman whose legal classification makes any intimate relationship a *liwat* offense by operation of the Code's gender categories, repetition is structurally inevitable rather than a matter of choice. The path from identity to capital punishment in this system is not a chain of prosecutorial decisions; it is a chain of categorical definitions.

The Law on the Promotion of Virtue and Prevention of Vice eliminates the judicial mediation that would otherwise impose procedural constraint on that path. Article 24's seventh graduated penalty grants the *muhtasib* authority to impose any punishment deemed appropriate, with no prescribed ceiling and no judicial oversight. Article 26 provides that failure to reform leads to court referral, but for persons whose identity rather than a specific act is the basis of intervention, the condition of reform cannot be met. The result is a two-stage enforcement structure in which the *muhtasib* applies immediate extrajudicial punishment and refers those who do not reform to courts that prescribe flogging, imprisonment, indefinite detention, or death. No procedural stage within this structure offers a point of protection.

The Code on Judicial Separation of Spouses completes this architecture at the domestic level. The testimonies of Arezo, Sahar, Pari, and Niki demonstrate that forced entry into marriage is legally unimpeded by this Code, while exit is structurally foreclosed by the requirement for the husband's agreement under Articles 19 and 22. The Code's most dangerous operational effect is procedural exposure: for a lesbian or transgender individual whose identity constitutes a criminal offense before the same courts that handle dissolution proceedings, any attempt to pursue legal remedies creates a direct risk that a family dispute becomes the occasion for criminal

prosecution. Concealment and disclosure are both legally dangerous, and the Code provides no space between them. The legal framework therefore does not require enforcement discretion to produce the violations documented in the Findings. The design of the four instruments, taken together, ensures that LGBTI individuals who are visible in any form are exposed to criminal liability under at least one layer of the system at all times.

7.2 The Convergence of State, Family, and Community Enforcement

One of the most significant findings emerging from the testimonies is that state enforcement and domestic violence do not operate as parallel and independent systems. They operate as reinforcing and mutually enabling structures, through three specific convergence mechanisms that distinguish the Afghan context from jurisdictions where criminalization coexists with practical spaces of family protection or community tolerance.

The first mechanism is family-initiated state enforcement. In multiple documented cases, the initiating event of Taliban detention was a report made by a family member or immediate community figure. Nisan was arrested following a report by her own mother. Barish was targeted after Taliban forces gathered information from local shopkeepers. Zeba's arrest in Charikar followed reports from local residents. The legal basis for this mechanism is Paragraph 7 of Article 22 of the Law on the Promotion of Virtue and Prevention of Vice, which criminalizes the provision of any space or assistance to individuals engaging in prohibited conduct. The practical consequence is that the social environment of LGBTI individuals is transformed from a potential source of protection into a source of danger, and families are structurally incentivized to report rather than protect.

The second mechanism is state-triggered domestic violence. In the cases of Darya, Khalida, and Zuhal, Taliban detention and the public labeling of these individuals as transgressors directly triggered or intensified the subsequent domestic violence they faced. Darya was chained by her brothers immediately following her release from Taliban custody. Khalida was beaten, denied food, and threatened with death by her father and brothers after her release from forty days of detention. In each case, the state's enforcement action functioned as a disclosure mechanism that stripped the individual of any remaining protective ambiguity within the family environment.

The third mechanism is ideological reinforcement. Several respondents explicitly identify the Taliban's political control as having intensified pre-existing family violence, not merely by creating legal impunity for it, but by providing active ideological legitimacy. Nisan states that under Taliban rule, local elders and families feel legitimized to police private behavior. Hania notes that families live in fear of punishment, and so impose harsher control on transgender relatives. Families operating within this ideological environment extend the muhtasibin's authority into the domestic sphere as a preemptive compliance mechanism. The family home, rather

than functioning as a refuge from state persecution, becomes an additional and frequently more immediate site of danger.

