

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

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**Country:** Afghanistan  
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Questions

Please provide information regarding the following.

- [1. What is the position now in Afghanistan generally, and in particular for Hazaras in Kabul and Mazar-e-Sharif? That is, has the removal of the Taliban from power been durable, and stable?](#)
- [2. Please provide information about Commanders Zeya and Shafi Deewana.](#)
- [3. What is the present role of Wahdat in Afghan politics?](#)
- [4. Can a Hazara safely return to Kabul and/or Mazar-e-Sharif directly \(e.g. by plane\), or do they have to return through occupied and/or dangerous areas?](#)
- [5. How are persons who have been Westernised treated in Afghanistan, Kabul and Mazar-e-Sharif?](#)

#### RESPONSE

**1. What is the position now in Afghanistan generally, and in particular for Hazaras in Kabul and Mazar-e-Sharif? That is, has the removal of the Taliban from power been durable, and stable?**

The security situation in Afghanistan continues to deteriorate with the number, sophistication and lethality of attacks increasing. While most of the violence occurred in the south and east, violence in the north, west and centre increased. The Afghan Government continues to struggle to assert control outside Kabul. Over the last six months Kabul City has experienced suicide and roadside bombings, rocket attacks and a major riot. Violence has been on the rise in the north with Mazar-i-Sharif experiencing a number of security incidents over the past six months. Discrimination and harassment of Hazaras continues in Afghanistan.

Information provided in response to this question has been organised under the following four headings:

- [General Security Situation;](#)

- [Kabul City](#);
- [Mazar-i-Sharif](#); and
- [Hazaras](#).

## General Security Situation

An *IRIN* article dated 10 July 2006 reports that more than 1,110 people in Afghanistan have lost their lives in insurgency-related violence in 2006 alone. According to the Afghanistan Independent Human Rights Commission, more than 600 Afghan civilians have been killed or wounded in insurgency-related violence in 2006 with about 70% of the casualties caused by Taliban-linked attacks such as suicide and roadside bombings ('Afghanistan: UN concerned at deteriorating security' 2006, *IRIN*, 10 July

<http://www.irinnews.org/report.asp?ReportID=54516&SelectRegion=Asia&SelectCountry=AFGHANISTAN> – Accessed 11 August 2006 – Attachment 1; and '600 Afghan civilians killed, hurt in violence this year: watchdog' 2006, *Agence France Presse*, 22 July, ReliefWeb website <http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-6RZ7SH?OpenDocument> – Accessed 11 August 2006 – Attachment 2).

A report dated 7 March 2006 by the UN Security Council provides the following information on the general security situation in Afghanistan. Please note that a new report is due out soon:

39. The security situation over the past six months was characterized by a clear consolidation of previously reported trends in extremist activity. The operational tempo and tactical sophistication of insurgent and other anti-Government elements have continued to develop. These activities pose an increasing threat to the local population, national security forces, international military forces and the international assistance effort. Violence and threats against local officials, religious leaders, teachers and staff and facilities of the education system have continued and intensified, in particular in the south and south-east of the country. Corruption, the menace of a criminalized economy, dominated by drug and other organized criminal networks, and the presence of illegally armed groups have continued to undermine the authority of the legitimately elected government.

40. Over the course of the reporting period, insurgents and other anti-Government elements increasingly employed more sophisticated and lethal tactics, such as the use of complex improvised explosive devices, well-planned ambushes and technically advanced multiple rocket attacks. Perhaps of greatest concern is the steep rise in the number of suicide bombings. Prior to 2005, there had been only five cases in the three preceding years. In 2005, there were 17. By 23 February 2006, the annual total for 2006 already stood at 11. This represents 65 per cent of the 2005 total in a two-month period. The lethality of these attacks has also grown. In 2006, the average number of victims per attack was 11, up from 5.4 in 2005.

41. Up to November 2005, a significant proportion of security related incidents involved clashes between anti-Government elements and security forces, primarily international military forces. Since most of those incidents resulted in the defeat of anti-Government elements, attacks against foreign military forces have been decreasing in favour of attacks against Afghan security forces and against soft targets (Government and social institutions), by entities that are difficult to detect or identify. This changing tactic is evident in four principal threat areas; namely: improvised explosive devices, suicide bombings, kidnapping and attacks against the education system.

42. Insurgents departed from the seasonal trend of past years by maintaining a high level of operational activity throughout the winter period. The first months of 2006 witnessed a rising

level of insurgent attacks, in particular in the south and east of the country. Indeed, the number of anti-Government elements-related incidents has grown, unabated, since 2003. Of particular note is that the frequency of such attacks during the latter half of 2005 and the start of 2006 (200 per month) was higher than during any of the previous reporting periods, including the presidential elections of 2004. Over the past six months, the incidence of successful improvised explosive device attacks compared with the previous half year has increased by over 50 per cent. Anti-Government elements also appear to have expanded their theatre of operations into traditionally calmer areas of the west, north and north-east of the country. Activities include the use of improvised explosive devices (previously rare in these areas), as well as four suicide attacks or attempts in Mazari Sharif and Balkh between October and January. In December, Hirat suffered its first recorded suicide attack.

43. Kidnapping is not a new trend in Afghanistan and numerous incidents of abductions of nationals for revenge or criminal reasons continue. ...Numerous reports received in January and February 2006 indicate criminal and anti-Government elements intent to kidnap foreigners for political leverage and/or ransom, primarily in Kabul and the eastern region of the country.

44. The reporting period was marred by methodical attempts to undermine the education system. Incidents included the burning or bombing of schools; the assassination of principals, teachers and officials and threats to students (UN Security Council 2006, *The situation in Afghanistan and its implications for international peace and security*, 7 March, pp.10-11 <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=4416bfe84> – Accessed 11 August 2006 – Attachment 3).

## **Kabul City**

Security incidents in Kabul City in August 2006 are as follows:

- 2 August 2006: A car exploded killing the driver and wounding two others in the Bini Hesar area of Kabul City. NATO Spokesman Major Luke Knittig said that initial police reports suggest that a suicide bomber “was intercepted by police and prematurely exploded his bomb” (‘Afghanistan Briefing 31 July – 2 August 2006’ 2006, *BBC Monitoring*, source: *Afghan Islamic Press News Agency, Agence France Presse & Associated Press*, 2 August – Attachment 4).

Security incidents in Kabul City in July 2006 are as follows:

- 31 July 2006: An explosion injured one person (‘Afghanistan Briefing 31 July – 2 August 2006’ 2006, *BBC Monitoring*, source: *Tolo TV*, 2 August – Attachment 4);
- 20 July 2006: One pedestrian was killed and three more injured when a bomb went off in the fifth police district of Kabul City (Moahid, Ahmad Khalid 2006, ‘One killed, three injured in Kabul blast’, *Pajhwok Afghan News*, 20 July <http://www.pajhwok.com/viewstory.asp?lng=eng&id=21552> – Accessed 10 August 2006 – Attachment 5);
- 14 July 2006: Police arrested an Afghan man trying to plant a bomb outside the Ministry of Information and Culture (Khan, Noor & Coghlan, Tomas 2006, ‘Taleban takes fight to coalition as force lays siege to police station’, *The Scotsman*, 14 July <http://news.scotsman.com/topics.cfm?tid=444&id=1023362006> – Accessed 10 August 2006 – Attachment 6);
- 4-5 July 2006: Five roadside bombs killed at least one and injured up to 50 people. The first bomb hit a Ministry of Interior bus, the second bomb in a vending cart blew up outside the Ministry of Justice, the third bomb struck a bus carrying Afghan army officers to work, the fourth bomb in a vending cart hit a bus carrying Ministry of Commerce

workers and the fifth bomb targeted an Afghan army convoy. The Taliban claimed responsibility for three of the blasts with spokesman for the Taliban, Mohammad Hanif, saying “the attacks had shown the Taliban could strike anywhere. He vowed more.” NATO Spokesman Major Knittig said “I think it’s fair to say that you’re going to see more of this kind of insurgent activity – not just in the capital, but in other places as well” (‘Afghan capital rocked by blasts’ 2006, *BBC News*, 5 July [http://news.bbc.co.uk/2/hi/south\\_asia/5148982.stm](http://news.bbc.co.uk/2/hi/south_asia/5148982.stm) – Accessed 10 August 2006 – Attachment 7; ‘Afghanistan Briefing 3 July – 5 July 2006’ 2006, *BBC Monitoring*, source: *Afghan Islamic Press News Agency*, 5 July – Attachment 8; Azimy, Yousuf 2006, ‘Blasts hit Afghan buses, one dead, 45 hurt’, *Reuters*, 5 July, ReliefWeb website <http://www.reliefweb.int/rw/RWB.NSF/db900SID/LTIO-6REKY8?OpenDocument> – Accessed 10 August 2006 – Attachment 9; and Dummett, Mark 2006, ‘Afghan capital edgy after blasts’, *BBC News*, 5 July [http://news.bbc.co.uk/2/hi/south\\_asia/5151998.stm](http://news.bbc.co.uk/2/hi/south_asia/5151998.stm) – Accessed 10 August 2006 – Attachment 10).

