



Afghanistan - Researched and compiled by the Refugee Documentation Centre of Ireland on 23 February 2011

Information on the current threat of indiscriminate violence.

IRIN News in February 2011 reports from Afghan human rights body, the Afghanistan Rights Monitor (ARM), noting:

“Over 690 civilians were killed and 1,800 injured in IED attacks in 2010, ARM said in its annual report on civilian casualties of war. Taliban insurgents and other armed opposition groups have been accused of war crimes for their alleged indiscriminate use of IEDs” (IRIN News (2 February 2011) *Afghanistan: US military denies keeping, using cluster munitions*)

The *Afghanistan Rights Monitor* report released in February 2011 states:

“AOGs are primarily blamed for the indiscriminate IEDs attacks, particularly in civilian and residential areas, in which too often civilian people suffered the brunt of casualties and damages” (Afghanistan Rights Monitor (1 February 2011) *ARM Annual Report, Civilian Casualties of War, January-December 2010*, p.7)

This report also notes:

“Two of the AOGs’ most deadly fighting tactics were the indiscriminate use of IEDs and suicide attacks, particularly in the civilian locations” (ibid,p.9)

It is also noted in this report that:

“The indiscriminate and excessive use of IEDs, which disproportionately kill and harm civilians, is in violation of war laws, including the international humanitarian law” (ibid,p.10)

This report also states:

“Dozens of civilian people lost their lives in the hasty counterinsurgency operations which were initiated or conducted by pro-government forces. Indiscriminate shooting and excessive use of artillery by ANP/ANA forces during or after security incidents were also cited, by some conflict-affected communities, as tactics in which civilian people were killed and wounded disproportionately” (ibid,p.16)

The *International Herald Tribune* in February 2011 notes:

“International and local human rights groups working in Afghanistan have shifted their focus toward condemning abuses committed by the Taliban insurgents, rather than those attributed to the U.S. military and its allies. Outraged by growing civilian casualties, many activists are now calling for the

insurgents to be investigated over war crimes and viewed as war criminals. The insurgents are now blamed for more than three-fourths of all civilian casualties, according to U.N. statistics, and those casualties increased 20 percent last year. Several groups have approached the International Criminal Court in The Hague, which has been conducting a preliminary inquiry into war crimes charges in Afghanistan. The activists' concern would have been unheard-of a year ago, when a series of large-scale civilian casualty episodes caused by NATO forces outraged Afghans and prompted President Hamid Karzai to repeatedly condemn his own allies. Human rights groups joined the chorus of blame. Now, the episodes that activists say they worry most about no longer stem from NATO aerial bombardments or Special Forces' night raids but from the insurgents' indiscriminate use of suicide bombers, assassinations and improvised explosive devices. According to U.N. figures, those attacks caused more than 1,800 civilian deaths from January to October 2010. By comparison, NATO forces are blamed for up to 508 civilian deaths last year, according to the Afghanistan Rights Monitor, an independent Afghan group, or even fewer, according to U.N. or NATO figures" (International Herald Tribune (11 February 2011) *Rights advocates shift their focus to Taliban abuses*)

A *Human Rights Watch* report issued in January 2011 commenting on events of 2010 states:

"Civilian casualties reached record levels, with increased insurgent activity across the country" (Human Rights Watch (24 January 2011) *World Report 2011: Afghanistan*, p.1)

This report also notes:

"The armed conflict remains most acute in the south and southeast, with a marked deterioration in security in the north. In the first nine months of 2010 the United Nations documented the deaths of 2,135 civilians, an increase of more than 10 percent compared to the same period in 2009, largely due to increased insurgent attacks that often take the form of drive-by shootings or suicide bombings. US and NATO-caused civilian casualties dropped in the first six months of the year compared to the previous year. However, the third quarter saw an increase in civilian casualties, which matched an increase in the use of air attacks and night raids. US, NATO, and Afghan forces were responsible for more than 350 civilian deaths during the first nine months of 2010" (ibid)

In January 2011 a report published by the *Office of the UN High Commissioner for Human Rights* states:

"As civilian casualties rose in 2010, women and children made up a greater proportion of those killed and injured than in 2009. Women and children continued to experience an extreme lack of protection in conflict-affected areas along with widespread violations of their basic human rights" (Office of the UN High Commissioner for Human Rights (19 January 2011) *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights*, Section II. Protection of civilians, point 9)