For lesbian women, this convergence takes a structurally equivalent form. The forced marriages documented in the cases of Arezo, Sahar, Pari, and Niki are not informal arrangements entered under social pressure alone; they are legally validated by the Code on Judicial Separation of Spouses's framework, which impedes exit and treats silence as consent. The subsequent marital rape documented by Arezo and Sahar, including multiple forced pregnancies, occurs within a legal structure that removes all procedural recourse. The convergence of state, family, and community enforcement thereby eliminates the possibility of finding protection within any sphere of social life. For state-targeted individuals, the family is not a refuge. For those targeted by families, the state compounds the harm. For those persecuted within forced marriages, the courts designed to adjudicate family law disputes are simultaneously the courts that criminalize identity. This three-directional structure of vulnerability is the most consequential finding for the assessment of the severity and systematicity of the violations documented in this report.

7.3 Economic and Educational Erasure as Instruments of Control

The Decrees on Women's Education and Employment were analyzed in the Legal Status section as the fourth layer of the control framework: not a direct criminalization of identity, but a systematic removal of the instruments necessary for survival or escape. The testimonies confirm that this function operates with precision across all three respondent groups.

The denial of education produces harm for LBTI individuals that extends beyond the harm it produces for Afghan women generally. At least eight transgender women and three intersex respondents were forced out of the educational system. The consequences include the inability to read legal documents, the absence of familiarity with asylum procedures, the practical incapacity to communicate with support organizations, and the loss of social environments in which contact outside the immediate family circle was possible. Zulaikha's case illustrates the compounding effect with particular clarity: she passed the qualifying examination for employment at a state electricity company and was refused the position solely on account of her appearance and behavior. Educational qualifications provide no protection when identity-based discrimination governs institutional decisions.

The deprivation of income has produced a consistent outcome across respondent groups: forced dependency on the domestic environment in which the risk of violence is greatest, and recourse to survival mechanisms that themselves generate new vectors of harm. Pari was reduced to begging following the 2024 arrest that ended her only income source. Raihan was forced into sex work following expulsion from her family home, a situation whose structural conditions remain unchanged through 2025 and 2026. Niki was stabbed and raped by her employer in early 2026 after refusing repeated sexual demands, a violation made possible by the extreme dependency that

the absence of any other employment option had created. The pattern is consistent: economic erasure does not produce only poverty; it produces the conditions in which exploitation and violence become the principal available means of survival.

The mahram requirement, criminalizing unaccompanied movement under the March 2024 decree, adds a physical dimension to this erasure that is directly relevant to the population examined in this report. For a lesbian or transgender individual who has been expelled from her family, or who cannot safely approach male relatives, the absence of a mahram is not a bureaucratic obstacle but a legal barrier to physical movement. It forecloses job seeking, contact with support organizations, and flight from dangerous domestic environments. The cumulative effect is a situation in which no individual resource necessary for independent survival remains available: knowledge has been removed by the denial of education, income by employment restrictions, physical mobility by the mahram decree, and social connection by the criminalization of any network that might provide support. This four-dimensional deprivation is the structural basis on which the extreme economic vulnerability documented in the testimonies, rests.

7.4 The Closure of Displacement Pathways

A recurring and critical finding in the 2025 and 2026 testimonies is the systematic closure of the displacement pathways that previously represented the final available means of survival. Internal displacement within Afghanistan does not produce safety. It transfers individuals from one enforcement environment to another, frequently exposing them to Taliban detention in unfamiliar provinces where no protective social network exists. Maryam relocated from Laghman to Kabul following family pressure and was subsequently arrested and raped by Taliban forces in 2023. Internal displacement is not a durable protection strategy; it is a displacement of risk.

Cross-border flight has been systematically foreclosed in the reporting period through a combination of policy decisions and border closures. Khushbo was accepted into Germany's resettlement program from Pakistan and had her pathway eliminated by the cancellation of all German programs for Afghan nationals in late 2025, compelling her involuntary return to Afghanistan. Azita attempted to reach Pakistan following deportation from Iran and found the Torkham border closed. Sahar remains undocumented in Islamabad under immediate threat of deportation after her Pakistani visa expired in May 2024. Sara lives in Peshawar with no legal status and no established pathway to a jurisdiction where her orientation would not constitute a criminal offense.