No security incidents in Kabul City in June 2006 were found amongst the sources consulted.

Security incidents in Kabul City in May 2006 are as follows:

- 29 May 2006: A brake failure led a large US military truck to crash into about a dozen cars at a busy intersection in the Khair Khana district of Kabul City. The accident developed into a major riot with up to 2,000 people chanting “Death to America” and “Death to Karzai” as they headed for the presidential palace and parliament. The situation escalated when US soldiers and Afghan security forces fired over the heads of the crowd or into the crowd, that is still not clear. The crowd threw rocks and stones at the US military, set fire to police cars and checkpoints, ransacked and set fire to NGO offices, shops, restaurants and other businesses. The death toll is said to be at least 20 with a further 160 people injured, most with gunshot wounds (British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, May [http://www.baag.org.uk/reports/monthly\\_review\\_06/72\\_May\\_06.pdf](http://www.baag.org.uk/reports/monthly_review_06/72_May_06.pdf) – Accessed 10 August 2006 – Attachment 11; and ‘US crash sparks Afghanistan riot’ 2006, *BBC News*, 29 May [http://news.bbc.co.uk/2/hi/south\\_asia/5026350.stm](http://news.bbc.co.uk/2/hi/south_asia/5026350.stm) – Accessed 10 August 2006 – Attachment 12);
- 21 May 2006: A car bomb exploded prematurely killing three people on a road linking several bases belonging to the US and NATO (‘Car Bomb Kills Three in Kabul’ 2006, *Radio Free Europe*, source: *Associated Press & Reuters*, 21 May <http://www.rferl.org/featuresarticle/2006/5/8503EFE0-B4CF-47DB-B605-F0DC5B24F959.html> – Accessed 10 August 2006 – Attachment 13).

Security incidents in Kabul City in April 2006 are as follows:

- 25 April 2006: Three people were injured when two bombs exploded along the road to Kabul airport (British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, April [http://www.baag.org.uk/reports/monthly\\_review\\_06/71-April\\_06.pdf](http://www.baag.org.uk/reports/monthly_review_06/71-April_06.pdf) – Accessed 10 August 2006 – Attachment 14);
- 10 April 2006: A policeman was injured when a rocket hit the state TV building, adjacent to the US Embassy (British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, April – [http://www.baag.org.uk/reports/monthly\\_review\\_06/71-April\\_06.pdf](http://www.baag.org.uk/reports/monthly_review_06/71-April_06.pdf) – Accessed 10 August 2006 – Attachment 14).

Security incidents in Kabul City in March 2006 are as follows:

- 21 March 2006: Police defused two “powerful bombs near a major Shia Muslim shrine ahead of a major festival.” Police blamed the attempted attack on the Taliban (“Bomb defused’ near Kabul shrine’ 2006, *BBC News*, 21 March [http://news.bbc.co.uk/2/hi/south\\_asia/4827992.stm](http://news.bbc.co.uk/2/hi/south_asia/4827992.stm) – Accessed 10 August 2006 – Attachment 15);
- 14 March 2006: Around 100 Afghan policemen were posted outside the Pakistan Embassy in Kabul after Pakistani authorities received information that some people want to attack the embassy” (“Pakistan’s Kabul embassy secured’ 2006, *BBC News*, 14 March [http://news.bbc.co.uk/2/hi/south\\_asia/4804936.stm](http://news.bbc.co.uk/2/hi/south_asia/4804936.stm) – Accessed 10 August 2006 – Attachment 16);
- 12 March 2006: Two civilians and two suicide bombers were killed in an attack on Afghan Senator Sibghatullah Mujaddedi who leads a government commission seeking reconciliation with the Taliban. Mujaddedi blamed the Pakistani Directorate for Inter-Services Intelligence but Pakistan denied the claim (“Kabul bombers target Senate chief’ 2006, *BBC News*, 12 March [http://news.bbc.co.uk/2/hi/south\\_asia/4798248.stm](http://news.bbc.co.uk/2/hi/south_asia/4798248.stm) – Accessed 10 August 2006 – Attachment 17).

Security incidents in Kabul City in February 2006 are as follows:

- 28 February 2006: One of two Nepalese men kidnapped in Kabul on 11 February 2006 by a criminal gang has been freed while the other was reported to have died due to a stomach problem (“Nepal hostage dies in Afghanistan’ 2006, *BBC News*, 28 February [http://news.bbc.co.uk/2/hi/south\\_asia/4758194.stm](http://news.bbc.co.uk/2/hi/south_asia/4758194.stm) – Accessed 10 August 2006 – Attachment 18);
- 18 February 2006: A rocket was fired at the Intercontinental Hotel but missed its target (British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, February <http://www.baag.org.uk/reports/monthly%20review%2006/69-February06.pdf> – Accessed 10 August 2006 – Attachment 19).

On 3 June 2006, Kabul Police Chief Jamil Jumbish was replaced by Amanullah Gozar. Gozar is “a former commander known for his extortion and drug-trafficking activities” and Jumbish “has been implicated in murder, torture, intimidation, bribery and interfering with investigations into misconduct by officers directly under his control. He is currently under investigation by the Afghan government for involvement in the torture and death of two men in his custody. Jumbish has allegedly used his position of power to sell police posts and is accused of possession of illegal weapons, which has refused to turn over to the appropriate authorities” (“Afghan police in major shake-up’ 2006, *BBC News*, 3 June [http://news.bbc.co.uk/2/hi/south\\_asia/5043802.stm](http://news.bbc.co.uk/2/hi/south_asia/5043802.stm) – Accessed 10 August 2006 – Attachment 20; Human Rights Watch 2006, ‘Afghanistan: Reject Known Abusers as Police Chiefs’, 4 May <http://hrw.org/english/docs/2006/05/04/afghan13308.htm> – Accessed 10 August 2006 – Attachment 21; and Niada, Marco 2006, ‘Afghanistan: last chance’, Open Democracy website, 13 July [http://www.opendemocracy.net/democracy-institutions\\_government/afghanistan\\_chance\\_3734.jsp](http://www.opendemocracy.net/democracy-institutions_government/afghanistan_chance_3734.jsp) – Accessed 10 August 2006 – Attachment 22).

### **Mazar-i-Sharif**

According to the Northern ISAF Commander, General Marbus Kneip, the “Taliban were infiltrating into the northern provinces to sabotage peace and security” (Qadiri, Ahmad Naim 2006, ‘Taliban infiltrating into northern region: ISAF’, *Pajhwok*, 2 June, *e-Ariana* website <http://www.e->

[ariana.com/ariana/eariana.nsf/aa8e81dc17f7b0eb87256c030066e73b/406b9bf36aa506408725718100782b34](http://ariana.com/ariana/eariana.nsf/aa8e81dc17f7b0eb87256c030066e73b/406b9bf36aa506408725718100782b34) – Accessed 10 August 2006 – Attachment 23).

