

February 2019 update on Hazara Asylum Seekers from Afghanistan: the increasing dangers they would face if they return

Graeme Swincer OAM¹ for Blue Mountains Refugee Support Group

- Original paper: September 2012²;
- Collection of new material: 8th November 2012;
- Supplementary updates: 12th February 2013; 19th May 2013; 28th February 2014;
- Supplementary update and overview: 18th September 2014;
- Supplementary updates: 2nd March 2015; 14th September 2015; 8th February 2016, 28th November 2016; 26th September 2017; 2nd April 2018;
- This update: 4 February 2019.

A. Introduction

This is the thirteenth paper in my series on “Hazara Asylum Seekers from Afghanistan: the increasing dangers they would face if they return”, beginning in September 2012, the latest published in April 2018³. In March 2017 I also published a paper focused on Mazar-e Sharif⁴, because of ongoing suggestions that this city might represent a viable safe haven for returning Hazaras.

Continuing rejection of protection claims in the face of escalating danger

Unfortunately, my October 2017 article⁵ which focused on the relentless and dangerous attitude of both Australia and many European governments, essentially maintaining denial of the abundant, professional and incontrovertible “country information” requires little revision. Reports of the dramatic deterioration in the security situation in Afghanistan, especially in relation to the Hazara population, are met by an apparently steely resolve to downplay or even deny their significance. Australian decision makers continue to argue that most Hazara claims for protection should be rejected. European governments continue to deport large numbers of Afghani refugees to danger and chaos, and Australia stays in step.

Targetted attacks on Hazaras have continued relentlessly in Afghanistan, and now, starting in October 2018, the purported “Hazara safe stronghold” in central Afghanistan has been invaded by the Taliban, with great human cost and thousands forced to leave by very risky journeys with bleak ultimate prospects. These developments have been long predicted by the best experts and should come as no surprise to anyone. Again, the Australian decision makers have failed to recognise the “signs of the times”, even lagging behind the Department of Foreign Affairs and Trade (DFAT) reports which themselves are notoriously cautious and lacking in robust and insightful projections⁶.

¹ Retired agricultural scientist, international development programs coordinator, and cross cultural consultant, trainer and researcher.

² “Hazara Asylum Seekers from Afghanistan: the increasing dangers they would face if they return”; this and the following updates all available at <http://www.bmrsg.org.au/research-material/afghanistan/>

³ <https://www.bmrsg.org.au/compassion/wp-content/uploads/2018/04/April-2018-Hazara-update.pdf>

⁴ <http://www.bmrsg.org.au/compassion/wp-content/uploads/2015/06/Viability-of-Mazar-2.pdf>

⁵ <http://www.bmrsg.org.au/latest-attack-on-hazaras-in-afghanistan-highlights-australias-murderous-head-in-the-sand-policy/>

⁶ Note for example the recent opinion of Professor William Maley: (“On the Return of Hazaras to Afghanistan”, available through RCA: <https://www.refugeecouncil.org.au/getfacts/international/causes/hazaras-opinion/>):

“In February 2016, the Department of Foreign Affairs claimed in a Thematic Report specifically prepared for protection status determination purposes that ‘The threat of conflict-related violence faced by Hazaras is similar to that faced by members of other ethnic groups’ and that ‘DFAT is not aware of any credible evidence that everyday Hazaras are currently being systematically targeted on the basis of the Shia religion . . . In the light of the subsequent carnage in Kabul, and ISIS’s explicit claims of responsibility for it, such conclusions are now completely untenable. In September 2016, the Department of Foreign Affairs claimed, in a further Thematic Report specifically prepared for protection status determination purposes, that in respect of the 23 July attack, ‘it is too early to say whether this attack was an isolated incident, or if it represents a change in modus operandi of insurgents by introducing a sectarian dimension to attacks’. Given subsequent mass-casualty attacks in 2016 and 2017, this view is now equally untenable. [emphasis added]

B. Multiple calls for a blanket offer of protection for all Hazara asylum seekers

In the past I have attempted to keep criticism of Australia's policies in relation to Hazara asylum seekers at a very restrained level, hoping that the facts would speak for themselves. But the time has come to be much more outspoken and trenchant. The information cannot be denied and the expert opinion is unequivocal. A policy revision is called for in light of the incontrovertible evidence. The case is practically indisputable for offering blanket protection to all Afghanistan citizen Hazaras who have arrived in Australia (or Manus Island or Nauru, for that matter) seeking asylum. The argument that each case is different and assessment should be on an individual basis is patently very weak, of not totally untenable. If the notion of a comprehensive offer of protection may be considered to represent unacceptable removal of an important deterrent, then I would appeal for creative attention to be given to possible alternative deterrents – much as I have deep personal misgivings about the idea of deterrents of any kind in relation to people fleeing from extreme danger.