The displacement option, for those who were aware of it and had the resources to pursue it, functioned within the overall system of control as the only mechanism capable of interrupting the self-reinforcing cycle of state persecution, domestic violence, and economic erasure. Its closure means that the system of control documented in this report has become, for all practical purposes, total. For those who cannot flee and cannot hide, the only options that remain are extreme self-imposed

confinement, as documented in the cases of Barish and Nisan, or continued exposure to the full spectrum of violations analyzed in this report.

The closure of displacement pathways also has direct implications for the international legal assessment of Afghanistan's situation. The Convention on the Elimination of All Forms of Discrimination against Women and the broader international human rights framework presuppose the existence of some avenue of redress or escape that states and international actors can identify as a practical safeguard. The documented closure of those avenues in 2025 and 2026, through a combination of Taliban enforcement of the four legal instruments and international policy decisions that have removed resettlement pathways, means that no such safeguard currently exists for the population examined in this report. The violations documented in the Findings are therefore not only the product of a legal framework designed to produce them; they are the product of a system from which there is currently no avenue of escape. This is the basis on which this report concludes that the situation of LBTI individuals under Taliban rule constitutes a systematic and severe human rights crisis requiring urgent international attention and response.

8. Conclusions and Recommendations

The legal and testimonial evidence examined in this report leads to a single, unambiguous conclusion: the situation of LBTI individuals under Taliban rule in Afghanistan is not a condition of restricted rights. It is a condition of total legal exposure, in which identity itself constitutes a criminal offense, every instrument of survival has been systematically removed, and every avenue of escape has been progressively foreclosed. The four legal instruments analyzed in this report, the Penal Code of Courts, the Law on the Promotion of Virtue and Prevention of Vice, the Code on Judicial Separation of Spouses, and the Decrees on Women's Education and Employment, do not operate independently. They constitute an integrated system whose combined effect is categorically more severe than the sum of its individual components.

The testimonies of the 30 respondents document the operational output of that system with precision. Custodial torture, rape by Taliban forces in official detention facilities, forced marriage with no legal avenue of exit, economic destitution enforced by law, and the systematic closure of both internal and international displacement pathways are not aberrations within this framework. They are its foreseeable and documented products. The violations recorded in 2025 and through June 2026 demonstrate that this system has not moderated with the consolidation of Taliban rule. It has intensified. The most recent cases in this report, including the collective rape of Khushbo during Eid week of March 2026, the armed assault on Azita in January 2026, and the arrest and torture of Vara in February 2026, confirm that the enforcement apparatus remains operationally active at the time of this report's completion.

The international community bears a specific and documentable responsibility in relation to one dimension of this crisis that is of its own making. The cancellation of resettlement programs, the deportation of undocumented Afghan nationals from neighboring jurisdictions, and the closure of border crossings have eliminated the final mechanism through which individuals facing systematic persecution were able to reach safety. These policy decisions were taken in full awareness of the conditions inside Afghanistan. Their consequence, for the population examined in this report, is that a system of control that was already severe has become total. This report calls on states and international institutions to recognize that responsibility and to act on it directly.

On the basis of the legal analysis and testimonial evidence presented in this report, the following recommendations are addressed to the relevant international bodies, states, and institutions.

The CEDAW Committee is called upon to formally assess the four legal instruments examined in this report, the Penal Code of Courts, the Law on the Promotion of Virtue and Prevention of Vice, the Code on Judicial Separation of Spouses, and the Decrees on Women's Education and Employment, as constituting, in their combined operation, a systematic violation of Articles 2, 15, and 16 of the Convention. The Committee is further called upon to recognize that the violations documented in this report are not incidental to the legal framework but are its direct and structural product, and to reflect this assessment explicitly in its concluding observations and general recommendations concerning Afghanistan.

