

# AFGHANISTAN

Conflict and Human Rights Concerns

RAIO Research Unit

U.S. Citizenship and Immigration Services

September 2020

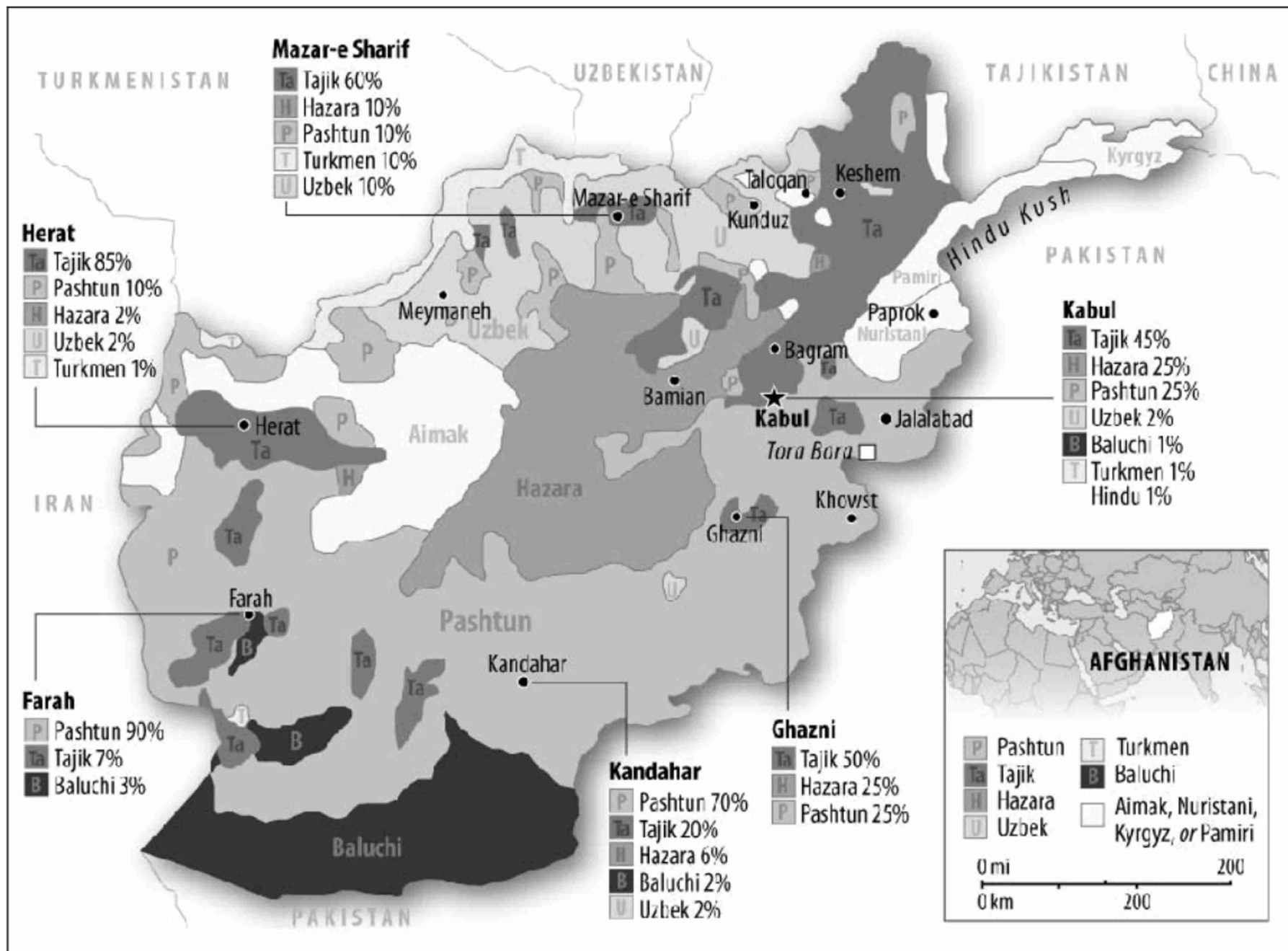




# Topics

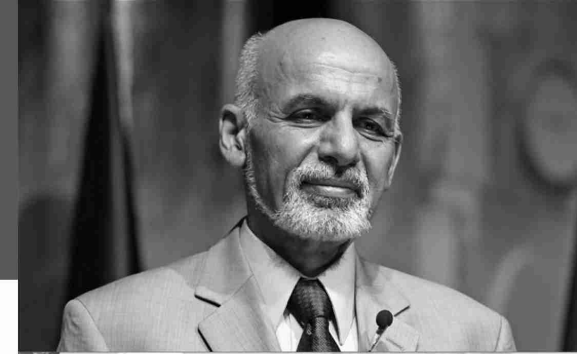
- Tribes and Ethnicity
- Security Overview & Timeline of Conflict
- Prior Military and Mujahideen
- Government Forces and Pro-Government Militias
- Current Non-state Armed Actors
- Human Rights Concerns
- Naming Conventions
- Resources

**Figure A-2. Map of Afghan Ethnicities**



# Pashtuns

- Largest ethnic group (42%)
- Based in southern and eastern mountains, but minority in the north
- Predominantly in power
- Sunni
- Not monolithic, with varying degrees of connection to central government
- Includes Taliban, Hamid Karzai, Ashraf Ghani