This call parallels the statement made in a recent paper published the Lowy Institute, written by Dr Niamatullah Ibrahim and Professor William Maley⁷:

*So far, there has been an inclination among decision-makers who process asylum claims to treat areas such as Jaghori as safe. This view, always somewhat naïve, is now completely unsustainable. **It would be an act of common decency for the government to put a moratorium on all removals of Hazaras to Afghanistan.** [emphasis added]*

The Refugee Council of Australia has recently echoed this appeal.⁸

The Refugee Council of Australia strongly condemns escalating terrorist attacks on Hazaras in Afghanistan and calls for the international community and Afghan Government to act swiftly to prevent further violence, provide protection to those displaced by Taliban attacks, and immediately end the forced return of Hazara asylum seekers to Afghanistan.

Not surprisingly this position is also supported by Amnesty International in relation to European countries – in a public statement dated 08 October 2018 highlighting that “European states should stop forcing people to danger in Afghanistan”, in the context of summarizing the deteriorating security and humanitarian situation in Afghanistan since October 2017⁹. This Public Statement is a brief follow-up to Amnesty's preceding report “*Forced Back to Danger: Asylum-seekers returned from Europe to Afghanistan*”¹⁰, discussed below.

The recent dramatic increase in returns of Afghan asylum-seekers have put thousands of people at a real risk of serious human rights violations in contravention of the binding international legal principle of non-refoulement, which prohibits states from transferring anyone to a place where they are at real risk of serious human rights violations.

Despite demonstrably deteriorating security and humanitarian situation in Afghanistan over the past two years and the record number of civilian casualties, European countries have stepped up the deportations of Afghan nationals arguing that areas of the country are “safe” - in stark contrast to the developments on the ground.

Many other experts make similar appeals and recommendations, among them Pamela Constable of the Washington Post¹¹ and Abdul Gafoor¹² based in Kabul. Constable says:

⁷ “Afghanistan: the Hazaras are not safe”, 26 November 2018, <http://www.lowyinstitute.org/the-interpreter/hazaras-not-safe?fbclid=IwAR2OoZnbdoUAu0R0s0bFD32iThdS3m1dRrCTIJdNHXVbnrVHFpfH1KoBXL0>

⁸ “RCOA condemns attacks on Hazaras in Afghanistan and call for end to forced returns”, 14 November 2018, https://www.refugeecouncil.org.au/media/condemns-hazara-attacks/?fbclid=IwAR2E7380G22tcc_3tMZVnQOeyYoeVg4R3ObVPDjf2PXQYp12KmvvzTS0ovc

⁹ “AMNESTY INTERNATIONAL PUBLIC STATEMENT, European states should stop forcing people to danger in Afghanistan”, 08 October 2018, https://www.amnesty.be/IMG/pdf/update_afghanistan_and_returns_public_statement_081018_final.p

¹⁰ <https://www.amnesty.org/en/documents/asa11/6866/2017/en/>

¹¹ “Returned to a land of war and want”, story by Pamela Constable, photos by Andrew Quilty, The Washington Post, 25 May 2018, https://www.washingtonpost.com/news/world/wp/2018/05/25/feature/europe-is-rejecting-thousands-of-afghan-asylum-seekers-a-year-but-what-awaits-them-back-home/?noredirect=on&utm_term=.b2c61e848cd6

¹² “An open letter to Heléne Fritzon, Swedish Minister for Migration: Stop deporting Afghan asylum seekers” blog posted on 18 November 2018, <https://kabulblogs.wordpress.com/2018/11/18/an-open-letter-to-morgan->

Human rights groups denounced the tough new policies and demanded that Europe stop repatriating all Afghan asylum seekers. Last May, after a truck bomb in Kabul killed 150 people, Germany agreed to deport only those with criminal records or other problems. . . . Today, conditions are arguably worse.

As indicated in the footnoted letter (calling for reconsideration of Sweden's deportation policy), Abdul Ghafoor runs a charity organization in Kabul, called Afghanistan Migrants Advice & Support Organization (AMASO). The magnitude of the personal risk and self-sacrifice can only be imagined. For the last 5 years, he has met hundreds of refugees forcibly deported back to Afghanistan and monitored their situation as long as possible. He insists that the Afghan government has failed to keep its commitment to provide security to its citizens who cannot escape, and therefore cannot be trusted to assure the safety of the hundreds of others who are being forced to return.

"The government has been losing ground to Taliban and ISIS every passing day".

" . . . the level of fear among Afghan people today is higher than anytime before. For returnees, it is a whole new challenge and risk they have to face and battle with once deported. The fear of being victim of one of the many blasts taking place in the country, non-availability of social and economic network and a failed state lead by incapable president. As much as returnees want to accept the fact and try to re-integrate, the situation in the country is as such that they don't see any chance of survival."

"Therefore, the only option they have is to re-migrate, go through the same dangerous journey again and find somewhere safer. For those who are unlucky and do not have the resources to make a new journey and survive, they end up being addicted to drugs, joining the militant groups and at times giving up on life. I am currently in contact with dozens of those who were once deported but are now either in Iran, Turkey or one of the European countries."