Fewer reports of violence were found in Mazar-i-Sharif than in Kabul City. Nevertheless, violence has been on the rise in the north with Mazar-i-Sharif experiencing a number of security incidents over the past six months:

- 13 July 2006: A landmine hidden on a bicycle killed one and injured several others. The Taliban claimed responsibility ('Afghanistan: Explosion rocks northern Afghan city' 2006, *RFE/RL Newslines*, Vol. 10, No. 127, Part III, 14 July – Attachment 24);
- 1 July 2006: Two policemen were wounded in an attack on a security post by five or six unidentified gunmen ('Afghanistan Briefing 29 June-2 July 2006' 2006, *BBC Monitoring*, source: *Pajhwok Afghan News*, 1 July – Attachment 25);
- Mid May 2006: A teacher was injured when a hand grenade was thrown at a school (Qadiri, Ahmad Naim 2006, 'Afghanistan: Library set ablaze in Faryab', *Pajhwok Afghan News*, 1 June – Attachment 26);
- 9 February 2006: Violent protests, about cartoons of the Prophet Mohammad, against Western targets in Mazar-i-Sharif "have passed their peak". According to ISAF's Intelligence Officer at the NATO base in Mazar-e Sharif, Major Whichelo, and ISAF's Northern Operations Officer, Captain Davis, "although they have no hard evidence at this time, they suspect violence at protests in the north has been orchestrated by people with links with insurgency in the south, to neighbouring countries like Pakistan and Iran, or to disputes between rival Afghan militias in the north." Major Whichelo continues stating that "Mazar-e Sharif has suffered a series of attacks in the past six months linked to outside militants – or at least carried out by locals known to have sought religious instruction at some of Pakistan's more radical madrassahs" (Lobjakas, Ahto 2006, 'Afghanistan: NATO Expects Violence Over Cartoons To Subside In North', *Radio Free Europe/Radio Liberty*, 9 February <http://www.rferl.org/featuresarticle/2006/2/21AAEC03-8409-4A07-81D3-BDBF7D542317.html> – Accessed 11 August 2006 – Attachment 27);
- 6 February 2006: Kruma Yaya disguised as an aid worker attempted to assassinate Governor Mohammad Atta. Yaya was arrested in Governor Atta's office with explosives strapped around his waist. Yaya held a Malian passport and was carrying an ISAF identification card (Ibrahimi, Sayed Yaqub 2006, 'New risk for aid workers', Institute for War and Peace Reporting, 24 February, ReliefWeb website <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EK0I-6ME47L> – Accessed 11 August 2006 – Attachment 28).

## Hazaras

The US Department of State reports that "there was continued social discrimination against Hazaras" during 2005:

The Shi'a religious affiliation of the Hazaras historically was a significant factor contributing to their repression, and there was continued social discrimination against Hazaras.

...During the year claims of social discrimination against Hazaras and other Shi'as continued. The Hazaras accused President Karzai, a Pashtun, of providing preferential treatment to Pashtuns and of ignoring minorities, especially Hazaras (US Department of State 2006, *Country Reports on Human Rights Practices 2005 – Afghanistan*, 8 March, Section 2d & National/Racial/Ethnic Minorities – Attachment 29).

In October 2005, Afghan journalist Ali Mohaqeq Nasab, editor of *Hoqoq-e-Zan (Women's Rights)*, was sentenced to two years in prison for blasphemy after questioning the harsh punishment under Shari'a law for women found guilty of adultery. On appeal the sentence was reduced to six months. Nasab believes he was targeted because of his Hazara ethnicity. Another Hazara, popular presenter Shakeb Isaar "was threatened and forced to flee" Afghanistan (Committee to Protect Journalists 2006, *Attacks on the Press in 2005 – Afghanistan* [http://www.cpj.org/attacks05/asia05/afghan\\_05.html](http://www.cpj.org/attacks05/asia05/afghan_05.html) – Accessed 11 August 2006 – Attachment 30; and Esfandiari, Golnaz 2005, 'Imprisoned journalist says freedom of expression under attack', *RFE/RL Media Matters*, Vol. 5, No. 21, 29 December – Attachment 31).

On 27 September 2005, Saeed Mohammad Ashraf Ramazan, prominent businessman, ethnic Hazara associated with Mohaqeq's *Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan* party and successful parliamentary candidate for Balkh was murdered in Mazar-i-Sharif. A little known group purporting to be associated with the Taliban claimed responsibility, however few people believed this. Mohaqeq and his supporters alleged that political rival Governor Atta of the *Jamiat-e-Islami* party was behind the assassination. According to Mohaqeq "Ramazan came to see him in Kabul immediately before he was killed, complaining about the governor and expressing fears that he might try to have him eliminated." Governor Atta denied the allegations alleging that Mohaqeq was behind the assassination. Up to 4,000 people marched in Kabul and up to 1,000 demonstrated in Mazar-i-Sharif demanding the resignation of Governor Atta. Following the demonstrations, three men were arrested, one of which has close ties to Governor Atta. They were released in early November 2005, "but the unrest continued" (Ibrahimi, Sayed Yaqub 2005, 'Killing Sparks Fears of unrest in North, *Institute for War & Peace Reporting Afghan Recovery Report No 196*, 30 November [http://www.iwpr.net/?p=arr&s=f&o=258367&apc\\_state=heniarr2005](http://www.iwpr.net/?p=arr&s=f&o=258367&apc_state=heniarr2005) – Accessed 11 August 2006 – Attachment 32; and 'Afghans Continue to Protest Candidate's Slaying' 2005, *Radio Free Europe/Radio Liberty*, 3 October – Attachment 33). On 10 November 2005, the three were detained again and sent to Kabul for interrogation:

Observers say Kabul may have felt a need to intervene because of fears that Ramazan's murder could ignite ethnic and political tensions that have been brewing for years.

There has been friction between the Tajik and Hazara communities in Mazar-e-Sharif in the past, most recently in 2004, when land and government posts were being distributed. According to many Hazaras, Atta used his position to further his own interests at their expense.

"The governor gave most of the land to his supporters, and declared any land distributed to the Hazaras to be illegal. He also used various pretexts to get rid of any Hazaras working in the government," said Mohaqeq's deputy Saidi.

... Ghulam Farooq Khpelwak, a political analyst who lectures at Balkh University, said that the fact that the government intervened showed just how explosive the situation in the north has become (Ibrahimi, Sayed Yaqub 2005, 'Killing Sparks Fears of unrest in North, *Institute for War & Peace Reporting Afghan Recovery Report No 196*, 30 November [http://www.iwpr.net/?p=arr&s=f&o=258367&apc\\_state=heniarr2005](http://www.iwpr.net/?p=arr&s=f&o=258367&apc_state=heniarr2005) – Accessed 11 August 2006 – Attachment 32).

According to the Afghanistan Research and Evaluation Unit Hazaras won 30 seats (12%) in the 18 September 2005 *Wolesi Jirga* election while non-Hazara Shias won 11 seats (4.4%)

(Wilder, Andrew 2005, *A House Divided? Analysing the 2005 Afghan Elections*, December, Afghanistan Research and Evaluation Unit website, p.8 – Attachment 34).

On 30 September 2005 Professor Maley provided the Tribunal with the following information on the situation of Hazaras in Afghanistan (Researcher emphasis added):

Clearly one population which is of significant concern to DIMIA and to the Tribunal is that of the Hazaras, the ethnic minority that is scattered through different parts of Afghanistan particularly concentrated in the Hazarajat, which – and there it is difficult to generalise beyond making the obvious point that the **Hazaras have experienced relatively high level discrimination in Afghanistan since the late 19th century and there is no particular reason to think that that is going to break up. One still witnesses this almost on a daily basis.**

If the Hazaras have jobs they are in the most squalid and discredited areas of the economy. The rhetoric of Pushtuns, not so much in public venues but in private, is still very hostile to Hazaras. The top Pushtun leaders know that the international community is not going to welcome racist rhetoric from their mouths so they tend not to engage in it in that kind of venue but you can – you don't have to scratch too far beneath the surface to discover virulent anti Hazaras attitudes.

**...And the prospect that there will be a significant improvement in the security situation for Hazaras there is poor.** Now this is not to say that Hazaras are under attack on a regular or a routine basis. It is rather to say that there are not in place the institutional protections that guarantee that a situation will not flare up into something very nasty very quickly. In Australia we don't necessarily have a policeman on every corner to cope with every problem that emerges but ordinary people understand that if something nasty happens the police will come, there will be a proper investigation meaning the perpetrators are highly likely to be caught and rendered to the justice system and this is then a deterrent for misbehaviour whereas in Afghanistan they have none of those institutional guarantees.