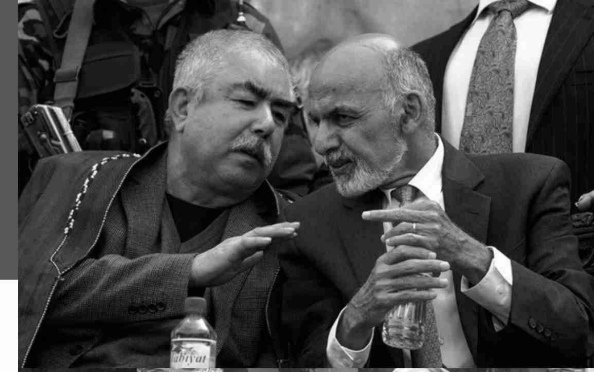
# Tajiks

- Second largest group (27%)
- Northern and northeast location
- Most are Sunnis of the Hanafi Sect (some Shia)
- Predominant component of Northern Alliance
- Male-dominated society, but women have had less public restriction than women in other groups



# Uzbeks

- Estimated 9%
- Concentrated in mountainous northern regions
- Hanafi Sunni Muslims (culturally)
- Component of Northern Alliance
- Small villages, often with Tajik neighbors
- Averse to Pashtuns who moved into their homelands in numbers sufficient to render them a minority by the 1960s



# Hazaras

- Estimated 9%
- Central location, as much as 40% of Kabul
- Moderate Shiites
- Generally non-tribal, but growing consciousness of ethnic pride and solidarity
- Vulnerable and often marginalized
- Steady ascendance in society and politics, causing Pashtun resentment and conflict
- Targeted by Islamic State (and Taliban?)





# Security Overview

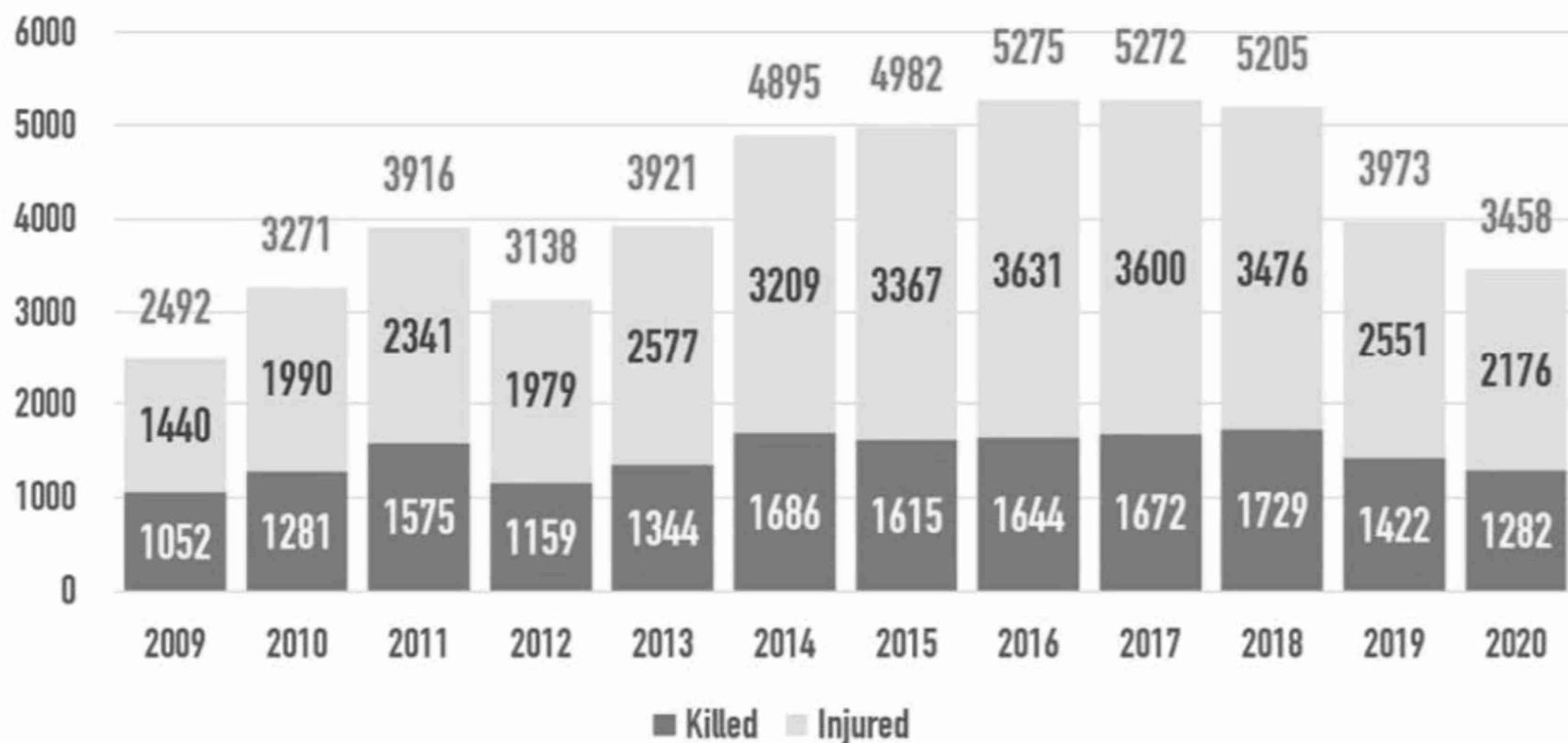


# Security Overview

- Overall trend is continuing violence and insurgent attacks throughout country (but some decrease)
- Ongoing insurgency (Primarily Taliban)
- Weak and corrupt Afghan governance
- United Nations: civilian deaths remain at "extreme levels"
- Peace talks (February US/Taliban agreement; May 2020 ceasefire)

