



AFGHANISTAN

# The Human Cost

The Consequences of Insurgent Attacks in Afghanistan

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## The Consequences of Insurgent Attacks in Afghanistan

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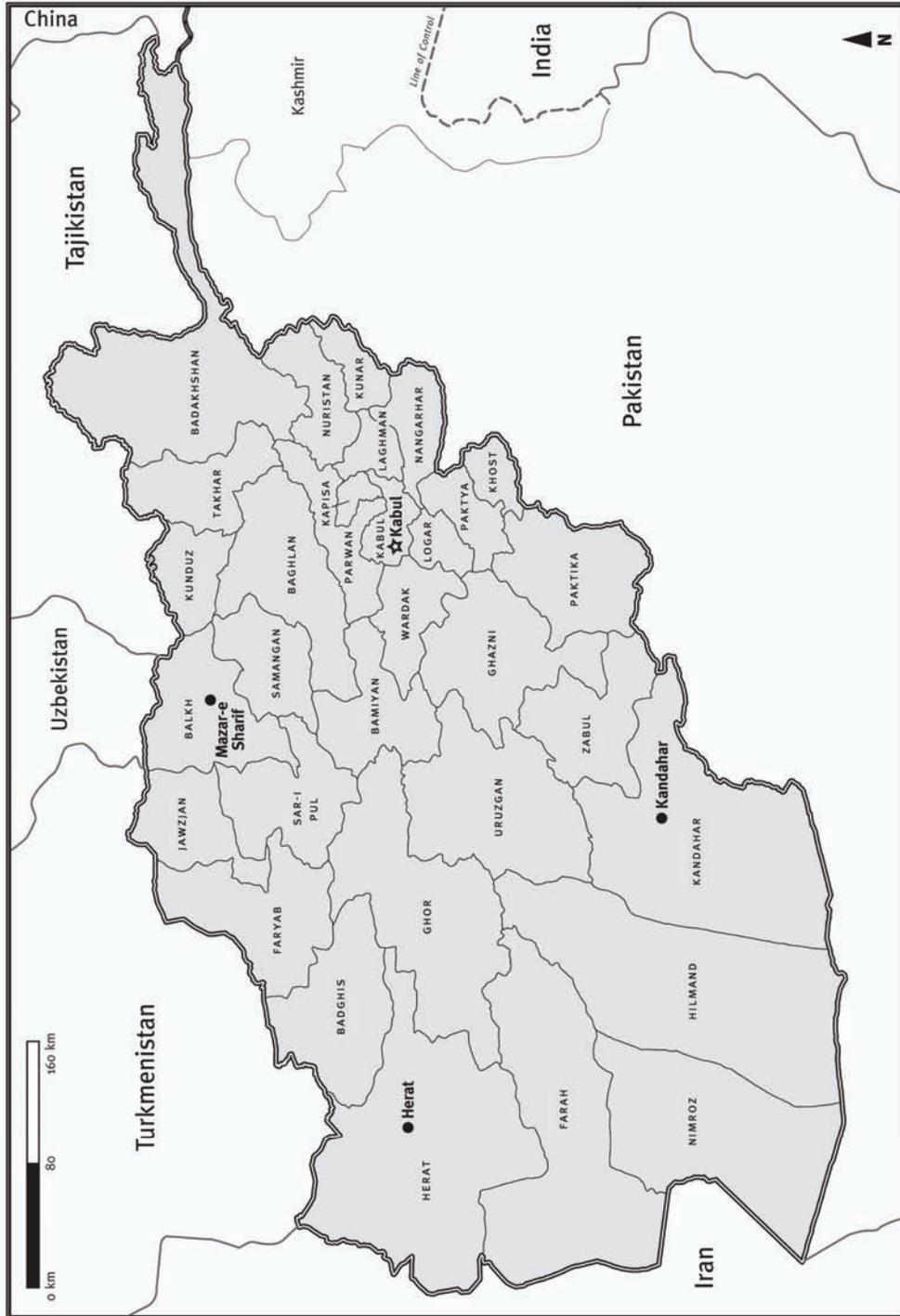
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# Map of Afghanistan