Strong people are likely to get away with it no matter how nasty may be the activity in which they have engaged and in many areas of the country there is a climate of total impunity.

...FEMALE SPEAKER: What is the current situation of Hazaras in Kabul?

PROF MALEY: It is not a happy situation and with the likely election of Sayyaf as a member of the Wolesi Jirga from Kabul it is going to become a lot unhappier I think because – you see Hazaras in different parts of the city but the main Hazara enclave is Afshar which is down in the south below what is called the silo, anyway on the road out to Qargha and then Paghman and it is unfortunate from their point of view that Sayyaf's main centre is Paghman.

...Frankly the militia could run out of Paghman into Afshar and harass the Shiite there, as there is some evidence of their having done, and get back to Paghman without people in the central state even being aware of what is going on. And there is a lot of predation of that sort that is happening. It is a sort of protection, racket and stuff. It is not necessarily massacres but it is extraction of resources from vulnerable people, you know, you pay us and we will see that you are okay. Which is hypocritical given that the people making those offers are the main threat. I wouldn't want to be a Hazara in Kabul.

...FEMALE SPEAKER: Can I ask you one last question.....Hazaras? Is there anything to indicate that the historical persecution of that group will change?



PROF MALEY: No. No. The marginalisation of the Hazaras is a product of a range of deep-rooted cultural prejudice coming together. Both the prejudice amongst some Sunni Muslims against Shiite Muslims, the Hazaras are overwhelmingly Shiite, together with the fact that Hazaras are – tend to be quite distinctive in their appearance because they have a Central Asian phenotype rather than a Mediterranean appearance and that has then set them up for classic economic social closure in the sense of the term that other activists could maximise their economic gains by excluding one particular type of competitor and marginalising them into the least desirable occupation areas.

And this over time has morphed into a sense amongst the most extreme of the Sunnis that the Hazaras are virtually Untermenschen in the sense in which the Nazis used the terms in the 1930s. I actually had a conversation with a very prominent Afghan Australian in Kabul last week, and his comment was that his parents, whom I know very well, don't make overt comments about Hazaras but he can tell that they just can't stand them.

And his parents are highly educated, cosmopolitan, sophisticated people who have lived in a number of different countries. They have constrained the way in which they voice their views – they don't publicly express prejudice against Hazaras – but even there it is around. Get to lower rungs on the ladder in Afghanistan and people have no qualms about talking about Hazaras in terms that would make your hair stand on end.

And that kind of sometimes strong signals from the State that can be used to turn around hostilities to particular groups within a community – like in the way people in the United States will no longer talk about African Americans in the way that they used to in the South in the 1950s. But that was a sustained pattern of concentrated signalling from the state, from the government, from courts and from media that turned that around.

Now in Afghanistan all those institutions are relatively weak. They are not in a position to reverse that burden of attitudes. **So Hazaras in that sense are really behind the eight ball in Afghanistan** (Maley, Professor William 2005, *Transcript of Seminar on Afghanistan*, 30 September – Attachment 35).

On 13 April 2005 Dr Jonathan Goodhand provided the Tribunal with the following information on the situation of Hazaras in Afghanistan (Researcher emphasis added):

First of all, I think it is important to situate Hazaras, socially and politically within the Afghan society.

They are the third largest ethnic group after the Pashtuns and the Tajiks. They are Shias, so they are from a minority, they are minority numerically and they are a minority in terms of religious affiliation and in many ways, they are politically and socio-economically marginalised. They have historically occupied, if you like, a subaltern position in Afghan society. Now the war changed a lot of those things quite dramatically.

It brought a new political assertiveness amongst the Hazara population and certainly Hazaras were very prominent in the Jihad in the anti-communist fighting the 1980s and they coalesced politically around Hizbi Wahdat by the end of that period; and certainly they have come out in the post Taliban context as in many ways in a strengthened position politically in terms of the constitution reflecting minority concerns and having some representation in the cabinet. They certainly have a position at the table.

Now there are concerns that the gains made during the war years are going to be undermined as Pashtuns re-assert their traditional dominance. Also another thing that needs to be remembered is the history of enmity that was produced as a result of massacres and counter

massacres during the war years. In particular, two incidents stand out. In Kabul in 1993, when the Hazaras – there was a massacre in Kabul at the hands of Jamiat-e Islami and Ittehad-e Islami and then subsequently by the Taliban in Hazarajat (in 2001) in retaliation for the Taliban defeat in Mazar-e Sharif (in 1998), which probably many of you will know about.

**Although the Hazaras have probably advanced their position politically they are still seen in many ways a marginal group, as for example they are under represented in the armed forces and the police, and also in Hazara areas of Kabul there has been limited reconstruction and city planning compared to other areas.**

...So just to finish off on the very specific question at the end, it is difficult to talk in generalised terms about whether Hazaras returning will be victimised because they are Hazaras or because of their allegedly communist or westernised background. These issues have to be seen in an individual context. These things can become major problems or they can be used as pretexts, for instance, to prevent returnees from coming back and claiming their land (Goodhand, Dr Jonathan 2005, *Transcript of Video Conference on Afghanistan between RRT Melbourne, RRT Sydney and Dr Jonathan Goodhand*, 13 April – Attachment 36).

On 10 November 2004, Ahmed Rashid provided the Tribunal with the following information on the situation of Hazaras in Afghanistan (Researcher emphasis added):

**The other big factor is that reconstruction has not taken place in the Hazara areas.** You had very limited involvement by the international community, and this is really – excuse the French – but this is really pissing off the Hazaras enormously. They are really fed up – 3 years down the road you've got major projects going on all over the country, and you haven't had anything done in Hazarajat. There has been some progress – I mean the Americans have now promised to build the road to Bamyan from Kabul, the Indians are promising a power station in Bamyan, etc., and there are promises by the world banks for mini dams to create water, irrigation and power, in parts of the Hazarajat. But the fact is that so far you have not really had any kind of investment there. So that's another factor which has ignored Hazaras enormously.

A couple of other points, there has been a huge return of Hazaras, but unfortunately they are returning mostly to the cities which is creating an enormous urban problem, and they are taking very menial jobs – many of them are not going home simply because there is nothing for them back home because of the lack of investment. **The second factor is that it's not just the Pashtuns they're scared of, they're equally scared of Uzbek, Tajik power in their areas**, although that I think will diminish given the ... withdrawal and the demobilisation, especially of the Tajik militias – the Pancheris. Ultimately, I mean why I think they voted for Mahakik Mohaqaq – it was a vote of protest – that nothing has been done for us, and we support Karzai – he's a reasonable guy, but he has not focused sufficiently on us, the Hazaras, and that's why we are registering our vote of protest and going for Mahakik Mohaqaq.

SYDNEY/MELBOURNE: I wonder if you could give us an update on Hazaras in Kabul.

MR RASHID: There are huge numbers of Hazaras in Kabul. I mean much of it of course is the traditional population, but there's a huge influx of refugees from Iran and people coming back from Quetta, Pakistan also. Unfortunately in Kabul – they are the ones with the least money, the ones who are having to take the menial jobs – in a sense there is a fear that they will go back to this kind of second class status that they had in Afghanistan before 1979, where they were treated as cheap labour, taking the menial jobs, becoming servants for people in houses, etc., rather than having the ability where they can open shops, do trading, get other kinds of jobs, etc., etc. So it's not a good situation because when you're coming back as a refugee from Iran or wherever, you have this little package from UNHCR which brings you

wherever you're going, but doesn't give you anything to start a new life there. I mean what is needed very drastically is some kind of micro credit scheme which of course is being looked at by the World Bank and by others, but I think it's particularly needed for the Hazaras. And don't forget that the Hazaras coming back now are extremely well educated – they're much better educated than other elements who are coming back from – other ethnic groups the Pashtuns, some amongst the Tajiks – Hazaras who have been living in Iran for 20 years are used to a different kind of lifestyle – their women and their boys are all very well educated – and then you're asking them to take on labouring jobs, become taxi drivers, etc., etc., and this is breeding resentment.

