



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Afghanistan - Researched and compiled by the Refugee Documentation Centre of Ireland on 5 October 2009

Current security situation in Afghanistan

Page 7 of a *UN Security Council* paper from September 2009 states:

“Insecurity continues to be the single greatest factor impeding progress in Afghanistan. The insecurity is caused by a politically driven insurgency, but it has also been exploited by criminal groups, drug traffickers and others. In many parts of the country it has overwhelmed the capacity of Afghanistan’s State institutions” (UNSC (22 September 2009) *Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security*)

In September 2009 *Reuters* note:

“The Taliban have a significant presence in almost every corner of Afghanistan, data from a policy think tank showed on Thursday, as the country lurches into political uncertainty after a disputed presidential election” (Reuters (10 September 2009) *Taliban presence seen across almost all Afghanistan*)

The Afghanistan Independent Human Rights Commission (30 September 2009) *Press Release* in September 2009 note:

“In the past two months, insurgents have carried out several deliberate and intentional attacks against civilian population in Khost, Laghman, Kabul, Herat, and Kandahar provinces in which over 119 people have been killed and over 243 severely wounded. The incidents reveal that of all parties to armed conflict in Afghanistan, insurgents are most indifferent to protecting civilian lives and their actions amount to an intentional, explicit, and systematic pattern of contravention of laws of war. Therefore, AIHRC’s findings indicate that insurgents are committing war crimes and crimes against humanity by willfully attacking civilians” (Afghanistan Independent Human Rights Commission (30 September 2009) *Press Release*)

Amnesty International in September 2009 note:

“But as Afghan officials and the international community grapple with an ongoing election crisis amid allegations of fraud, Afghans face a rising tide of violence and violations of their human rights. The August 20 poll was held amid an escalation in attacks by the Taleban and other insurgent groups, and violence involving NATO forces and the US military, leading to in the highest civilian casualties since the fall of the Taleban in 2002” (Amnesty International (14 September

2009) *Comment: Afghan election outcome unclear, except for demand for human rights*)

In August 2009 *Amnesty International* point out the following:

“As uncertainty surrounds the outcome of presidential elections in Afghanistan, civilians are at greater danger than at any time since the fall of the Taleban, Amnesty International warned today following a series of attacks on civilians by anti-government groups in Kandahar and today’s attack on a hospital clinic by a NATO helicopter. The highest level of civilian casualties since the fall of the Taleban in 2002 has been registered in Afghanistan in the period around the elections. One of the worst incidents occurred in Kandahar on Tuesday when a truck bomb exploded in an area of the city heavily used by aid groups, killing more than 40 civilians. “With the outcome of voting in Afghanistan unclear, the danger and insecurity facing millions of Afghans continues and in fact is higher now than ever,” said Sam Zarifi, Amnesty International’s Asia-Pacific director. “Anti-government groups, including the Taleban, have demonstrated a systematic contempt for the safety of civilians by targeting Afghans who want to establish their future through ballots, not bullets.” “The Afghan government and its international supporters have done much to try to protect Afghans from this threat during the election period but they must also show that they will follow the rule of law themselves and will quickly investigate, and if necessary punish, any violation of the laws of war or human rights violations.” “ (Amnesty International (27 August 2009) *Afghanistan: Kandahar bombing and NATO clinic attack, highlight increasing danger to civilians*)

Also commenting on the period prior to the election, *Human Rights Watch* in August 2009 states:

“The Taliban and other insurgents have been responsible for most of the pre-election violence. Between April 25 and August 1, there were at least 13 politics-related killings and at least 10 abductions of Electoral Commission officials, candidates, and campaign workers. Several provincial council candidates have withdrawn after receiving death threats. Some insurgent factions also warned voters not to go to the polls. The overall security situation is considerably worse than during the last elections, in 2004-2005. One Afghan man told Human Rights Watch, “In Zabul, you can’t go around without a turban - security for the elections is less than weak.” “ (Human Rights Watch (17 August 2009) *Afghanistan: Human Rights Concerns in Run-Up to Elections*)

Page i of an *International Crisis Group* report from August 2009 points out:

“The government’s inability to provide for and protect its returning citizens by ensuring nationwide basic services and the rule of law has led to an increasing questioning of its legitimacy” (International Crisis Group (31 August 2009) *Afghanistan: What Now For Refugees?*)