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## I. Summary

*I passed the cart and a few seconds later the bomb exploded. It was like an earthquake. It blew me back about three or four meters. . . . I woke up and saw people and body parts everywhere: fingers, hands, feet, toes, almost everything. . . . People were screaming and others were screaming that another bomb would explode . . . . I was wearing a white suit that day and I saw that my suit was red. . . .*

*I can't walk fast now. You know, I was a boxer. I can't box anymore. . . . My leg hurts everyday and I have a hard time walking. . . . When I think about these things it brings tears to my eyes. When I think about these things and put them all together it makes me want to leave this country.*

—Mohammad Yusef Aresh, describing a bomb attack in Kabul, July 5, 2006.<sup>1</sup>

Since early 2006, Taliban, Hezb-e Islami, and other armed groups in Afghanistan have carried out an increasing number of armed attacks that either target civilians or are launched without regard for the impact on civilian life. While going about ordinary activities—walking down the street or riding in a bus—many Afghan civilians have faced sudden and terrifying violence: shootings, ambushes, bombings, or other violent attacks.

These insurgent attacks have caused terrible and profound harm to the Afghan civilian population. Attacks have killed and maimed mothers, fathers, husbands, wives, parents, and children, leaving behind widows, widowers, and orphans. Many civilians have been specifically targeted by the insurgents, including aid workers, doctors, day laborers, mechanics, students, clerics, and civilian government employees such as teachers and engineers. Attacks have also left lasting physical and psychological scars on victims and eyewitnesses, and caused tremendous pain and suffering to surviving family members.

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<sup>1</sup> Human Rights Watch interview with Mohammad Yusef Aresh, Kabul, September 6, 2006.

This report is about insurgent attacks and their consequences. It is based on accounts provided by witnesses, victims, and victims' relatives, and a thorough review of records and reports of incidents in 2006 and through the first two months of 2007. The report also includes an assessment of statements by insurgent groups themselves, who often claim responsibility for attacks that kill and injure large numbers of civilians.

Anti-government forces are not the only forces responsible for civilian deaths and injuries in Afghanistan. At least 230 civilians were killed during coalition or NATO operations in 2006, some of which appear to have violated the laws of war. While there is no evidence suggesting that coalition or NATO forces have intentionally directed attacks against civilians, in a number of cases international forces have conducted indiscriminate attacks or otherwise failed to take adequate precautions to prevent harm to civilians. Human Rights Watch has reported on several of these cases and will continue to monitor the conduct of such forces. But in this report we focus on the civilian victims of insurgent attacks, and on the effects of these attacks on civilian life in Afghanistan.

Civilian deaths from insurgent attacks skyrocketed in 2006. Though exact casualty numbers from previous years are not available, increases in overall numbers of insurgent attacks in 2006 indicate that 2006 was the deadliest year for civilians in Afghanistan since 2001. Roadside bombs and other bomb attacks more than doubled since the previous year. Human Rights Watch counted 189 bomb attacks in 2006, killing nearly 500 civilians. Another 177 civilians were killed in shootings, assassinations, or ambushes.

Overall, at least 669 Afghan civilians were killed in at least 350 separate armed attacks by anti-government forces in 2006. (Almost half of these attacks appear to have been intentionally launched at civilians or civilian objects.) Hundreds of civilians also suffered serious injuries, including burns, severe lacerations, broken bones, and severed limbs. The total number of civilian casualties—Afghans killed or wounded in insurgent attacks—was well over 1,000 for the year.