## Total Civilian Casualties

1 January to 30 June 2009-2020



# History of Conflict

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- 1978-1979** April 1978 coup by People's Democratic Party of Afghanistan (PDPA), then December 1979 Soviet invasion and occupation with severe human rights abuses
- Mujahideen attacked Soviets from Peshawar

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- U.S./NATO-backed government took power, and Taliban resumed insurgency

# Prior Afghan Military Experience

Older males occasionally describe past military service (Afghan forces with and against Soviets, Mujahideen groups, etc.)

Good resource for quick understanding of history:

*Afghanistan: A Country Study*, Library of Congress, 2001  
(scroll down to Government and Politics section)

Also Jamiat-i Islami RU Report has substantial history

# Mujahideen

## Pashtun-dominated:

- **Hezb-i Islami** (Hekmatyar)
- Hezb-i Islami (Khaless)
- Harakat-e-Inqilab-i-Islami (Nabi)
- **Ittehad-e Islami** (Sayyaf)
- Jebh-e-Nejat-i-Melli Afghanistan (Mojadeddi)
- **Mahaz-e-Melli** (Gailani)

## Tajik-dominated:

- **Jamiat-i- Islami** (Rabbani)
- Shura-e Nazar (Massoud)

## Uzbek-dominated:

- Jombesh-e Nazar (Dostum)

## Hazara-dominated:

- **Hezb-e Wahdat** (Akbari): Many Shia factions joined in 1989

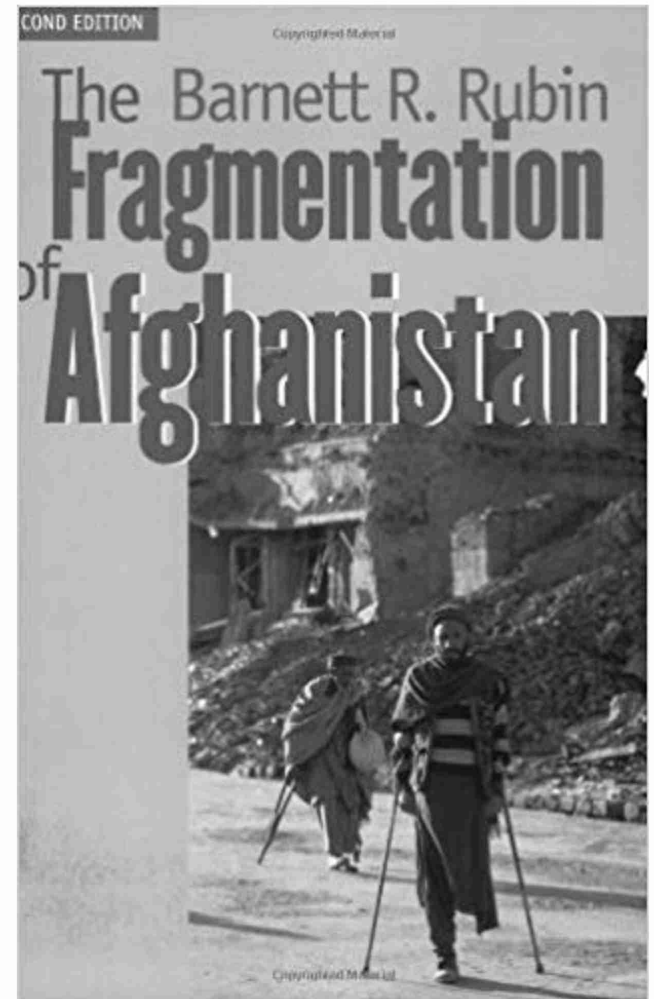
# References for Main Political Groups

- Background Paper Afghanistan: Political Parties and Insurgent Groups 1978-2001, Australian Refugee Review Tribunal, March 2013
- Background Paper Afghanistan: Political Parties and Insurgent Groups 2001-2013, Australian Refugee Review Tribunal, March 2013

# Print Reference - Armed/Political Groups

Barnett R. Rubin,  
The Fragmentation of  
Afghanistan: State Formation  
and Collapse in the  
International System, 2d Ed.(2002)

Covers 1978-1992





# Afghan Forces



# Afghan National Security Forces (ANSF)

- **National Directorate of Security (NDS)** – includes special forces; human rights violations, especially the torture of detainees
- Afghan Armed Forces
  - Afghan National Army (ANA)
  - Afghan Air Force
- Afghan Border Force
- Afghan National Police (ANP)
- Afghan Local Police (ALP)
- Afghan Territorial Force (2018)

# Afghan Local Police (ALP)

- Many communities report that the ALP is largest threat to their safety, especially where the Afghan National Army (ANA) or other Afghan National Security Forces (ANSF) are not present.
- Anecdotal evidence of the ALP forcibly recruiting boys and men into the police, contributing to UAMs



# Pro-Government Armed Groups

- **Khost Protection Force** (mainly Southeast region since ~2007: Khost, Paktya, Paktika and Ghazni provinces)
- **“Shaheen Forces”** (emerged in Paktia Province 2019)

No legal basis, often supported by international forces and/or NDS, sometimes with international air support.