C. Continuing application of the discredited ploy of relocation

A key element in the proffered rationale underlying continuing rejection by Australian decision makers of protection claims by Hazaras from Afghanistan is the notion of relocation to safe venues in Afghanistan (Internal Flight Alternative" – IFA). This approach, introduced by way of legislation in December 2014, has long been condemned by all the true experts on Afghanistan. Professor William Maley, a world authority on Afghanistan, recently reiterated his clear warning, the substance of which dates back at least three years¹³:

These episodes highlight the danger of thinking that places such as Mazar-e Sharif can be 'compartmentalised', or understood without attention being paid to wider conflict formations within the country. This warning applies equally to other parts of Afghanistan that might appear stable to superficial observers, such as Herat.

The simplistic and superficial conclusion that urban centres such as Kabul, Mazar-e Sharif or Herat offer safe or meaningful 'relocation' options for Hazaras should be avoided.

Maley reinforces his conclusion by repeating his earlier reference to the 2016 opinion of Patricia Gossman, Senior Afghanistan Researcher at Human Rights Watch:

'ISIS has stepped up its horrific and unlawful attacks on Shia public gatherings, making no place safe'¹⁴

It is to be noted that in Afghanistan Hazara ethnicity is almost completely coincident with Shia religious adherence, and vice versa.

A few years ago Kabul was consistently designated by the Australian Government as a "safe and viable" relocation venue, and this idea was used as a tool to deny many applications for protection. By mid-2015 the Kabul theory could not be sustained – in face of overwhelming evidence, recently emphasised in the UNHCR guidelines for Afghanistan¹⁵ – and was effectively abandoned for the most part, although amazingly there have been recent exceptions. Then Mazar-e Sharif, Afghanistan's second largest city, was nominated and used as an expedient for

johansson-swedish-minister-for-migration-stop-deporting-afghan-asylum-seekers/?fbclid=IwAR3xtGlqkkwBuQEjgQ34-ZQaoYpMsgVADNENonrqGpBw2Vt-ziRaCApe5Ks

¹³ Available through RCA: <https://www.refugeecouncil.org.au/getfacts/international/causes/hazaras-opinion/>

¹⁴ 'Afghanistan: Shia Bombing Spotlights Need to Protect' Kabul: Human Rights Watch, 21 November 2016, <https://www.hrw.org/news/2016/11/21/afghanistan-shia-bombing-spotlights-need-protect>

¹⁵ "UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers From Afghanistan," page 112, United Nations High Commissioner for Refugees (UNHCR), 30 August 2018, <https://www.refworld.org/docid/5b8900109.html>

rejection. Again this is easily shown to fail all the relevant criteria as a “safe and viable” relocation venue, as pointed out by Professor Maley and others, and documented in my article of March 2017¹⁶. See the recently updated UNHCR guidelines.¹⁷

There are signs that, while Mazar-e Sharif is still being proposed as a relocation venue by Immigration decision makers, confidence may be waning. This conclusion is based on reports of recent revival of the idea that refugees from the isolated Hazara strongholds of Uruzgan Kas (district of Uruzgan), Daykundi Province, and the Jaghori and Malistan districts of Ghazni Province, could return there by a proposed “safe” route. For a few years it has been generally accepted by decision makers that return to these areas is not an arguable option because the access roads are not safe. The new idea is that returnees can fly safely to Bamiyan airport, 130km west of Kabul (175km by dangerous road), and then travel by “safe” back roads to the nominated districts, at least 200 km away across rugged mountains. All who know the geography and recent history of these areas would contend that this idea is completely unrealistic¹⁸. At any rate this premise is now totally redundant because (a) the districts themselves have long been far from secure and (b) the fragile nature of any security has been tragically demonstrated in recent months by concerted and deadly attack on them by the Taliban. This reality is documented below.

The simple and irrefutable facts are that (a) the Taliban, and also ISIS elements, can move and strike anywhere in Afghanistan, even in areas with strong presence of national security forces, and (b) the Taliban and ISIS have demonstrated consistently that their primary targets include Hazara individuals and communities.

Amnesty International declares that:

The concept of IFA is both legally questionable and – in the case of Afghanistan – factually unsound. The UN Refugee Agency, UNHCR, as expressed serious reservations about the concept of IFA, which has no basis in the Convention Relating to the Status of Refugees. Furthermore, UN and other expert reports make clear that civilian casualties and serious security incidents are occurring across Afghanistan, from North to South and East to West. The security situation is volatile and the multiple armed groups operating in the country are seeking to hold, capture or recapture territory. There is no credible possibility of durable IFA option.¹⁹ [emphasis added]

There are no safe havens for Hazaras in Afghanistan. There is no way of avoiding the conclusion stated in my update of September 2017, repeated in April 2018:

“Prospects are bleak for all Afghanistan Hazaras, both those who have little choice but to remain and the thousands who are fleeing. Any deportees will face an especially dangerous and difficult future.”