Suicide bombings, once very rare in Afghanistan, now occur on a regular basis. At least 136 suicide attacks occurred in Afghanistan during 2006—a six-fold increase over the previous year. (This count is a subset of the 189 bomb attacks noted above.) At least 803 Afghan civilians were killed or injured in these suicide attacks (272 killed and 531 injured). At least 80 of these attacks—a clear majority—were on military targets, yet these 80 attacks caused significant civilian casualties, killing five times as many civilians as combatants (181 civilians versus 37 combatants).

Civilian deaths and injuries from insurgent attacks have continued in 2007. In the first two months of 2007, insurgent forces have carried out at least 25 armed attacks resulting in civilian casualties, including suicide attacks and other bombings, shootings, kidnappings, and executions. These attacks have killed at least 52 Afghan civilians and injured 83 more.

Insurgent attacks have also done significant damage to civilian property. In addition to bombings and other attacks that resulted in damaged shops, buildings, and infrastructure, insurgents specifically targeted local schools, which are often the only symbol of government in remote areas. In 2006, bombing and arson attacks on Afghan schools doubled, from 91 reported attacks in 2005 to 190 attacks in 2006. Attacks have continued into 2007.

### *Violations of the Laws of War*

Civilian casualties during armed conflict are not necessarily the result of violations of international humanitarian law (the laws of war). The nature of modern armed conflict is such that civilians are frequently killed and injured during fighting that is nonetheless in accordance with the rules of warfare.

However, Human Rights Watch investigations found that many civilian casualties from insurgent attacks in Afghanistan in 2006 were intentional or avoidable. Insurgent forces regularly targeted civilians, or attacked military targets and civilians without distinction or with the knowledge that attacks would cause disproportionate harm to civilians.

Such attacks violate international humanitarian law. Serious violations of international humanitarian law are considered war crimes, and are subject to the jurisdiction of the Rome statute of the International Criminal Court, which Afghanistan ratified in 2003.

There is little question that responsibility for most attacks lies with the Taliban and other insurgent groups. Taliban spokesmen have claimed responsibility for over two-thirds of recorded bombing attacks—primarily those in the southern and southeastern provinces—although in some cases their claims may be unfounded boasts. As for attacks in eastern and northern areas of Afghanistan, there is significant evidence of involvement by the Hezb-e Islami network under the command of Gulbuddin Hekmatyar, which has been increasingly active in insurgent activities. Other groups associated with Taliban and Hezb-e Islami forces, including Jaish al Muslemin and forces under Jalaluddin Haqqani, are likely responsible for other attacks in eastern areas and districts around Khost and Jalalabad.

### *Justifications by Insurgents*

Insurgent forces in Afghanistan often claim that their military operations are generally lawful, or that the targeting of civilians is legally permissible.

Media statements by various Taliban commanders and spokesmen, and documents attributed to the Taliban *shura* (council), indicate that Taliban leaders consider it permissible to attack Afghan government workers and teachers, employees of non-governmental organizations, or anyone who supports the government of President Hamid Karzai. Taliban spokesmen have claimed responsibility for various kidnappings and killings of foreign humanitarian aid workers, claiming that they are killed because they are “spying for the Americans” or for NATO or coalition forces.<sup>2</sup>

Such statements are blatantly contrary to international law, which prohibits all intentional attacks on civilians not directly involved in hostilities, and they implicate

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<sup>2</sup> Statement of Taliban spokesperson Qari Mohammad Yousuf to a Reuters correspondent. See “Afghans launch hunt for kidnapped Albanians,” Reuters, March 12, 2006. This statement concerned four kidnapped Macedonian citizens (initially and erroneously reported to be Albanian) who were executed by the Taliban a few days later. After the four were killed, Yusef told the BBC: “We will kill anyone who is helping the Americans.” “Afghans killed on hostage mission,” BBC, March 17, 2006.

Taliban leaders in war crimes. Such statements also facilitate and encourage lower level commanders to continue violating the laws of war.