In July 2009 a paper by the *UNHCR* states on pages 41 and 42:

“Afghanistan has experienced a significant worsening and widening of armed conflict related violence in 2008 and into 2009. Increasing insecurity and violence resulting from the fighting between anti-Government groups and pro-Government forces continue to cause population displacement for a significant part of the country. In at least 170 districts out of a total of 400 in Afghanistan, accessibility is impaired or nonexistent, hampering humanitarian and development efforts. The conflict has spread from Afghanistan's southern, south-eastern and eastern regions to areas that had been relatively stable in the recent past, including Kabul's surrounding central provinces as well as parts of the northern and western regions” (UNHCR (July 2009) *UNHCR Eligibility Guidelines For Assessing The International Protection Needs Of Asylum-Seekers From Afghanistan*)

Page 42 of the same report also states:

“2008 was the most violent year in Afghanistan since 2001, with 31 per cent more incidents than in 2007” (ibid).

Page 43 of the same report, commenting on asylum issues, states:

“However, due to the fluid and volatile nature of the conflict, lack of comprehensive monitoring and reporting from all conflict areas and variations in terms of numbers of civilian casualties reported, UNHCR is not in a position to designate specific conflict areas of Afghanistan in which there is a serious and indiscriminate threat to the life, physical integrity or freedom of Afghans as a result of generalized violence or events seriously disturbing public order. As such, claims made by Afghan asylum-seekers on the basis of a fear of serious and indiscriminate harm arising from the armed conflict in Afghanistan should be assessed individually on their merits, in light of the evidence presented by the applicant and other current and reliable information on the place of origin” (ibid).

References

Afghanistan Independent Human Rights Commission (30 September 2009)
Press Release

http://www.aihrc.org.af/English/Eng_pages/Press_releases_eng/2009/pre_rel_30_sep_2009.pdf

(Accessed 5 October 2009)

Amnesty International (14 September 2009) *Comment: Afghan election outcome unclear, except for demand for human rights*

<http://www.amnesty.org/en/news-and-updates/comment-afghan-election-outcome-unclear-except-demand-human-rights-20090914>

(Accessed 5 October 2009)

Amnesty International (27 August 2009) *Afghanistan: Kandahar bombing and NATO clinic attack, highlight increasing danger to civilians*

<http://www.amnesty.org/en/for-media/press-releases/afghanistan-kandahar-bombing-and-nato-clinic-attack-highlight-increasing>

(Accessed 5 October 2009)

Human Rights Watch (17 August 2009), *Afghanistan: Human Rights Concerns in Run-Up to Elections*

<http://www.hrw.org/en/news/2009/08/17/afghanistan-human-rights-concerns-run-elections>

(Accessed 5 October 2009)

International Crisis Group (31 August 2009), *Afghanistan: What Now For Refugees?*

http://www.crisisgroup.org/library/documents/asia/south_asia/175_afghanistan_what_now_for_refugees.pdf

(Accessed 5 October 2009)

Reuters (10 September 2009) *Taliban presence seen across almost all Afghanistan*

<http://www.reliefweb.int/rw/rwb.nsf/db900SID/SNAA-7VS94E?OpenDocument&RSS20=02-P>

(Accessed 5 October 2009)

UNHCR (July 2009) *UNHCR Eligibility Guidelines For Assessing The International Protection Needs Of Asylum-Seekers From Afghanistan*

http://www.ecoi.net/file_upload/90_1248363936_unhcr-guidelines-200907-afg.pdf

(Accessed 5 October 2009)

UN Security Council (22 September 2009), *Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security*

<http://daccessdds.un.org/doc/UNDOC/GEN/N09/515/77/PDF/N0951577.pdf?OpenElement>

(Accessed 5 October 2009)

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.

Sources Consulted

Amnesty International

BBC News

BBC Monitoring

European Country of Origin Information Network

Electronic Immigration Network

Freedom House

Google
IRIN News
Immigration and Refugee Board of Canada
LexisNexis
Minority Rights Group International
Norwegian Refugee Council
Online Newspapers
Refugee Documentation Centre Library
Refugee Documentation Centre Query Database
Regional surveys of the world
Reliefweb
UK Home Office
UNHCR Refworld
University Of Maryland Minorities At Risk