Operate with impunity, conducting search operations, deliberately killing civilians, including over their own personal disputes, and engaging in armed clashes with AGEs and other armed groups.

# Taliban



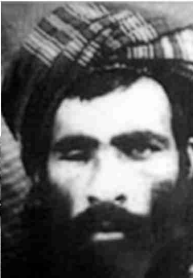
# Taliban

## Is the Taliban a Tier I organization and if so, as of what date?

- On December 26, 2007, President G. W. Bush signed the Consolidated Appropriations Act, 2008, Pub. L. 110-161, 121 Stat. 1844 (CAA). Section 691(d) of the CAA states that **the Taliban “shall be considered to be a Tier I terrorist organization** described in subclause I)” of clause 212(a)(3)(B)(vi) of the Immigration and Nationality Act (INA). Section 691(f) makes all amendments in the CAA fully retroactive.
- Therefore, the Taliban is treated as a Tier I terrorist organization under section 212(a)(3)(B)(vi)(I) of the INA per the Consolidated Appropriations Act of 2008 for past, present and future acts. In other words, the Taliban was, in effect, “statutorily designated” by Congress, which mandated that the Taliban be treated as a Tier I organization for immigration purposes. This process differs from formal designation as a Foreign Terrorist Organization (or Tier I organization) by the Department of State under INA § 219.

# Taliban

- Largest insurgent group – serious threat
- Total manpower exceeds 200,000, including 150,000 fighters (60,000 full-time and the rest local militias)
- Strict Sharia Law; removal of foreigners and cooperators
- Leader Haibatullah Akhundzada, but fragmented
- Al Qaeda connections but opposed to Islamic State
- Taliban “shadow governors”
- Tehrik-i-Taliban Pakistan (TTP) is a separate organization



# Taliban: Targeted Classes

- Afghan security forces, police, and pro-government militias
- Government officials or accused government spies
- **Those working for foreign military troops (interpreters, drivers)**
- Civilians perceived as supportive of the government or national or international security forces (farmers, **shopkeepers** and students)
- Education sector personnel
- Religious scholars (expressed pro-Government views or condemned civilian casualties caused by Anti-Government Elements)
- Humanitarian workers
- Tribal elders (pro-government)
- **Enemies of the Taliban** (Jamiat-i Islami; Hezb-e Islami)
- Journalists, media workers, and human rights defenders
- **Hazara and Shia minorities**