While insurgent spokespersons and commanders have at times expressed concern for the security of civilians, these statements are unconvincing given the record of insurgents detailed in this report. Many Afghans, referring to the high number of civilians who have been killed in insurgent attacks, told Human Rights Watch that they considered insurgents' claims of concern preposterous. Moreover, when Taliban and other insurgent leaders make these statements, the focus typically is placed on civilians who do not work for the government or NGOs; thus, statements of concern primarily serve to highlight insurgents' disregard for the security of other civilians, such as civilian government workers, whom they do not consider to be "innocent." Expressing concerns for some civilians does not justify unlawful acts against others.

### *Types of Illegal Attack*

Insurgent groups in Afghanistan have carried out the following types of illegal attacks in recent years:

- *Intentional attacks* on civilians, such as assassinations of civilian officials or schoolteachers, or bombings aimed at crowded bazaars or other civilian objects such as schools or medical clinics.
- *Indiscriminate attacks*, in which the attacker uses a means (type of weapon) or method (how the weapon is used) that does not distinguish between civilians and combatants; for instance, an anti-vehicular landmine on a commonly-used road, or a suicide bomber who is sent to detonate in a populated area without regard to civilian loss.
- *Disproportionate attacks*, in which an attack is expected to cause civilian harm that is excessive in relation to anticipated military goals; for instance, when a bomb directed at a minor military target can be reasonably expected to cause high loss of civilian life.

Some insurgent attacks also appear to be primarily intended to spread terror among the civilian population, a tactic that violates international humanitarian law. Insurgents have targeted civilian government personnel and humanitarian workers,

apparently with the intent of instilling fear among the broader population and as a warning not to work in similar capacities, and have delivered numerous messages and announcements threatening Afghans to not work for government offices or non-governmental humanitarian organizations. Insurgent groups have also carried out several bombings in civilian areas which appear to be specifically intended to terrorize local populations. In addition, anti-government forces have regularly threatened civilian populations by posting written documents, so-called night-letters, warning civilians not to cooperate with the government or with international forces.

During many attacks, particularly suicide bombings, insurgents have disguised themselves as civilians, in violation of the international legal prohibition against *perfidy*. Perfidious attacks are ones in which a combatant feigns protected status, such as being a civilian, in order to carry out an attack. Such attacks have contributed to a general blurring of the distinction between civilians and combatants in Afghanistan, which in turn has raised the risk for civilians of being mistakenly targeted during military operations carried out by government and coalition forces. Notably, NATO forces in the last months of 2006 appear to have repeatedly mistakenly opened fire on civilian vehicles approaching convoys, erroneously believing, based in part on past perfidious attacks, that they were suicide attackers.

International humanitarian law requires combatants, in all military operations, to take all feasible precautions to avoid, or at least minimize, loss of civilian life and property. Yet insurgents have conducted many intentional attacks on civilians, which are clear war crimes. They have also attacked military objectives causing indiscriminate or disproportionate harm to civilians in violation of the laws of war.

Many recorded insurgent attacks took place in the midst of crowded civilian areas, or in close proximity to residential and commercial areas. In addition, bombers in many cases used very powerful explosives, the blast effects of which would be known to cause considerable loss of civilian life and damage to civilian buildings beyond the destruction or neutralization of the military target.

Often such attacks have involved suicide bombers on foot or in vehicles. While a suicide bomber is theoretically a very precise weapon, Human Rights Watch found

that in practice suicide bombers frequently detonated their explosives prematurely or inaccurately, and without regard to minimizing civilian loss. Also, these attacks almost invariably involved the attacker feigning civilian status, which greatly increases risks to civilians. The willingness of Taliban and other insurgent commanders to continue to deploy in highly populated areas a weapon—suicide bombers—that in practice is highly indiscriminate amounts to a serious violation of international humanitarian law, a war crime.