The opinion of such experts as Liza Schuster and Anna Shea, that the willingness of governments to deport refugees (even non-Hazaras) to Afghanistan is “shocking” and unthinkable, must be heeded and acted upon. “Blood is on their hands.”

D. Recent attacks on Hazara “strongholds”

As noted above, the so called Hazara strongholds of central Afghanistan include the Jaghori and Malistan districts of Ghazni province, Daykundi Province immediately to the west of Ghazni province, and the Khas Uruzaghan district of Uruzghan Province, to the south west. Together with Ghor Province further west, Bamiyan Province to the north, and parts of Parwan and Wardak provinces to the north east, these regions are often referred to as the Hazarajat. The Hazarajat is famously very mountainous.

¹⁶ <http://www.bmrsg.org.au/compassion/wp-content/uploads/2015/06/Viability-of-Mazar-2.pdf>

¹⁷ Op. cit. pages 103ff.

¹⁸ Note for example the recent statement of Professor William Maley (op. cit.) based on his discussion of the extreme fluidity of the situation:

“Roads that may have been safe to traverse in 2012, 2013, 2014, 2015, 2016 or 2017 may be unusable in 2018, and towns and cities that appeared ‘safe’ in 2017 may be extremely unsafe in 2018. The notion that it would be a safe option for an Afghan Hazara to fly to Bamiyan and proceed by road to Jaghori fails in the face of this fluidity”.

¹⁹ "Forced Back to Danger: Asylum-seekers returned from Europe to Afghanistan", page 10: <https://www.amnesty.org/en/documents/asa11/6866/2017/en/>

The concentrate attacks on these communities in October and November 2018 has been widely reported. Survivors have fled in their thousands, traversing dangerous roads and reaching dangerous, necessarily often temporary, destinations, destitute and unsupported. The following quotations from a Lowy Institute paper by Ibrahim and Maley²⁰ offer a useful summary:

"In late October 2018, the Taliban in Afghanistan launched a new campaign of attacks, taking them into areas which until then had been "peaceful". The attacks started in the Khas Uruzgan district, part of the very province where Australian defence personnel served as part of their lengthy deployment in Afghanistan.

"In the first week of November, the Taliban extended the campaign into the Jaghori and Malestan districts of the neighbouring province of Ghazni.

"Already, harrowing reports have emerged of terrorised civilians."

"The UN Office for Coordination of Humanitarian Affairs issued a statement on the situation: Anecdotal reports indicate violations of International Humanitarian Law, with private houses burnt and civilian vehicles stolen or confiscated. Roads connecting Jaghuri and Malistan to Ghazni city have reportedly been blocked, preventing safe passage for civilians attempting to leave the area, and leaving people in siege-like conditions with no access to health facilities and limited availability food, fuel, and medicine."

The article just quoted notes that (a) 15 civilians were killed in a single clash in Malistan on 11 November (b) the Afghanistan Independent Human Rights Commission released a report saying the attacks on Khas Uruzgan led to 63 deaths, (c) a local media broadcast reported that the Taliban had killed 31 civilians in the Khas Uruzgan villages and that many were shot to death at close range in front of their homes, many being killed after they were captured attempting to flee to Bamyan, Ghazni, and Kabul, and (d) a member of a delegation tasked by president Ghani to assess the situation claimed 60% of the population in Khas Uruzgan and Ghazni have been forced to flee their homes.

This summary is complemented and affirmed by a plethora of other reports²¹. Note the long list of references in this footnote, extending to the next page.

²⁰ Niamatullah Ibrahim and William Maley, for the Lowy Institute, 26 November 2018: "Afghanistan: the Hazaras are not safe", 26 November 2018, <http://www.lowyinstitute.org/the-interpreter/hazaras-not-safe?fbclid=IwAR2OoZnbdoUAu0R0s0bFD32iThdS3m1dRrCTIJdNHXVbnrVHFpfH1KoBXL0>

²¹ See for example:

- Rasad News Agency, "Taliban Fighters Launched A Coordinated Attack On Jaghori" 07 November 2018: <http://www.rasad.af/en/2018/11/07/taliban-fighters-launched-a-coordinated-attack-on-jaghori/?fbclid=IwAR1I66rQFxFgGThNprB68QVOEIPQx-ScwpcN-lfv6tHKmt1aHLJAaOTQHTU>
- Eyewitness News, 08 November 2018: "Fears of Ethnic Violence as Afghan Taliban Target Hazara District" "Fears of Ethnic Violence as Afghan Taliban Target Hazara District", <https://ewn.co.za/2018/11/08/fears-of-ethnic-violence-as-afghan-taliban-target-hazara-district>
- Frud Bezhan, Radio Free Europe, 13 November 2018: "Afghan Taliban Wants What It Hasn't Been Able To Hold: Hazara Regions", <https://www.rferl.org/a/afghan-taliban-wants-what-it-hasn-t-been-able-to-hold-hazara-regions/29598848.html>
- TOLONews.com, 14 November 2018: Ghazni – 'UN Paints Grim Picture of Ghazni Situation'", 14 November 2018: <https://www.tolonews.com/afghanistan/un-paints-grim-picture-ghazni-situation-0?fbclid=IwAR1GKaQAwZYR5WGczB4UpHIXZbqMzTWKGpfpJO9EAPhml60fLAp2rqnsWg8>
- Rod Nordland (with Fahim Abed), NY Times, 12 November 2018: "Taliban Slaughter Elite Afghan Troops, and a 'Safe' District Is Falling" <https://www.nytimes.com/2018/11/12/world/asia/afghanistan-taliban-attack-jaghori-district.html?fbclid=IwAR3UvikIXz5FbDmNX2khRW3tcckYD3dAPcUqpmB1kDOy-3LASn1PXuABIDo>
- Abbas Farasoo, Fair Observer, 14 November 2018: "Taliban Attacks on Hazara Communities Raise Fear of Mass Atrocities", https://www.fairobserver.com/region/central_south_asia/taliban-attacks-hazara-afghanistan-isis-south-asia-security-news-18891/amp/?fbclid=IwAR2TITRDMH2L0hSw--4MWBCbulUJLvrZqvHbLvNqgHyfqmkIEV9bS8vw-L4
- Mustafa Andalib and Abdul Qadir Sediqi, Reuters, 15 November 2018: "Thousands flee as Taliban attack Afghanistan's 'safe' districts" <https://www.reuters.com/article/us-afghanistan-attack/thousands-flee-as-taliban-attack-afghanistans-safe-districts-idUSKCN1NJ28K>
- Freshta Shikhani and Frud Bezhan, Radio Free Europe and Radio Liberty, 15 November 2018: "From One Grave To Another": Afghan Hazara Fleeing Taliban Find Little Solace In Escape, <https://www.rferl.org/a/afghan-hazara-fleeing-taliban-find-little-solace-in->

An excellent overview and analysis of the offensive is provided by the Afghanistan Analysts Network²². The in-depth study gives background information and evaluation of the attacks and their consequences. The authors conclude “that the Taleban had long been planning to advance into the Hazara areas to expand territorial control and increase their revenues”. Following are some of the more relevant statements:

The Taleban attacks on the Hazara areas in districts within Uruzgan and Ghazni provinces were unprecedented – at least in recent times – in terms of the number of incursions, the number of casualties and the level of coordination (three areas at more or less the same time). The initial attack on the largely self-governing Hazara enclave in the northeast of Khas Uruzgan was in response to a visit by notorious commander Abdul Hakim Shujai (more about him below) – and possibly his behaviour towards Pashtuns while he was there. At the same time, it came in the context of increased pressure by the Taleban on the Hazara population in areas that had so far largely been left alone. Coming at a time when the government and the Taleban are talking about a possible peace process, the Taleban suddenly seemed keen to show their reach and to increase their local revenue streams. The attacks appeared to fly in the face of local agreements between Hazara populations and the Taleban to largely leave each other alone. The level of violence and the slowness of the government’s response have, moreover, fed into fears of ethnic targeting by the Taleban and ethnic bias from the government.

.....
Reactions from the Hazara community – within Afghanistan, online and internationally – to the Taleban attacks on the three districts were swift and fierce. There were spontaneous demonstrations, social media campaigns (some rather extreme) and sustained pressure on the government to take action.

.....
AAN also observed efforts by Hazaras in Kabul to raise funds to buy weapons – especially sniper rifles and night goggles – to ensure that the resistance forces in Jaghori and Malestan were armed with the same kinds of weapons the Taleban were using against them. This seemed a clear signal that the Hazara community did not trust the government to come to the aid of the besieged communities.

.....
While the Taleban have now been pushed back from Jaghori and Malestan districts, they continue to pose a threat of renewed attacks on certain parts of Jaghori and Malestan.

E. Other attacks on Hazaras since April 2018

It is well known that there is chronic under-reporting of violent attacks on civilians in Afghanistan. However, apart from the recent attacks on “Hazara strongholds” discussed above, the following earlier incidents have received international attention:

1. “Attackers target Shiite mosque in Afghanistan, killing at least 39”²³, 02 August 2018.

Two suicide bombers, suspected to be linked with Islamic State, attacked the crowded mosque in Gardez city, capital of Paktia Province, 150 km south of Kabul, killing at least 39 people, injuring 80 others and causing severe damage to the mosque.

2. “Afghanistan bombing Attack kills 48 Hazara college hopefuls in Kabul”²⁴, 16 August 2018.