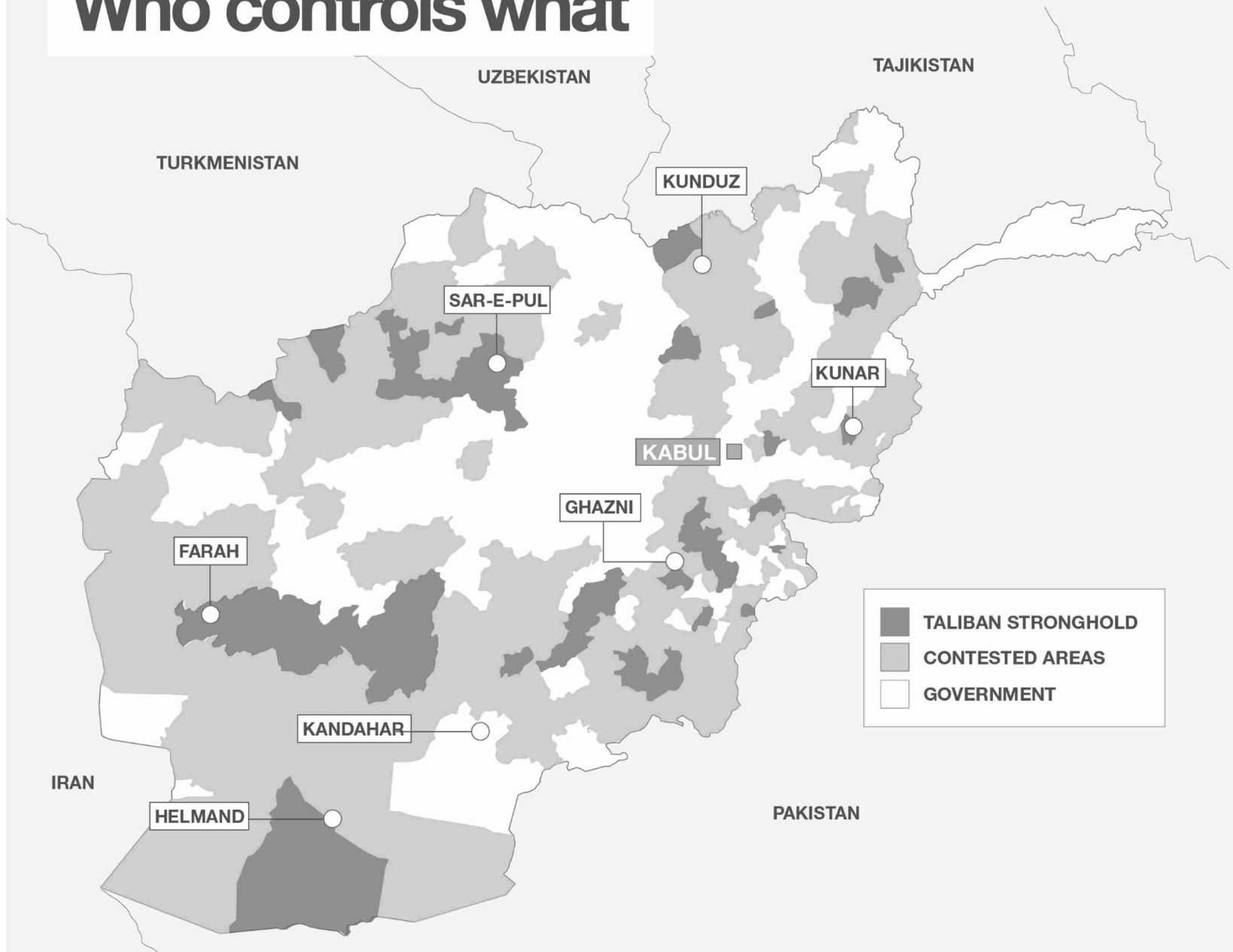


# Taliban: Locating Those Who Flee

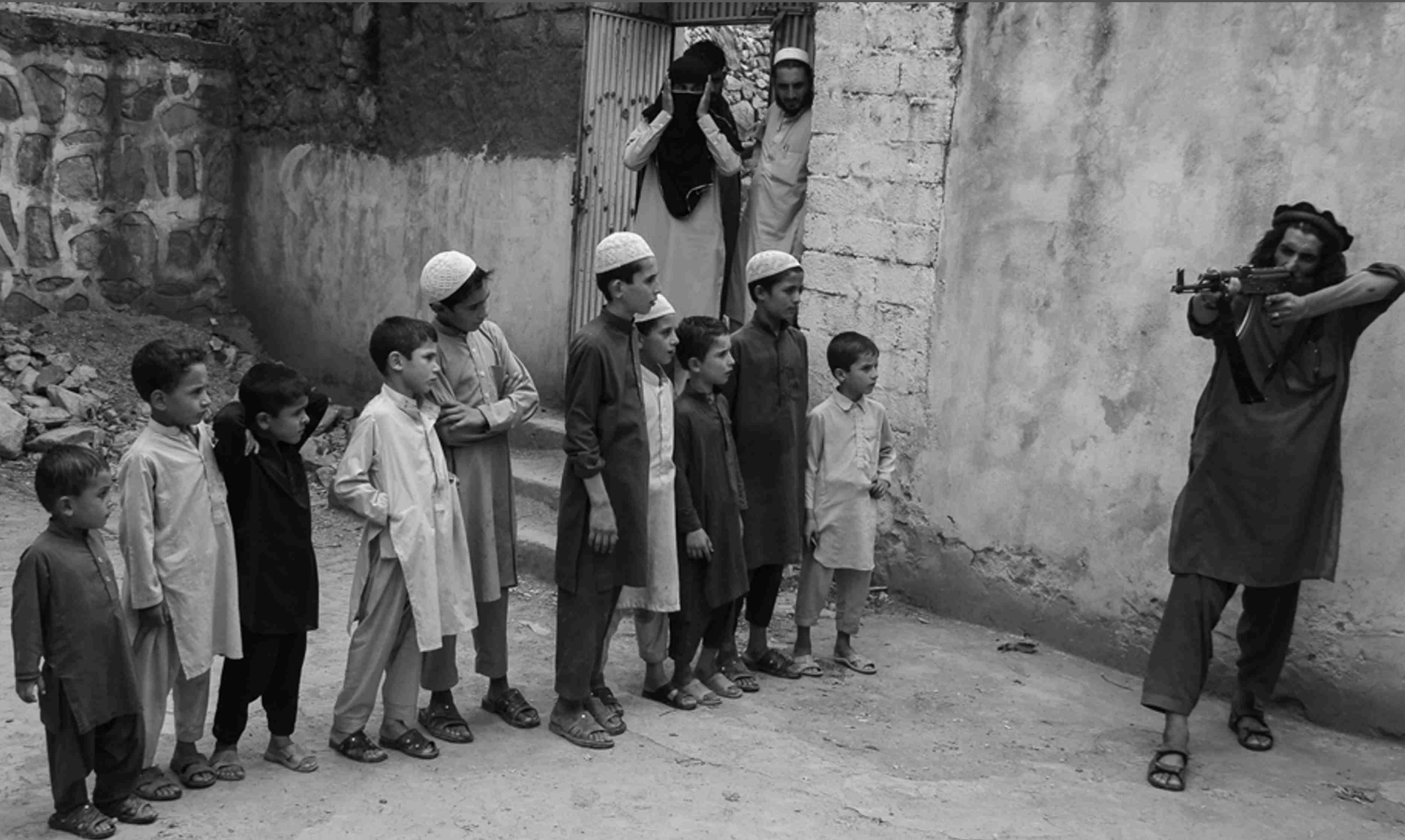
- Capacity to track individuals after relocation, using formal networks of local commanders and shadow governors, and informal networks of mullahs
- Risk of being caught at check points
- Afghan communities are very close-knit by nature, newcomers noticed
- Things that impact a person's ability to conceal their background: tribal/local connections to elders and family, regional accent differences, religious affiliation and prayer rituals, and higher education
- New arrivals with unclear background can be investigated, especially if arriving from a government-controlled area
- Network of informants conduct intelligence gathering in the cities