Human Rights Watch is also concerned about the actions of government and international forces in protecting civilian populations from the effects of hostilities. International humanitarian law requires all parties to a conflict to take all feasible precautions to protect civilians under their control against the effects of attacks. That includes avoiding locating military objectives within or near densely populated areas. These obligations apply to both insurgents and Afghan government and international forces. Thus, while Afghan government and international forces are responsible for providing security for the civilian population, they should also act to avoid placing civilians at risk in the event of insurgent attacks, such as unnecessarily placing military installations in populated areas or patrolling in crowded places.

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Beyond the deaths and the injuries, Afghans have been deeply scarred emotionally by insurgent attacks.

“Sharzad,” a 9-year old girl, was severely injured in a Kabul bombing in March 2006 aimed at a senior member of the Afghan parliament: her stomach was torn open, spilling her intestines. Sharzad told Human Rights Watch that the bombing occurred just after she left a shrine where she had just offered prayers; she was walking with her brother.

The explosion happened on our way home. It cut my stomach open and I thought I was going to die. . . . Sometimes I dream about that day—I have nightmares. I thought that I would not survive. I started

saying the holy Kalimah [the martyr's prayer] when I was hurt that day, because I thought I was going to die.

Ghulam, from Kabul, told Human Rights Watch about how his morning commute in July 2006 was turned into a nightmare by a bombing on the bus he was riding:

The explosion was very bright and made a nasty sound. Inside the bus was like hell. The bus was engulfed in flames. . . . The first thing I realized was that I was very badly burnt. . . .

The man sitting next to me died on the spot, I couldn't move him. I was bleeding very badly but I managed to get out of the bus. I shouted at the police and people to come and help me but everyone was scared and were screaming and running away from me.

Attacks have caused immense grief among surviving relatives. Mohammad Hashim, whose wife Bibi Sadaat was shot and killed in a May 2006 ambush in northern Afghanistan, likely by insurgent forces, lamented his loss:

She was a good wife. It was like we were newly married everyday. She was my best friend. . . . I am lost now and the only thing I have found is depression. Whenever I enter a room that she had been in, I get depressed. . . . Because my wife is dead, I have not only had enough of this government—I have had enough of this world.

Insurgent attacks on civilians have also severely harmed the fabric of daily life in Afghanistan. Besides the obvious and primary effects of attacks—death and injury to hundreds of civilians—attacks have caused broader harms. Ordinary Afghans—farmers, taxi drivers, builders—are already struggling with broken local economies, a lack of employment, and inadequate health care, education and social services. Since many attacks have been launched at humanitarian and development workers and government officials, many vital government and development programs have been suspended in unstable areas. The result is that already low levels of

development and humanitarian assistance have dropped even lower, making life for Afghan civilians even more difficult.

Many Afghan families have been displaced by the widespread and seemingly random violence, and refugees abroad appear hesitant to return to increasingly unsafe areas. Over 100,000 Afghans have been displaced because of security problems and hostilities in southern districts in the last year. Hundreds of thousands of refugees in Iran and Pakistan remain unwilling to return to their homes in these areas, in part because of security problems; most returns in recent years have been to urban centers like the capital, Kabul. And many others have avoided return. Over 3 million refugees remain outside of Afghanistan.

Armed conflict and displacement has been especially serious in and around southern and southeastern provinces, including Helmand, Kandahar, Uruzgon, Zabul, Paktia, Paktika, and Kunar. These are areas in which Taliban and other insurgent forces have tribal or family roots, or other base of support, and which are close to the Pakistan border. Over 70 percent of recorded lethal bomb attacks in 2006 occurred in these provinces. Many Afghans and humanitarian workers consider the rural districts in these areas to be “conflict zones.” Governmental, developmental and humanitarian assistance in these areas is almost non-existent.

It is not surprising that these areas are particularly unstable. There is strong evidence that insurgent groups operate freely in areas across the border, in Pakistan’s tribal areas, with minimal interference from Pakistani authorities. Many insurgent groups regularly cross the Pakistan border and take refuge in border areas or even in Pakistani cities like Chitral, Peshawar, and Quetta. There are increasing and detailed reports about Pakistani government officials at various levels providing assistance or support to insurgent groups active in Afghanistan, even as bomb attacks and other violence have begun to spread into Pakistani territory. Some local Pakistani officials have even openly admitted to providing support.