... SYDNEY/MELBOURNE: You talked about the large numbers of Hazaras who've returned to Kabul. What's the security situation like there for them at the present time?

MR RASHID: Well even in Kabul there's an enormous amount of harassment from Sayaf's people. Abdul Sayaf you know once a member of the Northern Alliance, very close to the hardline Sunni, Wahabbi Islam, a person who has been responsible for carrying out massacres and programs against the Hazaras during the civil war. **There's a lot of harassment in West Kabul, where a lot of the Hazaras are concentrated, by Sayaf's people.** Secondly, there's a lot of criminality which has been fuelled by police commanders and militia commanders, a lot of the Panjsheris who've stayed behind, who are still armed, who have not been disarmed in Kabul, and **a lot of that criminality is aimed at the Hazaras.** I mean it's easy to rob or steal of rape or whatever it is – you know Hazaras are easier than others because Hazaras are less effective in getting revenge, retribution, or getting the authorities to deal with these cases. So I think these two issues are still quite important for the Hazaras. ...So even in Kabul – you know the fact that this hostage taking took place in Kabul in broad daylight in a very sophisticated way, and these hostages were then spirited out of Kabul and kept – quite close to Kabul – but the fact that all this could happen under the eyes of a city which has got NATO troops and a very tough security presence and intelligence, etc. – I mean this points to the fact that Kabul is not necessarily the most secure place, and **as a result the Hazaras will be feeling very vulnerable there** (Rashid, Ahmed 2004, *Transcript of Video Conference on Afghanistan between RRT Melbourne, RRT Sydney and Ahmed Rashid*, 10 November – Attachment 37).

## **2. Please provide information about Commanders Zeya and Shafi Deewana.**

No information on a Commander Zeya (or similar spelling) was found amongst the sources consulted.

Shafi was one of two main *Hizb-i Wahdat* commanders in West Kabul in the early 1990s. Commander Shafi was in charge of Independent Brigade 2 located “in most of the front lines in west Kabul from Darulaman to Kot-i Sangi and from Kot-i Sangi up to Kart-i She”. Commander Shafi “was one of several Wahdat commanders whose excessive abuses earned them the epithet *Diwana* meaning mad.” Commander Shafi “had been a student at the university when the mujahidin captured Kabul, but became one of Wahdat's most notorious commanders and is frequently cited in witness testimony.” Commander Shafi is now deceased (Afghanistan Justice Project 2005, *Castling Shadows: War Crimes and Crimes against Humanity: 1978-2001*, July, pp75-76 & 91-94 – Attachment 38; and Human Rights Watch 2005, *Blood Stained Hands – Past Atrocities in Kabul and Afghanistan's Legacy of Impunity*, July, pp.47, 62 & 110-111 – Attachment 39).

### 3. What is the present role of Wahdat in Afghan politics?

Currently there are two major *Wahdat* parties in Afghan politics, *Hizb-e Wahdat-e Islami-ye Afghanistan* (Islamic Unity Party of Afghanistan) led by Vice President Karim Khalili and *Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan* (Islamic Unity Party of the People of Afghanistan) led by Mohammad Mohaqeq. Both parties fielded candidates in the 18 September 2005 *Wolesi Jirga* and Provincial Council elections. According to the International Crisis Group (ICG), *Hizb-e Wahdat-e Islami-ye Afghanistan* “maintains a larger and more powerful network of former commanders...but appears to have comparatively little infrastructure or public support.” According to the ICG, *Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan* has “shifted from primarily Shia to Hazara nationalism.” ICG continues by stating that the party is “anti-Karzai and fearful of “re-Pashtunisation” of the government” and has gained support from many Hazara intellectuals. The party is a member of the opposition National Understanding Front led by Qanooni (‘Afghanistan Votes – Political Parties’ 2005, *Radio Free Afghanistan*, source: Joint Electoral Management Body & *Radio Free Europe/Radio Liberty* <http://www.azadiradio.org/en/specials/elections/parties.asp> – Accessed 10 August 2006 – Attachment 40; and International Crisis Group 2005, *Political Parties in Afghanistan*, 2 June, pp.8-11 – Attachment 41).

According to the Afghanistan Research and Evaluation Unit Mohaqeq’s *Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan* won 18 seats (7.2%) in the *Wolesi Jirga* election while other Hazara/Shia parties including Khalili’s *Hizb-e Wahdat-e Islami-ye Afghanistan* won 5 seats (2%) (Wilder, Andrew 2005, *A House Divided? Analysing the 2005 Afghan Elections*, December, Afghanistan Research and Evaluation Unit website, p.5 – Attachment 34).

Mohaqeq of *Hizb-e Wahdat-e Islami-ye Mardum-e Afghanistan* backed his “long-term Pashtun enemy” Abdul Rabb al-Rasul Sayyaf as President of the *Wolesi Jirga*. In the second round of votes, Qanooni beat Sayyaf 122 to 117 votes. One reason Mohaqeq did not back Qanooni is he blames *Jamiat-i Islami* for the killing of Ramazan, member-elect for Balkh in September 2005. The International Crisis Group suggests that the alliance should be seen as a “survival instinct” as a Hazara alliance with Pashtuns would give Mohaqeq access to power. Mohaqeq was beaten by Mohammad Arif Noorzai 76 to 41 votes in the Vice-President of the *Wolesi Jirga* election. According to International Crisis Group, “Mohaqeq was probably the biggest loser in the process. He received the largest vote in the election to the *Wolesi Jirga* and entered the body with a sizable bloc of supporters inside it. His followers have dispersed, and neither he nor any Hazara won a leadership position” (International Crisis Group 2006, *Afghanistan’s New Legislature: Making Democracy Work*, 15 May, pp.9-11 – Attachment 42).

There are also a number of smaller, splinter *Wahdat* parties, including *Hizb-e Wahdat-e Melli-ye Afghanistan* (National Islamic Unity Party of Afghanistan led by the formerly influential *Wahdat* leader Mohammad Akbari, *Hizb-e Wahdat-e Melli-ye Afghanistan* (National Unity Party of Afghanistan) led by Abdul Rashid Jalili, *Hizb-e Melli-ye Wahdat-e Aqwam-e Islami-ye Afghanistan* (National Tribal Unity Party of Afghanistan led by Mohammad Shah Khogyani and *Hizb-e Wahdat-e Islami-ye Mellat-e Afghanistan* (Islamic Unity Party of the Afghan Nation) led by Qurban Ali Orfani (‘Afghanistan Votes – Political Parties’ 2005, *Radio Free Afghanistan*, source: Joint Electoral Management Body & *Radio Free Europe/Radio Liberty* <http://www.azadiradio.org/en/specials/elections/parties.asp> – Accessed 10 August 2006 – Attachment 40).

Please note that the importance of political parties in Afghanistan has been reduced by President Karzai particularly through the use of the Non-Transferable Voting (SNTV) system in the September 2005 elections. The International Crisis Group notes that the “term “political party” has become virtually a dirty word to many Afghans but they are needed for a robust political transition” (International Crisis Group 2006, *Afghanistan’s New Legislature: Making Democracy Work*, 15 May, pp.i-ii & 23 – Attachment 42).

#### **4. Can a Hazara safely return to Kabul and/or Mazar-e-Sharif directly (e.g. by plane), or do they have to return through occupied and/or dangerous areas?**

Kabul International Airport is located 16 kilometres from Kabul. The following airlines service Kabul:

- Ariana Afghan Airlines (Amritsar, Ankara, Baku, Delhi, Dubai, Dushanbe, Frankfurt, Islamabad, Istanbul, Jeddah, Moscow, Sharjah, Tehran, Urmqi)
- Azerbaijan Airlines (Baku)
- Kam Air (Almaty, Dubai, Dusseldorf, Herat, Istanbul, Mazar-e-Sharif)
- Pakistan International Airlines (Islamabad, Peshawar)
- Air Arabia (Sharjah)
- Indian Airlines (Delhi) (Wikipedia 2006, ‘Kabul International Airport’, 11 August [http://en.wikipedia.org/wiki/Kabul\\_International\\_Airport](http://en.wikipedia.org/wiki/Kabul_International_Airport) – Accessed 7 August 2006 – Attachment 43 – Users should be aware that Wikipedia is a Web-based free-content encyclopaedia which is written collaboratively by volunteers).