# AFGHANISTAN

## Who controls what



# Islamic State / *Daesh*



# Islamic State / *Daesh*

- Islamic State in Khorasan (ISK), the Afghan affiliate of IS (*Daesh*)
- Primarily Nangarhar and Kunar Provinces, presence in many other districts
- Possibly half foreign fighters through Pakistan border
- Significantly diminished but resilient
- Sectarian-motivated attacks
- Targeting Hazaras (Shias), Government, Taliban, foreign forces, schools
- Increased share of civilian deaths in Nangarhar and Kabul, primarily through IED attacks
- Taliban “special forces” fighting against ISK, but some converts

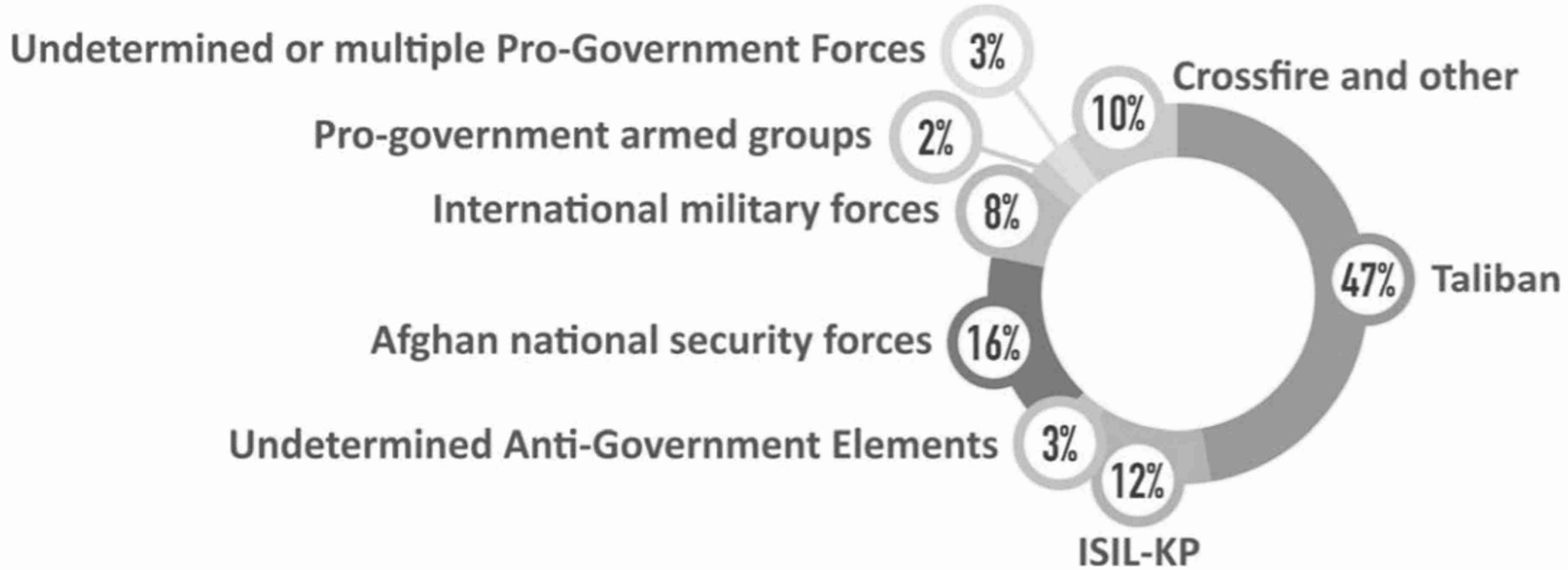


Figure 3: IS-K & Taliban Clashes 2017-2018<sup>33</sup>

# Other Insurgents

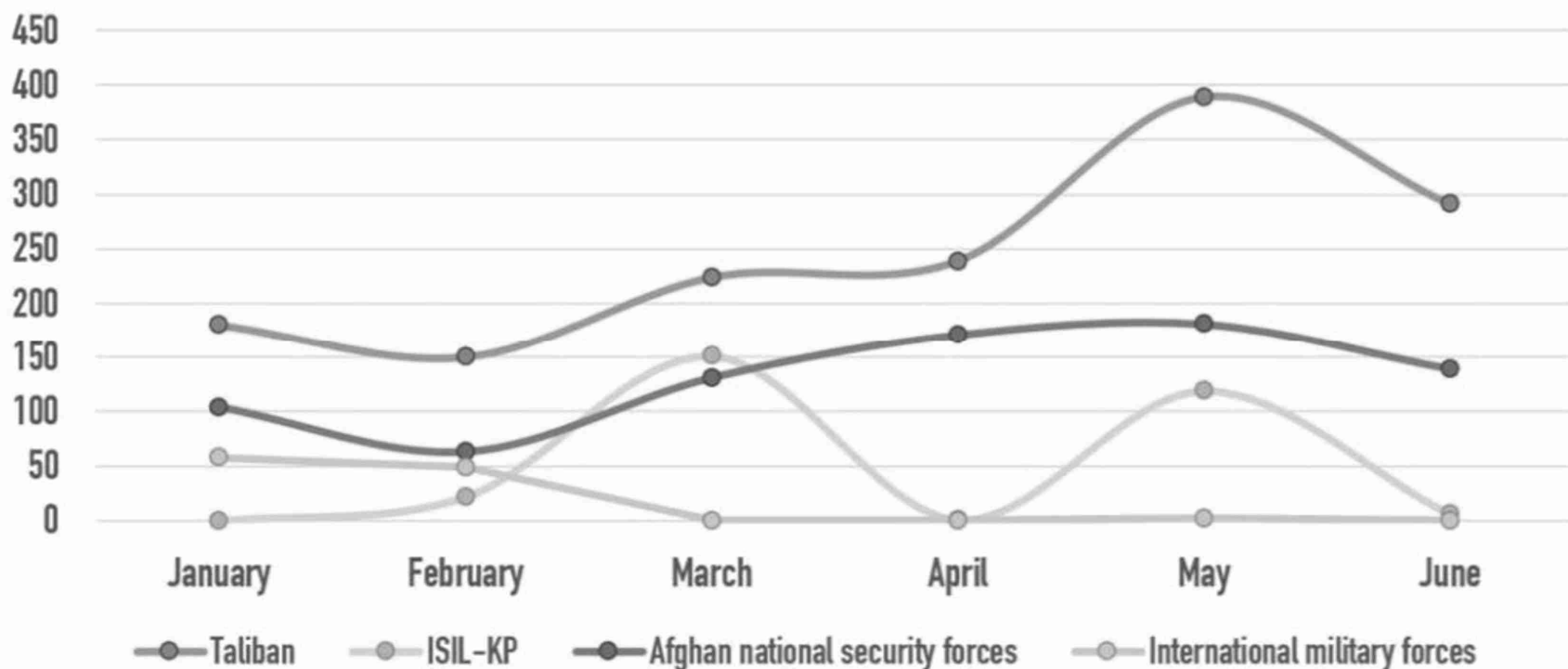
- Al Qaeda: Has a minimal presence in Afghanistan (250-400 fighters) mostly in provinces of eastern Afghanistan such as Kunar
- Haqqani Network: Southeast Afghanistan, based in Waziristan Pakistan, considered part of Taliban; 300 to 10,000 fighters
- Islamic Movement of Uzbekistan (IMU): Fractured, some allied with Taliban and groups in Pakistan, some pledged allegiance to IS March 2015; active in Faryab, Takhar, Balkh, Kunduz, and east

## Civilian Casualties by Parties to the Conflict in 2019



## Civilian Casualty Timeline by Party to the Conflict

1 January to 30 June 2020





# Challenges for Women



# Challenges for Women

- Discriminatory denial of education, movement, health care, employment, privacy, and political participation
- Over 83% illiteracy
- Pashtunwali: Dignity, honor, shame are central
- 87.2% have experienced physical, sexual, psychological violence or forced marriage

# Marriage Issues

- 60 to 80 percent of Afghan marriages are forced
- Child marriage, includes selling young girls
- *Baad* (settlement of disputes by giving away girls)
- *Badal* (exchange marriages)
- Forced marriages of widows

# Domestic and Sexual Violence

- Honor killing, forced marriage with rapist, rejection by families