In this context, Pakistan’s continuing insistence that it is vigorously cracking down on insurgent groups has become impossible to take seriously. However, it would be erroneous to suggest that all of Afghanistan’s instability is connected to insurgents

having easy sanctuary in Pakistan. Insurgent-related activity (and its accompanying problems) is not limited to southern and southeastern provinces on the Pakistan border. On the contrary, anti-government forces have carried out numerous bombings and killings in northern and western provinces, and in Kabul city, and general instability has affected life in almost all parts of the country. Almost one-in-three insurgent attacks in which civilians have been killed have taken place outside of the border areas. Insurgent groups are operating with ease throughout many parts of Afghanistan.

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Many Afghans complained to Human Rights Watch about intentional attacks on civilians and about the high toll on civilians when military targets were attacked.

Mohammad Aresh, quoted at the beginning of this report, the victim of a July 5, 2006 bombing in Kabul that appeared to have targeted civilians, could not understand why insurgents would carry out such an attack. “What’s my mistake?” he told Human Rights Watch. “Why does the Taliban want to kill me?”

I am a worker. I don’t have any enemies. I don’t know any of these Taliban. . . . I don’t know any of these people. I am not their enemy. I didn’t see any ISAF people [NATO forces] that day [when the bombing occurred] . . . I just saw my people, Afghan people. What was the target, the people? The Taliban, they are targeting everybody and nobody. I don’t know what or who was the target that day. I don’t know what their target *is*.

Habibullah, who lost a brother in a May 2006 bombing in Kabul that appeared to have been meant for a passing NATO convoy, condemned those who carried out the attack: “The bastards—they blew themselves up. They did not kill the foreigners. They only killed innocent people. It was like they tried to kill children.”

## II. Background

Since the fall of the Taliban government in November 2001, Afghan insurgent forces—mostly Taliban, Hezb-e Islami, and allied anti-government groups—have launched thousands of armed attacks on Afghan government, US, coalition, and NATO forces, and on the civilian population. International and Afghan military forces have carried out extensive military operations against these insurgent forces, in many cases causing large numbers of civilian casualties. The fighting has grown more intense over time. Although stability has been achieved at various times—for instance, presidential and parliamentary elections were held in 2004 and 2005 without major disruption—Afghanistan’s general security situation has deteriorated from late 2001 to the present, especially in the last two years. The most intense fighting to date occurred in 2006, including major hostilities in southern provinces around Kandahar, and in and around Kunar province, on the eastern border with Pakistan. Government and international officials, and insurgent commanders, have suggested that hostilities in 2007 will be even more intense.

### **International and Afghan government forces**

As of early 2007, there are about 45,000 international troops in Afghanistan. Roughly 32,000 are under the UN-mandated and NATO-led International Security Assistance Force (ISAF), and are stationed in Kabul and in different provinces around the country, with the largest concentrations in the south. ISAF’s primary stated goal is to provide security for the government of President Hamid Karzai and to defend government territory against insurgent operations. The United States and some of its allies have an additional 10,000 to 13,000 troops in the country not under NATO command, primarily at Bagram air base north of Kabul and in eastern areas along the Pakistani border. Their primary mission is directed against al Qaeda and other forces suspected of involvement in international terrorism.

In addition, there are approximately 34,000 Afghan troops in the Afghan military, some of which operate alongside international forces during ISAF and non-ISAF operations. There are an unknown number of other unofficial combatants linked to

various local commanders, some of whom sometimes cooperate with international forces during military operations.