The United Nations Human Rights Council and the Special Rapporteur on the situation of human rights in Afghanistan are called upon to extend the explicit scope of their monitoring and reporting mandate to include LGBTI individuals as a distinct and acutely vulnerable population, and to document the four-layer legal framework analyzed in this report as an integrated system of control rather than as a collection of discrete legislative measures. The Council is further called upon to consider whether the systematic, legally sanctioned persecution of LGBTI individuals under Taliban rule meets the threshold for formal designation as a situation of particular gravity requiring enhanced international scrutiny.

States that have suspended or cancelled resettlement and asylum programs for Afghan nationals are called upon to reinstate those programs without delay, with explicit provision for LGBTI individuals as a recognized category of persons facing persecution on the basis of identity. The suspension of these programs has had a direct, documented, and lethal consequence for individuals in the cohort examined in this report. Khushbo's forced return to Afghanistan following the cancellation of Germany's resettlement program, and her subsequent arrest, torture, and rape during Eid week of March 2026, constitute a specific and attributable harm that resulted from that policy decision. States are called upon to treat this case, and the cases of others in comparable situations, as a basis for urgent policy review.

States hosting Afghan nationals without documentation, in particular Pakistan and Iran, are called upon to immediately suspend the deportation of Afghan LBTI individuals, who face documented and legally constituted persecution upon return, and to extend interim protection status pending access to durable solutions. The deportation of individuals to a jurisdiction where their identity constitutes a capital offense is incompatible with the principle of non-refoulement under international refugee and human rights law.

International and national non-governmental organizations operating in the region are called upon to prioritize the documentation of violations against LBTI individuals as a distinct evidentiary category in their reporting, and to develop referral pathways that do not require LBTI individuals to disclose their identity in environments where that disclosure itself constitutes a risk. The criminalization of support networks under Paragraph 7 of Article 22 of the Law on the Promotion of Virtue and Prevention of Vice means that any individual or organization that provides assistance to LBTI persons inside Afghanistan does so at direct legal risk. International organizations must factor this structural constraint into their operational planning and resource allocation.

Donor governments and multilateral institutions are called upon to provide dedicated and ring-fenced funding for the documentation, legal support, and resettlement of LBTI individuals from Afghanistan, recognizing that this population faces a distinct and compounding spectrum of persecution that is not adequately addressed by gender-based or generalized human rights programming alone. The intersection of identity-based criminalization, forced marriage, economic erasure, and the closure of displacement pathways requires a response that is specifically designed for the conditions this report has documented.

The individuals whose testimonies form the foundation of this report did not speak in order to produce a document. They spoke because they understood, with clarity, that silence had become indistinguishable from disappearance. Alia, Khushbo, Arezo, Sahar, Barish, and the twenty-four others who appear in these pages have survived, where they have survived, not because the system permitted it, but despite the system's design to prevent it. The minimum that international law, institutional responsibility, and basic human conscience require is that their testimony be treated not as background material but as the evidentiary basis for urgent, concrete, and accountable action.

9. Glossary of Terms

This glossary defines the specialized terminology used throughout the report, organized into four categories: LGBTQI identity and terminology; Islamic jurisprudence and Shari'a legal terms as applied in the Taliban legal instruments analyzed in the report; international legal and human rights terms; and research methodology terms. Within each category, terms are ordered alphabetically.

1. LGBTQI Identity and Terminology

Core terms relating to sexual orientation, gender identity, gender expression, and sex characteristics, including the specific identity groups documented in this report.

Biphobia: Discrimination against, or antipathy toward, bisexual people.

Bisexual: A person who is emotionally, romantically, and/or sexually attracted to more than one gender.

Cisgender: Describes a person whose gender identity corresponds with the sex assigned to them at birth; used as a contrast term to “transgender.”

Coercive gender realignment: Being forced, typically by family members, to adopt an appearance, role, or behavior that conforms to one’s sex assigned at birth, against one’s own gender identity.

Coming out: The ongoing personal process by which a person recognizes, accepts, and shares their own sexual orientation or gender identity with others.

Conversion practices (“conversion therapy”): Discredited and harmful practices, whether religious, psychological, or medical, that attempt to change a person’s sexual orientation or gender identity.