- Domestic violence
- Reports of soldiers and police abducting and raping women and girls with impunity
- *Zina*
- Lack of Reporting

# Blood Feuds

- Part of Pashtunwali - focus on restoring honor
- Pashtuns higher tendency to practice - all groups can be involved in violent feuds
- Tajik and Hazara: private revenge is widespread
- 'Blood feud' is not a term that is used locally

# Land Disputes

- Three decades of displacement and multiple deeding systems
- Lack of coherent land policy and legislation
- 28 to 36 percent of local level conflicts related to land
- 4.6 million former refugees have returned in last decade causing increased competition and conflict
- Government giving preference to friends, allies, bribery



# Kuchi-Hazara Conflict



# Kuchi-Hazara Conflict

- Land dispute
- Kuchis – nomadic ethnic Pashtuns – attempt to migrate northward in the Summer into area settled by Hazaras for 130 years
- Seasonal violence in the Kajab valley west of Kabul (Wardak Province)
- Kuchi nomads have ransacked villages, burned hundreds of buildings, killed some Hazaras



# LGBT

- No publicly visible Afghan LGBT community
- Sexual acts outside heterosexual marriage risk prosecution as adultery or pederasty and result in *hudud* punishment (Crime against God: possible execution) or lengthy imprisonment
- Reports that police have arrested, detained, robbed, and raped gay men
- Honor killings
- Insurgent-controlled areas: In 2015, the Taliban sentenced two men and a teenager to execution by wall-toppling for homosexuality
- Gender identity and sexual orientation that fall out of the mainstream seen by Afghan society to be synonymous or associated with prostitution and sexual abuse
- People of 'third gender' report shaming and threats from family, discrimination, abuse and sexual exploitation, including by police. Frequently only able to find work as wedding dancers or in sex work