Mazar-i-Sharif has a domestic airport with flights from Kabul with Kam Air (‘Mazar-i-Sharif Airport gets facelift’ 2005, South Asia Logistics website, 30 June <http://www.southasialogistics.com/topnews.asp?id=31533&country=Afghanistan> – Accessed 7 August 2006 – Attachment 44; and Wikipedia 2006, ‘Kabul International Airport’, 11 August [http://en.wikipedia.org/wiki/Kabul\\_International\\_Airport](http://en.wikipedia.org/wiki/Kabul_International_Airport) – Accessed 7 August 2006 – Attachment 43 – Users should be aware that Wikipedia is a Web-based free-content encyclopaedia which is written collaboratively by volunteers).

#### **5. How are persons who have been Westernised treated in Afghanistan, Kabul and Mazar-e-Sharif?**

The Edmund Rice Centre is currently researching into the fate of 200 former Afghan asylum seekers who were sent home mainly from Nauru by the Australian Government. Researchers from the Centre conducted eight formal interviews in Afghanistan before they were forced to leave because of security concerns. Local police and local thugs tried to stop the research team from completing the interviews. According to the Centre, nine failed asylum seekers who were forcibly repatriated by Australia to Afghanistan have been killed, with others arrested. Researchers report that the NGO community and church people on the ground in Afghanistan “told us that they believe that no Afghan, particularly Hazara, should ever be sent back, because they are targeted.” The Minister for Immigration has not yet investigated these claims:

- Hazara Abdul’s two daughters were killed after a hand grenade was thrown at his home “because he was regarded as a supporter of the old communist regime.” Abdul fled to Pakistan. A Pakistan newspaper reported on the April 2003 grenade attack stating that “Afghans who come back to Afghanistan after spending years as refugees face constant

abuse, their house robbed, and in some cases murdered, forcing them to leave the country again”;

- Two Hazaras, Mohammed Moussa Nazaree and Yacoub Baklri, were “apparently gunned down by local militias commanders”;
- Hazara Ghulam was arrested upon his return by a warlord and gaoled for three months where he was tortured. Ghulam fled to Pakistan where he remains illegally;
- Hazara Mohammed received death threats and fled to Pakistan where he remains illegally with his four children (Banham, Cynthia 2006, ‘Rejected refugees sent home to die: families tell harrowing stories’, *Sydney Morning Herald*, 8 August <http://www.smh.com.au/news/world/rejected-refugees-sent-home-to-die/2006/08/07/1154802823160.html?page=fullpage#> – 10 August 2006 – Attachment 45; and O’Neill, Margot 2006, ‘Group claims returned asylum seekers killed’, *Lateline*, 7 August <http://www.abc.net.au/lateline/content/2006/s1708870.htm> – Accessed 10 August 2006 – Attachment 46).

The US Department of State reports that Hazaras “found difficulty in returning” to Afghanistan (US Department of State 2006, *Country Reports on Human Rights Practices 2005 – Afghanistan*, 8 March, Section 2d – Attachment 29).

On 30 September 2005 Professor Maley provided the Tribunal with the following information on the treatment of returnees:

There is a very basic day labourer market in Kabul in which you find some of the Hazaras but that is extremely insecure and unpredictable.

People who are seen as being in some respect outside the social norm for whatever reason are less likely to find that they secure the sort of assistance that they would need in order to access the labour market because there could be potential costs for the middle man in being seen to assist somebody who has, in the eyes of others, moved outside the realm of traditional social norms. I think for younger people who have lived in Australia for some years it is perhaps not so much an issue of adopting a Western lifestyle in a conscious sense as having been drawn into it in an unconscious way and I was saying to Kerry earlier we – I was at an Afghan community function in Brisbane a couple of years ago when a group of young Hazaras rather unexpectedly did the Macarena.

And I can remember sitting there thinking, “My God, what would their mothers think.” Yet it is not just what their mothers would think: it is what other people think as well. And it is not just something like doing a Latin American dance. There are all sorts of matters that can be as simple as one bearing one’s degree of deference to other people that can bring about antagonisms without a person who has lived in Australia for some years even appreciating why those antagonisms might be there.

And something that might almost have slipped from the memory of a person who has lived in Australia for four or five years could still be terribly important and salient to a person they might encounter and thus I suspect that the greatest danger for young people who have been here for quite some time and being sent back to Afghanistan is not that they would be consciously offensive to Afghan norms but that they would by this stage have assimilated Australian ways of behaviour to the extent that their grasp of Afghan norms would be fragile and in that way they would end up offending somebody very dangerous without even realising that they were in the process of doing it.

It is quite a complex story. But even Afghans who came to Australia as adults who are going back after 10 or 20 years are finding that they are instantly recognised as people who lived outside the country even though they speak fluent Persian, they are not unfamiliar with the layout of cities and that kind of thing, but there is just something about them that the locals pick up. And, again, I witnessed this last week. An Afghan Australian friend of mine was in Kabul when I was there, who has lived in Canberra for more than 20 years – he is a pharmacist, and is always the case he wanted to buy a carpet for his wife.

And I said, “Well, there’s no point in taking me because if you and I walk in the door of a carpet shop the seller will immediately conclude that you are the interpreter and I am the client and the price will triple on the spot.” And he came back with a carpet and I said, “How did you go?” He said, “The price tripled anyway.” You see, he was recognised almost instantly as an Afghan who had been living outside the country.

MALE SPEAKER: How long do they carry that label for? If they return to Afghanistan with the purpose of re-establishing themselves in the country how long are they expected to – or how long can they carry that label of being foreigners?

PROF MALEY: Well, in the eyes of particular people they can carry it for as long as their personalities seem to be out of the ordinary. The problem is they don’t know exactly why that is and there is not enough detailed study to know how long it would take for people to cease to be recognisable amongst the locals but I can even begin to pick it in the body language that there is a kind – it is very hard to pin this down but Afghans within Afghanistan in their body language tend to be somewhat deferential in the way in which they walk and sit whereas people who have lived in Australia tend to have a slightly more swagger.

I don’t know – they have been watching George W. Bush on television. It is very, very hard to pin down but you can – if you have been around long enough you can begin to spot the difference. So I don’t know how long it would take. Perhaps I should – I have used too much time in this presentation so perhaps I should stop at that point but I am very happy to respond to specific questions that members of the group may wish to raise. But I will take up in more detail some of the questions that Maria sent me.

FEMALE SPEAKER: On the subject of Westernisation some people say that they are not practising their religion to the same extent in Australia. If they went back they had forgotten some of it or – can that cause people problems too?

PROF MALEY: It could, yes. There is an expression that is used in Afghanistan, “gharbzadeh”, which means “son of the West” and it is applied to people who seemed to have lost an element of their Afghan identity. And the area in which it is potentially most problematical would be in the area of religion. If people began to be suspected of having ceased to be good Muslims in the sense in which some group within Afghanistan might use that term.

FEMALE SPEAKER: Do you think that would be more of a problem with the Shiites or the Sunnis?

PROF MALEY: It could be the same. There are extremists within both the Shiite and the Sunni community if you scratch hard enough. The Sunni extremists tend to regard the Shia as heretics in any case so, they are beyond the pale, but they are very devout (Maley, Professor William 2005, *Transcript of Seminar on Afghanistan*, 30 September – Attachment 35).

On 13 April 2005 Dr Jonathan Goodhand provided the Tribunal with the following information on the treatment of returnees:

There is also, to some extent, a reaction against expatriate Afghans. So radical Islam or however one chooses to describe it (some people call it Islamic fundamentalism), will continue to have an important and ongoing role in politics in Afghanistan.

...THE CHAIRMAN: Dr Goodhand, would you be able to comment on – some of our applicants claim that they state to the Tribunal they would be considered infidels and persecuted because they have now married a westerner. Would they be targeted by the local mullahs?