Deadnaming: Referring to a transgender person by the name they used prior to transitioning, rather than their current, chosen name.

Gender-affirming: Describes actions, items, or care, such as clothing, name usage, or medical treatment, that support and reflect a person’s gender identity.

Gender dysphoria: Clinically significant distress that can result from the incongruence between a person’s gender identity and the sex they were assigned at birth.

Gender expression: The external manifestation of a person’s gender identity, typically expressed through name, clothing, hairstyle, voice, or behavior.

Gender identity: A person’s internal, deeply felt sense of being male, female, both, neither, or another gender, which may or may not correspond to the sex assigned to them at birth.

Gender non-conformity: Behavior, appearance, or expression that does not align with the traditional or expected norms associated with a person’s assigned sex.

Heteronormativity: The societal assumption that heterosexuality is the default or preferred sexual orientation and that gender exists strictly as a male/female binary.

Homophobia: Fear, hatred, discomfort with, or discrimination against people who are attracted to the same sex.

Interphobia: Discrimination against, or antipathy toward, intersex people.

Intersex: An umbrella term for people born with sex characteristics (genitals, gonads, or chromosome patterns) that do not fit typical binary definitions of male or female bodies.

LBTI: Acronym used throughout this report for lesbian, bisexual, transgender, and intersex women, a narrower grouping, distinct from the broader LGBTQI acronym, that centers women and female-identifying individuals.

LBTQI: Acronym combining lesbian, bisexual, transgender, queer, and intersex identities; used in this glossary to ensure comprehensive coverage of the identity categories relevant to the report's subject population.

Lesbian: A woman who is emotionally, romantically, and/or sexually attracted to other women.

LGBTQI / LGBTQI+: Umbrella acronym for lesbian, gay, bisexual, transgender, queer or questioning, and intersex people; the "+" denotes additional identities beyond these categories.

Misgendering: Referring to a person, whether deliberately or not, using language (especially pronouns or forms of address) that does not correctly reflect their gender identity.

Non-binary: A gender identity that does not fit exclusively into the categories of "man" or "woman."

Outing: Disclosing another person's sexual orientation or gender identity to others without their consent.

Queer: An umbrella term for sexual and gender minorities who are not exclusively heterosexual or cisgender; historically used as a slur and now widely reclaimed.

Sexual orientation: A person's enduring pattern of emotional, romantic, and/or sexual attraction to others.

SOGIESC: Acronym for Sexual Orientation, Gender Identity and Expression, and Sex Characteristics; used in international human-rights frameworks as a comprehensive term encompassing LGBTQI populations.

Transgender: Describes a person whose gender identity differs from the sex assigned to them at birth.

Transgender man: A person assigned female at birth who identifies and lives as a man.

Transgender woman: A person assigned male at birth who identifies and lives as a woman.

Transphobia: Fear, hatred, discomfort with, or discrimination against transgender people.

2. Islamic Jurisprudence and Shari'a Legal Terms

Classical Islamic legal terms as they appear in the Taliban legal instruments analyzed in this report (the Penal Code of Courts, the Law on the Promotion of Virtue and Prevention of Vice, and the Code on Judicial Separation of Spouses).

Decree: A binding legal instrument issued directly by the Taliban Supreme Leader, serving as the exclusive source of legal validity within a system that has no independent legislature.

Fasad: "Corruption" in the jurisprudential sense; a broad category of moral and social wrongdoing used in the Penal Code to characterize identities such as luti.

Fasiqun: Persons classified as "corrupt" (from *fisq*); associating with such persons is separately criminalized under Article 40 of the Penal Code.

Fisq: Moral depravity or transgression in Islamic legal terminology; one of the narrow grounds on which a guardian's marriage decision may be legally challenged under the Code on Judicial Separation of Spouses.

Hadd (pl. hudud): A fixed, mandatory punishment prescribed in Islamic law for a small number of specific offenses (such as *zina*), leaving no judicial discretion as to type or severity.