# Bacha Bazi

- Primarily practiced by Pashtuns
- Act of coercing boys to dance for an all male audience, generally in a seductive style and dressed as women
- Culturally sanctioned practice of raping boys
- Illegal in Afghanistan, but continues unchecked and unchallenged
- The boys are admired and coveted as signs of wealth, status and prestige for whomever owns them

# Apostasy

- Conversion from Islam is considered apostasy
- Punishable by death under Islamic law
- Afghan Penal Code says that egregious crimes, including apostasy, should be punished in line with the Hanafi jurisprudence of Islamic law
- Male citizens over age 18 or female citizens over age 16 of sound mind who convert from Islam and who do not recant their conversions within three days risk the invalidation of their marriage, and deprivation of all property and possessions
- Apostates may face rejection from their families and community members, loss of employment, and violence

# Afghans in Iran

- Afghans paid to fight in Syria on behalf of Iran/Assad
- Islamic Revolutionary Guard Corps (IRGC) recruiting
- Shia connection - Hazaras
- Drug trafficking

RAIO RU - Afghans Fighting in Syria on behalf of Iran 3-2017.pdf

# Naming Conventions

- Typically only first names given at birth
- Male names are usually compound like *Ahmad Zubair* (comparable to Mary Ellen); less frequent component is the “proper” name
- Female names are typically one word, usually Pashto or Persian
- Father’s or an ancestral name may or may not be included
- Many Afghans who interact with Western world adopt last names, usually representing tribal affiliation (like *Hamid Karzai*)
- Honorific titles can be added, like Religious (*Mullah*), Military (*Amir*), or Nobility (*Malik*)
- Altering a first name requires a government application, but an adopted last name can be changed at will
- No standard orthography, so names are written as they are pronounced, which can vary by region/dialect: *Mohammad*, *Mohamed*, *Muhammad*, or *Mohamad*

**RESOURCE:** [The Structure of Afghan Names](#), The MITRE Corporation, Nov. 2009

# Resources

Reports on the Protection of Civilians in Armed Conflict, UN Assistance Mission in Afghanistan (UNAMA): Annual and quarterly reports discussing security and armed groups

EASO: Afghanistan Security Situation (June 2019): Excellent security information by Province

UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan, August 2018

EASO: Afghanistan Individuals targeted by armed actors in the conflict (December 2017): Insurgent groups and profiles of targeted classes of individuals

EASO: Afghanistan Individuals targeted under societal and legal norms (December 2017): Targeted classes including gender-based, “Westernized” individuals, LGBT, land disputes (Kuchi), blood feuds

EASO: Afghanistan: Recruitment by armed groups, (September 2016)

Afghanistan Analysts Network

Ecoi.net and Refworld.org

Human Rights Watch

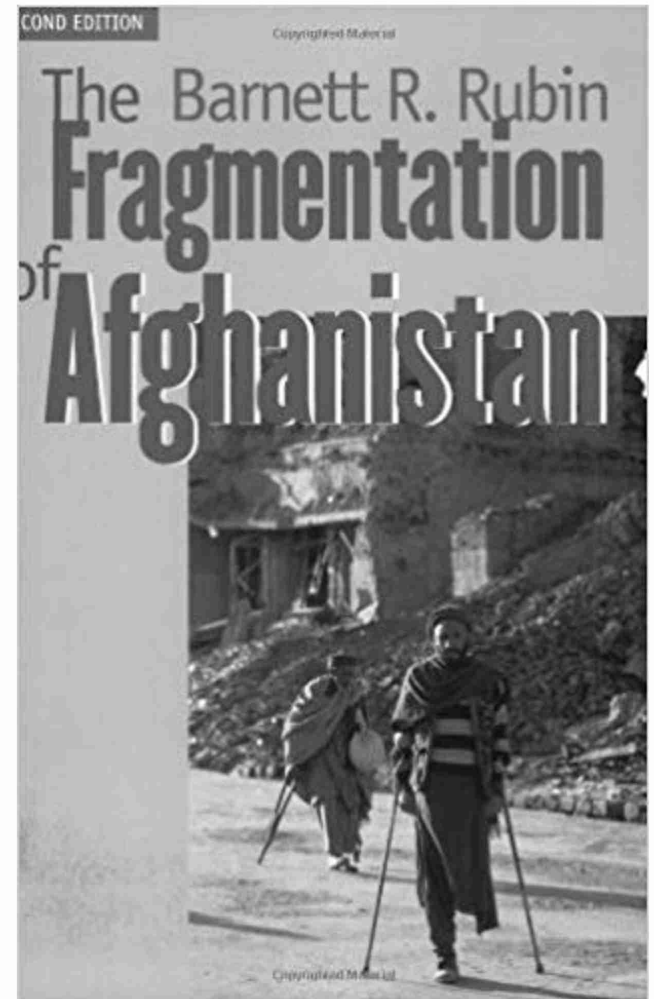
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(b)(6)

Researcher for Europe, Central Asia, Afghanistan  
RAIO Research Unit

(b)(6)

[RAIOResearch@uscis.dhs.gov](mailto:RAIOResearch@uscis.dhs.gov)

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