DR GOODHAND: I have spoken to colleagues about this very question and it is perhaps not a very useful response but it is actually a realistic one and that is, it all depends on the area and the local mullahs. Certainly, that scenario that you have painted is plausible and possible and I come across areas of Afghanistan, where those kind of situations have developed, and I alluded to earlier the kind of the radicalisation of Islam, which has been one of the characteristics of the conflict and how, Islam has become a banner issue that has been used and mobilised by a whole range of different groups and the Taliban were perhaps the most extreme manifestation of that.

But it is also, it has happened not only at the higher political levels but at the grass roots as well in terms of the changing role of mullahs and so, that situation is very plausible but it is also – would be inaccurate to kind of paint the picture that all mullahs would take that position. One of the people I spoke to on this has said, well actually an alternative way of looking at it would be, they would think, they would be respectful of someone coming from outside who had been successful and got some of the trappings of the west but I think it is tied up with a whole range of other things.

There is a lot of resentment around people coming back, particularly in terms of the pressure on land and resources, and so pretexts are created to point the finger at these people, and one of those pretexts may be Islam, it may be their kind of past political connections and so on, but the underlying issue could quite easily be either one around resources or a personalised kind of long running history of enmity.

...FEMALE SPEAKER: So would the situation then be the same for returnees who are perhaps more secular, who aren't as religious as they were when they left Afghanistan? Would that be an issue coming back, not visiting the mosque, perhaps drinking alcohol, having more secular views rather than religious?

DR GOODHAND: It depends, there is strong pressure to conform in Afghan society, you know, in lots of ways. So not conforming is frowned upon and could be dangerous for the person not to do so but clearly it is different for a person going back to Kabul than it is to going to rural Ghazni. In rural Ghazni it would certainly be frowned upon for somebody to kind of say that they were an atheist and to be un-Islamic in their practices.

So I think, you know, that that would be dangerous for people to go back into that kind of a context and be openly, if you like, "un-Islamic". In Kabul it would be easier for that, for somebody to kind of perhaps have a more liberal lifestyle, but certainly in rural areas it would be extremely difficult.

THE CHAIRMAN: Melbourne, any further questions? Sydney, do you have any further questions? Okay. I have got just one follow-up question, Dr Goodhand, if you can shed some light on. A lot of our applicants have been in Australia for quite a long time, so consequently we were wondering would someone who had lived in a western country and returned to Afghanistan, in particular to Ghazni, encounter discrimination or persecution because of their perceived western taint?



DR GOODHAND: There is certainly a growing animosity and resentment towards expatriate Afghans coming back and walking into kind of relatively high paying positions and taking resources. I mean, anywhere there has been a war and there are people who have stayed and there are people who have left, when people return there is always, (almost always) tensions and resentment towards those who come back.

One sees this, in particular, in Kabul, with the return of a lot of technocrats but certainly in Kabul, I think it is a big issue because of the perception that the better qualified, the English speaking, the computer trained Afghans coming back and are taking relatively high paid positions.

In Ghazni, I think that certainly there would be a much more profound question around adjustments and because the difference between the lifestyle the person would have experienced in Australia and they would come back to in rural Ghazni would be much more profound and certainly that person is likely to stand out more. I think a lot of this though, comes back to whether this person is bringing in resources or competing for resources, and then if it is around trying to reclaim land, for instance, this being used then, that would become much more of a tension inducing issue (Goodhand, Dr Jonathan 2005, *Transcript of Video Conference on Afghanistan between RRT Melbourne, RRT Sydney and Dr Jonathan Goodhand*, 13 April – Attachment 36).

## List of Sources Consulted

### Internet Sources:

#### **Government Information & Reports**

Danish Immigration Service <http://www.udlst.dk>

Immigration & Refugee Board of Canada <http://www.irb.gc.ca/>

UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.fov/>

#### **United Nations (UN)**

United Nations <http://www.un.org/>

United Nations Assistance Mission in Afghanistan <http://www.unama-afg.org/>

UNHCR <http://www.unhcr.ch/>

#### **Non-Government Organisations**

Afghanistan Independent Human Rights Commission <http://www.aihrc.org.af/>

Afghanistan Justice Project <http://www.afghanistanjusticeproject.org/>

Afghanistan Research and Evaluation Unit <http://www.areu.org.af/>

Amnesty International <http://www.amnesty.org/>

British Agencies Afghanistan Group <http://www.baag.org.uk/>

Committee to Protect Journalists <http://www.cpj.org/>

European Country of Origin Information <http://www.ecoi.net/>

Human Rights Watch <http://www.hrw.org/>

International Crisis Group <http://www.crisisweb.org/>

Minorities at Risk Project <http://www.cidcm.umd.edu/inscr/mar/>

Minority Rights Group <http://www.minorityrights.org/>

Relief Web <http://www.reliefweb.int/w/rwb.nsf>

Reporter Without Borders <http://www.rsf.org/>

#### **International News & Politics**

Afghan Online Press <http://www.aopnews.com/>

BBC News <http://news.bbc.co.uk>

e-Ariana <http://www.e-ariana.com/>

Institute of War & Peace Reporting [http://www.iwpr.net/home\\_index\\_new.html](http://www.iwpr.net/home_index_new.html)

*IRIN* <http://www.irinnews.org/>  
*Pajhwok Afghan News* <http://www.pajhwok.com/>  
Radio Free Afghanistan <http://www.azadiradio.org/>  
Radio Free Europe/Radio Liberty <http://www.rferl.org>  
Wikipedia [http://en.wikipedia.org/wiki/Main\\_Page](http://en.wikipedia.org/wiki/Main_Page)

### **Region Specific Links**

Afghanistan Information Management Service (AIMS) <http://www.aims.org.af/>  
Afghanistan Islamic Unity Party <http://www.wahdat.net/>  
Hizb-e Wahdat Islami Afghanistan <http://www.geocities.com/mohaqiq/>

### **Search Engines**

Google <http://www.google.com.au/>

### Databases:

FACTIVA (news database)  
BACIS (DIMA Country Information database)  
REFINFO (IRBDC (Canada) Country Information database)  
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)  
RRT Library Catalogue

### **List of Attachments**

1. 'Afghanistan: UN concerned at deteriorating security' 2006, *IRIN*, 10 July  
<http://www.irinnews.org/report.asp?ReportID=54516&SelectRegion=Asia&SelectCountry=AFGHANISTAN> – Accessed 11 August 2006.
2. '600 Afghan civilians killed, hurt in violence this year: watchdog' 2006, *Agence France Presse*, 22 July, ReliefWeb website  
<http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-6RZ7SH?OpenDocument> – Accessed 11 August 2006.
3. UN Security Council 2006, *The situation in Afghanistan and its implications for international peace and security*, 7 March <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=4416bfe84> – Accessed 11 August.
4. 'Afghanistan Briefing 31 July – 2 August 2006' 2006, *BBC Monitoring*, 2 August. (CISNET Afghanistan CX158474)
5. Moahid, Ahmad Khalid 2006, 'One killed, three injured in Kabul blast', *Pajhwok Afghan News*, 20 July <http://www.pajhwok.com/viewstory.asp?lng=eng&id=21552> – Accessed 10 August 2006.
6. Khan, Noor & Coghlan, Tomas 2006, 'Taleban takes fight to coalition as force lays siege to police station', *The Scotsman*, 14 July  
<http://news.scotsman.com/topics.cfm?tid=444&id=1023362006> – Accessed 10 August 2006.
7. 'Afghan capital rocked by blasts' 2006, *BBC News*, 5 July  
[http://news.bbc.co.uk/2/hi/south\\_asia/5148982.stm](http://news.bbc.co.uk/2/hi/south_asia/5148982.stm) – Accessed 10 August 2006.