Hakaman: Arbiters appointed in family or marital dispute proceedings; under Article 22 of the Code on Judicial Separation of Spouses they cannot grant a dissolution without the husband's consent, even where harm has been established.

Hanafi jurisprudence: One of the four principal schools (*madhahib*) of Sunni Islamic legal thought, historically dominant in Afghanistan and cited as the exclusive interpretive basis for the Taliban's legal instruments.

Hijab shar'i: "Islamic religious dress," the detailed dress code prescribed under Article 13 of the Law on the Promotion of Virtue and Prevention of Vice.

Imam: In this legal context, a religious-judicial authority whose permission is required, alongside a judge's ruling, for the execution of a repeat *liwat* offender.

Itlaf al-mal: Confiscation and destruction of property; one of the seven graduated *ta'zir* penalties a *muhtasib* may impose in the field under Article 24 of the Law on the Promotion of Virtue and Prevention of Vice.

Kafa'a (ghayr kaf'a): The Islamic legal doctrine of "suitability" or comparability between marriage partners; defined in the Code on Judicial Separation of Spouses by lineage, ancestry, and religion rather than by consent (*ghayr kaf'a* denotes a non-comparable match).

Khiyar al-bulugh: The "option of puberty," a limited legal right allowing a minor to seek annulment of a marriage contracted on her behalf by a guardian, upon reaching

puberty; under the Code on Judicial Separation of Spouses this right is extinguished by silence.

Liwat: A jurisprudential term for anal intercourse between men, criminalized under Article 60 of the Penal Code of Courts; the report shows how this provision is applied to transgender women through the law's non-recognition of transgender identity.

Luti: A jurisprudential term for a person who engages in liwat; classified under Article 2 of the Penal Code among those who "spread corruption" (fasad).

Mahram: A close male relative in whose company a woman is legally required to travel or appear in public under Taliban decree; restrictions tied to this requirement limit women's independent movement.

Maslaha al-amma: "Public interest," a discretionary criterion invoked under Article 14 of the Penal Code to justify the execution of a repeat offender of liwat.

Muhtasib (pl. muhtasibin): A field enforcement officer of the Ministry for the Promotion of Virtue and Prevention of Vice, empowered to intervene, detain, and punish in public spaces without prior judicial process.

Mukhannas: A jurisprudential term for an effeminate or gender-nonconforming person, classified under Article 59 of the Penal Code as deserving of ta'zir and imprisonment "until repentance."

Munkaraat (munkaraat khassa): "Prohibited" or "reprehensible acts"; the enumerated list of acts, including takhannuth, sihaq, and liwat, that muhtasibin are obligated to prevent under Article 22 of the Law on the Promotion of Virtue and Prevention of Vice.

Official Gazette: The official state publication in which Taliban decrees and legal instruments are formally promulgated.

Shari'a: Islamic law, derived from the Qur'an, the Hadith, and juristic interpretation.

Sihaq: A jurisprudential term for sexual intercourse between women, listed as a prohibited act under Article 22 of the Law on the Promotion of Virtue and Prevention of Vice.

Solar Hijri calendar (e.g., Asad, Hamal): The solar Islamic calendar used officially in Afghanistan; Asad and Hamal are specific months referenced in this report as dates of decree issuance.

Su' ikhtiyar: "Misconduct" on the part of a guardian; one of the narrow grounds under Article 8 of the Code on Judicial Separation of Spouses on which a guardian's marriage decision can be legally challenged.

Takhannuth: Cross-dressing or gender-nonconforming appearance and behavior, listed as a prohibited act under Article 22 of the Law on the Promotion of Virtue and Prevention of Vice (also referred to in the text as zanaka-bazi).

Ta'zir: A category of discretionary punishment in Islamic criminal law for offenses not subject to a fixed (hadd) penalty; its severity and form are left entirely to the presiding judge's discretion, which the report identifies as the central instrument used against LGBTI individuals.

Wali: A legal guardian, typically male, whose permission is required for a woman's marriage contract to be valid under the Code on Judicial Separation of Spouses.