[escape/29603040.html?fbclid=IwAR0JqkqVuaylQ1snyRv_8-J57hJo3OAW7JuVII7jAWU9dD_UDhrS4BoGzk](https://www.washingtonpost.com/world/asia_pacific/escape/29603040.html?fbclid=IwAR0JqkqVuaylQ1snyRv_8-J57hJo3OAW7JuVII7jAWU9dD_UDhrS4BoGzk)

- Sharif Hassan, 19 November 2018: “These Afghan villages had been safe from insurgents. Then a deadly Taliban assault forced thousands to flee”, https://www.washingtonpost.com/world/asia_pacific/we-left-everything-behind-the-flight-of-the-talibans-victims-from-afghanistans-safe-districts/2018/11/19/bdc8ef02-eb3e-11e8-8b47-bd0975fd6199_story.html?noredirect=on&utm_term=.22d3e93c1bf9

²² Ali Yawar Adili and Martine van Bijlert (with input from Thomas Ruttig, Fazal Muzhari and Ehsan Qaane), 29 November 2018: “Taleban Attacks on Khas Uruzgan, Jaghori and Malestan (II): A new and violent push into Hazara areas”, <https://www.afghanistan-analysts.org/taleban-attacks-on-khas-uruzgan-jaghori-and-malestan-ii-a-new-and-violent-push-into-hazara-areas/>

²³ Sayed Salahuddin, 03 August 2018, https://www.washingtonpost.com/world/asia_pacific/attackers-target-shiite-mosque-in-afghanistan-killing-at-least-12/2018/08/03/4e58ebfc-970d-11e8-810c-5fa705927d54_story.html?noredirect=on&utm_term=.56aec0e4bda8

²⁴ Ahmed Mengli, F. Brinley Bruton and Reuters, <https://www.nbcnews.com/news/world/afghanistan-bombing-attack-kills-48-hazara-college-hopefuls-kabul-n900916>

A bomb tore through a university preparatory academy in Kabul, killing 48 and injuring 67 others, according to the country's Health Ministry. The attacker targeted the private school in the minority Hazara neighbourhood where a group of young men and women were studying for university entrance exams.

3. The Ghazni offensive

It is worth emphasising that the Taliban assault on Ghazni city and surrounding areas in August 2018, described in detail below, had a seriously detrimental affect on thousands of Hazaras who live in these areas. Many Hazaras living in Australia have relatives and friends in Ghazni City and the surrounding areas and some of these have passed on reports of selective targetting especially and cruel treatment of Hazaras during the offensive. This was a foretaste of what was to happen in October and November in the "Hazara stronghold" districts of Ghazni Province, Jaghori and Malistan, and the neighbouring provinces.

F. New reports on the deteriorating security situation in Afghanistan

The following recent comprehensive reports provide plentiful detail on the deteriorating security situation in Afghanistan.

1. Human Rights Watch

"Human Rights Watch, Afghanistan: Insurgent Attacks on Civilians Escalate", 8 May 2018²⁵

The 49-page report, *"No Safe Place': Insurgent Attacks on Civilians in Afghanistan"*, documents attacks since 2016 by the Taliban and groups affiliated with the Islamic State of Khorasan Province (ISKP), an affiliate of the Islamic State. While the Taliban claim they do not target civilians, the report documents indiscriminate attacks by the Taliban that have killed and injured thousands. ISKP-linked groups have targeted civilian facilities in urban areas of Afghanistan, **including many Shia mosques**. The report, based on interviews with 45 civilian victims of insurgent attacks and their relatives, highlights the lasting consequences of the attacks on affected families and communities.

Increased insurgent attacks on civilians in Afghanistan have left victims' families and survivors in dire need of financial, medical, and psychosocial support.

Patricia Gossman, senior Afghanistan researcher at Human Rights Watch and author of the report states:

"Victims' families and survivors may lose livelihoods and suffer harms that persist long after the attack. But Afghan government efforts to help these families has fallen short."

Since early 2016, insurgent groups in Afghanistan have sharply escalated their attacks in Kabul and other major urban areas, killing and injuring thousands of civilians. In interviews with Human Rights Watch, relatives of people killed in insurgent attacks described the cascading negative consequences for victims' families: . . . Each death has a ripple effect on the family network, with spouses, children, parents, and other relatives suffering losses in support, emotional and social security, and income.

. . . The escalation in insurgent attacks in the past two years, bringing increased insecurity, uncertainty, violence, and economic hardship, has exacerbated trauma and psychological distress.

2. Amnesty International

"Afghanistan: Forced Back to Danger: Asylum-Seekers Returned from Europe to Afghanistan", 05 October 2017²⁶

This carefully researched 44 page report, cited earlier, is a devastating analysis of the situation in Afghanistan and an equally devastating exposé and denunciation of the inhumane and internationally illegal European policies towards refugee from Afghanistan. Many countries are accused of being "willfully blind" to the realities.

²⁵ *"No Safe Place': Insurgent Attacks on Civilians in Afghanistan,"*
<https://www.refworld.org/docid/5afaabee34.html>

²⁶ Index number: ASA 11/6866/2017, <https://www.amnesty.org/en/documents/asa11/6866/2017/en/>

The conflict gripping Afghanistan is widespread and volatile. Tens of thousands of civilians have been killed or injured, and a wide range of people are at additional risk of other serious human rights violations such as persecution or torture. No part of the country can be considered safe. European countries and the European Union have remained wilfully blind to these dangers, and are putting tremendous pressure on Afghanistan to accept large numbers of returns. Amnesty International is calling for a moratorium on all returns to Afghanistan, until they can take place in safety and dignity.