The *Agence France Presse* in January 2011 states:

“More than 10,000 people, about a fifth of them civilians, lost their lives in violence in Afghanistan last year, an AFP count based on official figures and an independent website tally showed Sunday” (Agence France Presse (2 January 2011) *Over 10,000 died in Afghan violence in 2010*)

A UNHCR document from December 2010 notes:

“It is reported that armed anti-Government groups remain responsible for the largest proportion of civilian casualties, whether due to targeted or indiscriminate attacks” (UNHCR (17 December 2010) *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*, p.4)

This report also states:

“...based on information known and available to UNHCR at the time of writing, the situation in Helmand, Kandahar, Kunar, and in parts of Ghazni and Khost provinces has reached such a high: (i) number of civilian casualties; (ii) frequency of security incidents; and (iii) number of persons displaced due to the armed conflict, that the situation is recognized by UNHCR as one of generalized violence. Therefore, Afghan asylum-seekers, formerly residing in Helmand, Kandahar, Kunar, and in parts of Ghazni and Khost provinces may be in need of international protection under complementary forms of protection on the basis of a fear of serious and indiscriminate harm arising from the situation of generalized violence” (ibid, pp.37-38)

In December 2010 the *UN Security Council* in a report state:

“During the reporting period, the number of security incidents was 66 per cent higher than during the same period in 2009” (UN Security Council (10 December 2010) *The situation in Afghanistan and its implications for international peace and security*, p.3)

This report also notes:

“Anti-Government elements continued to increase their use of improvised explosive devices and to directly target civilians through abductions and assassinations” (ibid)

The *United Kingdom Foreign and Commonwealth Office* in December 2010 note:

“...civilian casualties remain at an unacceptably high level with the majority caused by insurgent indiscriminate attack or intimidation” (United Kingdom Foreign and Commonwealth Office (14 December 2010) *Afghanistan Monthly Progress Report: November 2010*)

An *Oxfam* report issued in November 2010 states:

“2010 is the deadliest year for Afghan civilians since 2001” (Oxfam (19 November 2010) *Nowhere to Turn: The Failure to Protect Civilians in Afghanistan*,p.6)

This paper also states:

“It is vital that safeguards are in place to ensure that ANSF respect the rights of civilians. There is a grave risk of widespread abuses, which can range from theft and extortion through to torture and indiscriminate killing” (ibid,p.7)

This document also reports that:

“AOG continue to be responsible for the great majority of casualties, and are increasingly utilizing tactics that violate the principles of distinction and proportionality” (ibid,p.9)

The *UN Security Council* in November 2010 notes:

“Most civilian casualties were caused by suicide attacks and the indiscriminate use of improvised explosive devices as anti-Government elements continued to carry out attacks in a manner that failed to discriminate between civilian and military targets, or to take adequate precautions to prevent civilian casualties” (UN Security Council (1 November 2010) *Report of the Security Council Mission to Afghanistan, 21 to 24 June 2010*,p.9)

The *Afghanistan Independent Human Rights Commission* in August 2010 states:

“The report indicates the rise of civilian casualty continuously since 2001 and civilians are the daily victims of the current armed conflict in Afghanistan” (Afghanistan Independent Human Rights Commission (8 August 2010) *Civilian Casualty Figure; First Seven Months of 2010 (1st January – 31st July)*,p.1)

An August 2010 *UN Assistance Mission in Afghanistan* report notes:

“AGEs’ use of pressure-plated IEDs is of grave concern since these explosives were frequently placed along roadsides used by civilian traffic and vehicles and in commercial areas. Their detonations resulted in indiscriminate explosions that affected civilians through loss of life and injury. The nature of these weapons means they can be triggered by anyone, often civilians, and indiscriminately hit any target” (UN Assistance Mission in Afghanistan (August 2010) *The situation in Afghanistan and its implications for international peace and security*,p.3)

This document also states:

“By locating military bases in or near residential areas particularly in conflict affected areas, IM Forces may be putting civilians at heightened risk. In such areas Afghan civilians face not only the risk of often disproportionate and indiscriminate attacks by AGEs, but also death and injury from mortar and rocket attacks fired by IM Forces that mistakenly fall short of their target and hit residential compounds” (ibid,p.15)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre 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. Please read in full all documents referred to.

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