Human Rights Watch has repeatedly reported on human rights concerns with both international and government forces, including concerns about civilian casualties during military operations, and human rights abuses by local military and police.<sup>3</sup>

### **Insurgent forces**

The insurgency in Afghanistan is comprised of a number of armed groups. The diversity of the groups is reflected in the use of an acronym by Afghan government and allied coalition forces to describe the groups who are fighting against the government and allied forces: AGE for “Anti-Government Elements.” This acronym, as used by the government and its allies, is meant to cover a variety of groups, including tribal militias contesting central government authority; criminal networks, particularly those involved in the booming narcotics trade; and most of all, groups ideologically opposed to the Afghan government, such as the Taliban and the warlord Gulbuddin Hekmatyar and his Hezb-e Islami (“the Islamic Party”).<sup>4</sup>

### **The Taliban movement**

Taliban forces have claimed responsibility for most (but not all) of the attacks documented in this report. In many cases, Taliban spokesmen (usually Mohammed Hanif or Qari Yousuf Ahmadi) claimed responsibility for the attacks by contacting the media, although it is impossible to determine to what extent such spokesmen are genuinely representative of the Taliban and have access to information. (Mohammed Hanif was captured by the Afghan government in January 2007.) In other cases, the attacks are associated with “night-letters” issued by groups identifying themselves with some variation on the title of “the Taliban” or on stationary bearing a stamp of

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<sup>3</sup> See Human Rights Watch, *Enduring Freedom: Abuses by US Forces in Afghanistan*, vol. 16, no. 3(C), March 2004, <http://hrw.org/reports/2004/afghanistano304/> (discussing civilian casualties and detention related abuses by US forces); and “*Killing You is a Very Easy Thing For Us*”: *Human Rights Abuses in Southeast Afghanistan*, vol. 15, no. 5, July 2003, <http://www.hrw.org/reports/2003/afghanistano703/afghanistano703.pdf> (discussing abuses by Afghan police and military).

<sup>4</sup> Seth Jones, an authority on terrorism and counter-terrorism issues in Afghanistan: “The Afghan insurgency includes a broad mix of the Taliban, forces loyal to such individuals as Gulbuddin Hekmatyar and Jalaluddin Haqqani, foreign fighters (including al Qaeda), tribes, and criminal organizations.” Interview with Seth Jones, *Afgha.Com*, December 19, 2006, <http://www.afgha.com/?q=node/1617> (accessed January 10, 2007).

the Islamic Emirate of Afghanistan, the name of the Taliban-led government that controlled much of the country between 1996 and 2001.

After the United States ousted the Taliban in November 2001, Taliban forces regrouped in their historic powerbase: Afghanistan's predominantly ethnic Pashtun southern provinces, particularly Kandahar, and in Pakistan, within districts in Balochistan and in North and South Waziristan (the two largest areas of the Federally Administrated Tribal Areas), both with very large Pashtun populations.<sup>5</sup>

The Taliban movement, however, is not a simple and monolithic entity. Most analysts believe that the movement now combines as many as 40 militant groups, some organized as political factions, others based on Pashtun tribal or regional affiliations. Given the disparate nature of this grouping, it is difficult to estimate how many troops the Taliban can effectively mobilize, but estimates vary from 5,000 (by the US military) to 15,000 (by Pakistani officials) including Pashtun tribal militias. One indication of the increasing strength and boldness of the Taliban is that in 2006 their forces engaged NATO in battalion-sized assaults with sustained logistical and engineering support.<sup>6</sup> Another indication came from the increasing public presence of Taliban supporters, many of whom had switched allegiances or at least avoided openly espousing the Taliban cause after the government's 2001 defeat by the US-led coalition.<sup>7</sup>

The Taliban's unexpected military and political resilience in southern Afghanistan in 2006 prompted NATO to try to reach a localized accommodation or truce with Taliban forces, following the model of the Pakistan government's peace agreement with Pakistani Taliban groups. (More details of the Pakistani peace agreement with the Taliban appear below.) In mid-2006, British forces agreed to leave the town of Musa

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<sup>5</sup> Though no exact numbers are available, government and non-governmental agencies estimate that some 12 million Pashtuns (about 40 percent of the population) live in Afghanistan, while 25 million Pashtuns live in Pakistan (out of a total estimated Pakistani population of nearly 160 million).