The report's detailed summary is worth quoting (selectively):

The conflict is volatile and involves multiple groups that are constantly seeking to gain or regain territory, and whose actions can be unpredictable. . . .

Beyond the threat of serious harm to all Afghans as a result of the ongoing conflict, many people in the country are also at particular risk of persecution – defined in European Union (EU) and international law as “severe violations of basic human rights” on the basis of a person’s race, religion, nationality, membership in a particular social group or political opinion. Persecution is not a localized threat. This serious human rights violation takes place across the country, regardless of whether the area is under the effective control of Pro-Government Forces or Anti-Government Elements. In areas under the control of the government, State agents routinely perpetrate human rights violations. Pro-government armed groups are responsible for abuses such as deliberate killings, assault, extortion and intimidation. In regions in which Anti-Government Elements are in control, human rights violations are widespread. These include extrajudicial executions, torture and ill-treatment, as well as denials of the rights to free movement, freedom of expression, political participation, access to education and the right to health care. Moreover, both sides of the conflict perpetrate human rights violations in areas outside their respective control.

Torture is another serious danger in Afghanistan. . . . Perpetrators of war crimes and gross human rights violations – including acts of torture – continue to hold official executive positions, some of them in government.

Accountability for human rights violations is rare. Afghanistan experiences high levels of corruption, a culture of impunity, and governance problems. These factors combine to weaken the rule of law and undermine the Afghan government’s ability to protect people from human rights violations. The government’s capacity to uphold human rights is further undermined by insecurity, instability and frequent attacks by Anti-Government Elements. The Afghan police and security forces face a wide range of well-documented challenges in dealing with security risks to the civilian population. Moreover, a number of State actors tasked with protecting human rights – including the local and national police forces – are themselves reportedly responsible for committing such abuses.

Furthermore, Afghanistan is the site of an acute humanitarian crisis. . . . Over 9 million Afghans have limited or no access to essential health services. The country’s infant and maternal mortality rates are among the worst in the world, at 73/1,000 live births and 327/100,000 respectively. Food security is deteriorating, with 1.6 million people severely food insecure across the country. Afghanistan’s approximately 2 million Internally Displaced People (IDPs) and those returning to the country – many involuntarily – have exacerbated this already severe humanitarian crisis.

3. UNHCR

“UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers From Afghanistan,” 30 August 2018²⁷

These updated guidelines contain detailed information on the escalating dangers in Afghanistan and consequent warnings about the extreme risks that would be faced by any Hazara refugee who might return for any reason. The Guidelines are even more stringent than those published previously, allowing hardly any possible excuse for rejecting asylum claims.

A non-international armed conflict continues to affect Afghanistan, posing the Afghan National Defence and Security Forces (ANDSF) supported by the international military forces against a number of anti-government elements (AGEs). According to the UN Secretary-General, Afghanistan continues to face formidable security, political and economic challenges.³⁰ The overall security situation has reportedly continued to deteriorate, in what has been described as an “eroding stalemate”.

²⁷ United Nations High Commissioner for Refugees (UNHCR), <https://www.refworld.org/docid/5b8900109.html>

These reports, all of which precede the recent devastating violence in the Hazarajat, are unanimous in their conclusion that there is no pause in the escalation of violence in most parts of Afghanistan. They can be supplemented by many detailed accounts of large and small incidents.²⁸ Perhaps the most significant and devastating series of events was the August 2018 assault on Ghazni City and the surrounding areas: “The Ghazni Offensive”.

G. “The Ghazni Offensive”²⁹

The Ghazni offensive began on 10 August 2018, when Taliban fighters launched an assault on the city of Ghazni, capital of Ghazni province, Afghanistan's sixth largest city and one which has been culturally and strategically important for much of the country's history. The attack resulted in the deaths of hundreds of insurgents, soldiers, police, and civilians. The city also sustained large-scale property damage. The battle, occurring only weeks before Afghanistan's 2018 parliamentary election, was the largest since a three-day truce in June 2018 had raised hopes of peace talks.

The battle was part of a larger coordinated offensive by the Taliban which has killed hundreds of Afghan soldiers and police and allowed the Taliban to capture several government bases and districts.

The security situation in Ghazni city and Ghazni Province rapidly deteriorated during 2017 and early 2018. In the months prior to the battle, there were numerous reports of increasing Taliban insurgency activity in the city and in the districts of Ghazni Province. Classic insurgency tactics such as attacks on local government employees, forced taxation of the local population and the setting up of roadblocks by insurgent fighters were all reported. During May and June 2018, the Taliban cut Highway 1 (which links the capital Kabul with the large southern city Kandahar) and Taliban forced users of the road to pay a tax to proceed. Other reports indicated that by May 2018, the Taliban controlled the road network into the city, lived openly in one neighbourhood, collected taxes, assassinated security personnel and government officials, and enforced its harsh brand of Islamic law. Taliban operatives openly transported their weapons inside the city. Some local officials suggested that the security personnel guarding Ghazni's perimeter granted the Taliban free entry to the city.