Zina: Unlawful sexual intercourse (fornication or adultery) under Islamic law, subject to hadd punishment where a strict evidentiary threshold is met.

3. Legal, Human Rights, and International Protection Terms

Terms drawn from international human rights and refugee law, and from the report's analysis of state accountability and protection mechanisms.

Arbitrary arrest / detention: Arrest or detention carried out without legal basis, due process, or judicial oversight.

Asylum: Protection granted by a state to a person fleeing persecution in their country of origin.

Capital punishment: The state-sanctioned killing of a person as punishment for a crime; identified in this report as a prescribed penalty under the Penal Code of Courts.

CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women, a 1979 UN human rights treaty; the term is also used to refer to the Committee that monitors states' compliance with it.

Custodial torture: Torture inflicted on a person while they are held in official detention or custody.

Deportation: The formal removal of a foreign national from a state's territory, typically to their country of origin.

Domestic / family violence: Abuse committed by a family member or intimate partner within a domestic setting.

Due process: The legal requirement that the state respect all of a person's legal rights, including a fair hearing before an impartial tribunal.

Economic destitution / erasure: The systematic deprivation of a person's ability to earn income or access economic resources; used in this report to describe the cumulative effect of employment bans on LGBTI individuals.

Extrajudicial: An action, especially punishment or enforcement, carried out outside the normal legal or judicial process.

Flogging: Corporal punishment by whipping or lashing, prescribed in this report's legal analysis as a ta'zir penalty.

Forced displacement: The coerced movement of people from their homes or country, whether internal or across borders.

Forced marriage: A marriage entered into without the free and full consent of one or both parties.

Gender-based violence (GBV): Violence directed against a person because of their gender, encompassing sexual, physical, and psychological harm.

Honor killing: The murder of a family member, typically a woman, by relatives who believe the victim has brought shame or dishonor upon the family.

Indefinite detention: Imprisonment without a defined release date or judicial timeline.

Internal displacement: The forced movement of people from their homes who remain within their own country's borders, as distinct from cross-border (international) displacement.

Non-refoulement: A core principle of international refugee and human rights law prohibiting states from returning a person to a country where they would face a genuine risk of persecution, torture, or other serious harm.

Persecution: Sustained and systematic harm or ill-treatment directed at an individual or group, typically on the basis of a protected characteristic such as identity, religion, or political opinion.

Refugee: A person who has fled their country owing to a well-founded fear of persecution and who cannot or will not return.

Resettlement program: A formal process through which refugees are selected and transferred from a country of asylum to a third state that has agreed to admit them permanently.

Special Rapporteur: An independent expert appointed by the UN Human Rights Council to monitor, report on, and advise on human rights conditions in a specific country or thematic area.

UN Human Rights Council (UNHRC): The principal United Nations intergovernmental body responsible for promoting and protecting human rights worldwide.

4. Research Methodology Terms

Terms describing the qualitative research methods used to collect and analyze the testimonial evidence presented in this report.

Confidentiality: The ethical and procedural obligation to protect the identity and personal information of research participants.

Corroboration: The process of confirming or supporting a testimony or claim with independent evidence, such as documents, records, or accounts from other sources.

Informed consent: A person's voluntary agreement to participate in research, given with a full understanding of its purpose, risks, and procedures.

Intermediary network: Trusted third parties or organizations used to establish safe contact with a hard-to-reach or at-risk population.

Open coding: An initial stage of qualitative data analysis in which data is broken down and labeled without applying a predetermined categorization scheme.

Purposive sampling: A non-random sampling method in which participants are deliberately selected based on relevant characteristics, such as identity or geographic diversity, to serve the research objective.

Qualitative research design: A research approach focused on understanding meaning, experience, and context through non-numerical data such as interviews and testimony.

Respondent: An individual who provides testimony or information as a participant in the research.

Semi-structured interview: An interview method that combines a predetermined set of open-ended questions with the flexibility to explore topics as they arise.

Thematic analysis: A qualitative data analysis method used to identify, analyze, and report recurring patterns (themes) within a dataset.



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