8. 'Afghanistan Briefing 3 July – 5 July 2006' 2006, *BBC Monitoring*, 5 July. (CISNET Afghanistan CX156771)
9. Azimy, Yousuf 2006, 'Blasts hit Afghan buses, one dead, 45 hurt', *Reuters*, 5 July, ReliefWeb website <http://www.reliefweb.int/rw/RWB.NSF/db900SID/LTIO-6REKY8?OpenDocument> – Accessed 10 August 2006.
10. Dummett, Mark 2006, 'Afghan capital edgy after blasts', *BBC News*, 5 July [http://news.bbc.co.uk/2/hi/south\\_asia/5151998.stm](http://news.bbc.co.uk/2/hi/south_asia/5151998.stm) – Accessed 10 August 2006.
11. British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, May <http://www.baag.org.uk/reports/monthly%20review%2006/72%20-%20May%2006.pdf> – Accessed 10 August 2006.
12. 'US crash sparks Afghanistan riot' 2006, *BBC News*, 29 May [http://news.bbc.co.uk/2/hi/south\\_asia/5026350.stm](http://news.bbc.co.uk/2/hi/south_asia/5026350.stm) – Accessed 10 August 2006.
13. 'Car Bomb Kills Three in Kabul' 2006, *Radio Free Europe*, source: *Associated Press & Reuters*, 21 May <http://www.rferl.org/featuresarticle/2006/5/8503EFE0-B4CF-47DB-B605-F0DC5B24F959.html> – Accessed 10 August 2006.
14. British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, April <http://www.baag.org.uk/reports/monthly%20review%2006/71-April%2006.pdf> – Accessed 10 August 2006.
15. 'Bomb defused' near Kabul shrine' 2006, *BBC News*, 21 March [http://news.bbc.co.uk/2/hi/south\\_asia/4827992.stm](http://news.bbc.co.uk/2/hi/south_asia/4827992.stm) – Accessed 10 August 2006.
16. 'Pakistan's Kabul embassy secured' 2006, *BBC News*, 14 March [http://news.bbc.co.uk/2/hi/south\\_asia/4804936.stm](http://news.bbc.co.uk/2/hi/south_asia/4804936.stm) – Accessed 10 August 2006.
17. 'Kabul bombers target Senate chief' 2006, *BBC News*, 12 March [http://news.bbc.co.uk/2/hi/south\\_asia/4798248.stm](http://news.bbc.co.uk/2/hi/south_asia/4798248.stm) – Accessed 10 August 2006.
18. 'Nepal hostage dies in Afghanistan' 2006, *BBC News*, 28 February [http://news.bbc.co.uk/2/hi/south\\_asia/4758194.stm](http://news.bbc.co.uk/2/hi/south_asia/4758194.stm) – Accessed 10 August 2006.
19. British Agencies Afghanistan Group 2006, *Afghanistan: Monthly Review*, February <http://www.baag.org.uk/reports/monthly%20review%2006/69-February06.pdf> – Accessed 10 August 2006.
20. 'Afghan police in major shake-up' 2006, *BBC News*, 3 June [http://news.bbc.co.uk/2/hi/south\\_asia/5043802.stm](http://news.bbc.co.uk/2/hi/south_asia/5043802.stm) – Accessed 10 August 2006.
21. Human Rights Watch 2006, 'Afghanistan: Reject Known Abusers as Police Chiefs', 4 May <http://hrw.org/english/docs/2006/05/04/afghan13308.htm> – Accessed 10 August 2006.

22. Niada, Marco 2006, 'Afghanistan: last chance', Open Democracy website, 13 July [http://www.opendemocracy.net/democracy-institutions/government/afghanistan\\_chance\\_3734.jsp](http://www.opendemocracy.net/democracy-institutions/government/afghanistan_chance_3734.jsp) – Accessed 10 August 2006.
23. Qadiri, Ahmad Naim 2006, 'Taliban infiltrating into northern region: ISAF', *Pajhwok*, 2 June, *e-Ariana* website <http://www.e-ariana.com/ariana/eariana.nsf/aa8e81dc17f7b0eb87256c030066e73b/406b9bf36aa506408725718100782b34> – Accessed 10 August 2006.
24. 'Afghanistan: Explosion rocks northern Afghan city' 2006, *RFE/RL Newslines*, Vol. 10, No. 127, Part III, 14 July. (CISNET Afghanistan CX157309)
25. 'Afghanistan Briefing 29 June-2 July 2006' 2006, *BBC Monitoring*, 1 July. (CISNET Afghanistan CX156468)
26. Qadiri, Ahmad Naim 2006, 'Afghanistan: Library set ablaze in Faryab', *Pajhwok Afghan News*, 1 June. (CISNET Afghanistan CX15480)
27. Lobjakas, Ahto 2006, 'Afghanistan: NATO Expects Violence Over Cartoons To Subside In North', *Radio Free Europe/Radio Liberty*, 9 February <http://www.rferl.org/featuresarticle/2006/2/21AAEC03-8409-4A07-81D3-BDBF7D542317.html> – Accessed 11 August 2006.
28. Ibrahim, Sayed Yaqub 2006, 'New risk for aid workers', Institute for War and Peace Reporting, 24 February, ReliefWeb website <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EK0I-6ME47L> – Accessed 11 August 2006.
29. US Department of State 2006, *Country Reports on Human Rights Practices 2005 – Afghanistan*, 8 March.
30. Committee to Protect Journalists 2006, *Attacks on the Press in 2005 – Afghanistan* [http://www.cpj.org/attacks05/asia05/afghan\\_05.html](http://www.cpj.org/attacks05/asia05/afghan_05.html) – Accessed 11 August.
31. Esfandiari, Golnaz 2005, 'Imprisoned journalist says freedom of expression under attack', *RFE/RL Media Matters*, Vol. 5, No. 21, 29 December.
32. Ibrahim, Sayed Yaqub 2005, 'Killing Sparks Fears of unrest in North', *Institute for War & Peace Reporting Afghan Recovery Report No 196*, 30 November [http://www.iwpr.net/?p=arr&s=f&o=258367&apc\\_state=heniarr2005](http://www.iwpr.net/?p=arr&s=f&o=258367&apc_state=heniarr2005) – Accessed 11 August.
33. 'Afghans Continue to Protest Candidate's Slaying' 2005, *Radio Free Europe/Radio Liberty*, 3 October.
34. Wilder, Andrew 2005, *A House Divided? Analysing the 2005 Afghan Elections*, December, Afghanistan Research and Evaluation Unit website.
35. Maley, Professor William 2005, *Transcript of Seminar on Afghanistan*, 30 September.

36. Goodhand, Dr Jonathan 2005, *Transcript of Video Conference on Afghanistan between RRT Melbourne, RRT Sydney and Dr Jonathan Goodhand*, 13 April.
37. Rashid, Ahmed 2004, *Transcript of Video Conference on Afghanistan between RRT Melbourne, RRT Sydney and Ahmed Rashid*, 10 November.
38. Afghanistan Justice Project 2005, *Casting Shadows: War Crimes and Crimes against Humanity: 1978-2001*, July.
39. Human Rights Watch 2005, *Blood Stained Hands – Past Atrocities in Kabul and Afghanistan’s Legacy of Impunity*, July.
40. ‘Afghanistan Votes – Political Parties’ 2005, *Radio Free Afghanistan*, source: Joint Electoral Management Body & *Radio Free Europe/Radio Liberty* <http://www.azadiradio.org/en/specials/elections/parties.asp> – Accessed 10 August 2006.
41. International Crisis Group 2005, *Political Parties in Afghanistan*, 2 June.
42. International Crisis Group 2006, *Afghanistan’s New Legislature: Making Democracy Work*, 15 May.
43. Wikipedia 2006, ‘Kabul International Airport’, 11 August [http://en.wikipedia.org/wiki/Kabul\\_International\\_Airport](http://en.wikipedia.org/wiki/Kabul_International_Airport) – Accessed 7 August 2006.
44. ‘Mazar-i-Sharif Airport gets facelift’ 2005, South Asia Logistics website, 30 June <http://www.southasialogistics.com/topnews.asp?id=31533&country=Afghanistan> – Accessed 7 August 2006.
45. Banham, Cynthia 2006, ‘Rejected refugees sent home to die: families tell harrowing stories’, *Sydney Morning Herald*, 8 August <http://www.smh.com.au/news/world/rejected-refugees-sent-home-to-die/2006/08/07/1154802823160.html?page=fullpage#> – 10 August 2006.
46. O’Neill, Margot 2006, ‘Group claims returned asylum seekers killed’, *Lateline*, 7 August <http://www.abc.net.au/lateline/content/2006/s1708870.htm> – Accessed 10 August 2006.