On the first night the Taliban fought to within 300m of the Governor's office and police headquarters before being pushed back. During the assault, they managed to destroy cellphone towers, effectively cutting off communication to the city. They also destroyed a bridge which made it more difficult for the government to send reinforcements.

On 11 August, Afghan Armed Forces reinforcements arrived in Ghazni but fighting continued with Taliban fighters taking refuge in people's homes. A US army special force unit also arrived that day, but the Taliban claimed to have taken control of the main prison of the city, releasing everyone inside. Government radio and television stations were forced off the air because their employees fled, and only Radio Shariat, a Taliban station, continued broadcasting. The Taliban claimed 70 percent of the city was under its control.

²⁸ See for example:

- Khost, capital of Khost province, eastern Afghanistan: “Mosque Bombing in Afghanistan Kills At Least 14 and Wounds 33”: Associated Press 06 May 2018, <http://time.com/5267201/mosque-bombing-afghanistan/>
- Kabul, 8 people killed, “Suicide bomber targets gathering of Afghan clerics calling for peace”: Reuters, 04 June 2018, <https://economictimes.indiatimes.com/news/international/world-news/suicide-bomber-targets-gathering-of-afghan-clerics-calling-for-peace/articleshow/64447355.cms>
- Nangarhar (an eastern Afghan province): “ISIL blast kills 25 as Afghanistan extends Taliban ceasefire”: Aljazeera, 18 June 2018, <https://www.aljazeera.com/news/2018/06/casualties-suicide-bombing-rocks-afghanistan-nangarhar-180616141815436.html>

²⁹ Much of this information is summarised from the well documented Wikipedia article published under that title: https://en.wikipedia.org/wiki/Ghazni_offensive

See also: W.J. Hennigan, Time, 23 August 2018: “Inside the U.S. Fight to Save Ghazni from the Taliban”, <http://time.com/longform/ghazni-fight-taliban/>

The United States Air Force carried out 24 anti-Taliban air strikes on 11th and 12th August, but the Taliban were still reportedly in control of most of the city. Both sides claimed to be in control as the fighting continued. The insurgents also began spreading into districts outside Ghazni city, two of which fell to them overnight, according to reports from local residents and Afghan officials.

On 13 August, in spite of government claims to the contrary, officials and residents of Ghazni described the Government buildings as under constant attack and Taliban fighters as in apparent charge of most neighborhoods throughout the city. The Taliban planted land mines on roads into the city which made it difficult for the government to send forces to it.

On 14 August, it was reported that the Taliban had withdrawn from Ghazni city. By 15 August, civilians were leaving their homes in the city and waiting on breadlines at the city's only two surviving bakeries. Corpses, which had been left in the streets for days, were being disposed of by dumping them in the local river, potentially worsening the already serious health crisis in the city by tainting water supplies.

During the battle in Ghazni city, Taliban forces across Ghazni Province carried out attacks. The insurgents again cut Highway 1 after having previously done so for over a month during May and June. Taliban forces also assaulted the outlying districts of Ajristan and Khwaja Umari where they seized towns, killed dozens of government troops and forced others to retreat. Furthermore, the insurgents captured five districts of Ghazni Province, while contesting six others, during the offensive. As the Taliban had already held five districts before the fighting, this reduced overall government control in Ghazni Province to three districts.

As mentioned earlier, there is no doubt that thousands of Hazaras were included among those seriously affected by the Ghazni Offensive, not least because of targeting by the Taliban attackers.

H. Conclusion

It is difficult to avoid repeating the conclusion stated in my updates of September 2017 and April 2018:

“Prospects are bleak for all Afghanistan Hazaras, both those who have little choice but to remain and the thousands who are fleeing. Any deportees will face an especially dangerous and difficult future.”

The opinion of such experts as Liza Schuster and Anna Shea, that the willingness of governments to deport refugees (even non-Hazaras) to Afghanistan is “shocking” and unthinkable, must be heeded and acted upon. “Blood is on their hands.”

The chorus is now swelled by the voices of such international authorities as Human Rights Watch, Amnesty International, and Professor William Maley, supplemented by the Refugee Council of Australia, all calling on a moratorium on forced return of Hazaras, and supported in principle by the latest UNHCR Eligibility Guidelines.

Amnesty's call for a European moratorium on forced return to danger (*refoulement*) is unequivocal:

At present, given the grave security and human rights situation across the country, all returns to Afghanistan constitute refoulement. For the principle of non-refoulement to be breached, it is not necessary for serious harm to ensue: the human rights violation takes place when someone is returned to a real risk of such harm. European governments have remained wilfully blind to the dangers to which returnees are exposed, and – together with the EU – are putting Afghanistan under tremendous pressure to accept large numbers of returnees. Prioritizing deportations, heedless of the evidence, is reckless and illegal.

This must apply equally to Australia.