<sup>6</sup> During fighting in September 2006 between anti-government forces and Canadian-led NATO troops in the Panjwai region of Kandahar province (dubbed by NATO as "Operation Medusa"), for instance, the Taliban reportedly fielded more than 1,000 troops and used complex trench networks and operated a field hospital. See Noor Khan, "NATO Reports 200 Taliban Killed in Afghanistan," Associated Press, September 3, 2006.

<sup>7</sup> See Elizabeth Rubin, "In the Land of the Taliban," *New York Times Magazine*, October 22, 2006; Syed Saleem Shahzad, "How the Taliban Prepare for Battle," Asia Times Online, December 4, 2006, [http://www.atimes.com/atimes/South\\_Asia/HLo5Dfo1.html](http://www.atimes.com/atimes/South_Asia/HLo5Dfo1.html) (accessed January 10, 2007).

Qala, in Helmand province, if Taliban forces also agreed to withdraw.<sup>8</sup> The much-criticized agreement ended in early December 2006 when Taliban forces and NATO troops again engaged in heavy clashes there.<sup>9</sup>

The Taliban seem to be operating under three separate geographical command structures, corresponding to the major political centers of southern and southeastern Afghanistan: Jalalabad, Paktia/Paktika, and Kandahar.<sup>10</sup> Taliban activity in each area (as well as in Pakistani areas in Baluchistan and Waziristan) seems to be coordinated through a series of *shuras* (councils) bringing together other Pashtun tribal militias and representatives of various other political groups, including Gulbuddin Hekmatyar's Hezb-e Islami. Smaller groups seem to operate independently of this structure, although they share the Taliban's ideological and political opposition to the current Afghan government and its international supporters. In addition, several Pakistan-based allied groups appear to be aiding the Taliban, in various ways. According to US and other military officials, cited below, the central leadership of the Taliban movement is now widely believed to be located in the Pakistani city of Quetta, a few hours drive south from Kandahar.

Mullah Omar, who was the undisputed leader of the Taliban government between 1996 and 2001, still appears to hold a position of supreme authority. A document purporting to set out rules of engagement and a code of conduct for the Taliban, circulated in November of 2006, was signed by "the highest leader of the Islamic Emirate of Afghanistan"—a title not previously used by Mullah Omar, but widely believed now to refer to him.<sup>11</sup>

After Mullah Omar, the most publicly prominent Taliban military commander is Mullah Dadullah, a long-time Taliban fighter who lost a leg while fighting the forces

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<sup>8</sup> This concept is recognized under international humanitarian law as a "demilitarized zone." See Protocol I, article 60.

<sup>9</sup> Jason Straziuso, "Militants Killed in Afghanistan Fighting," Associated Press, December 4, 2006.

<sup>10</sup> The United Nations further subdivides this broad grouping into five distinct command structures: The Taliban northern command for Nangarhar and Laghman; Jalaluddin Haqqani's command mainly in Khost and Paktia; the Wana shura for Paktika (Wana is the district headquarters of Southern Waziristan agency); the Taliban southern command; and Gulbuddin Hekmatyar's Hezb-e Islami command, an allied but distinct network for Kunar and Pashtun areas in northern Afghanistan. United Nations, "Report of the Secretary-General," September 11, 2006.

<sup>11</sup> Christopher Dickey, "The Taliban's Book of Rules," *Newsweek*, December 12, 2006, <http://www.msnbc.msn.com/id/16169421/site/newsweek/> (accessed January 10, 2007).

of the Northern Alliance in 1994. The forty-year-old Dadullah is believed to be in charge of the insurgency campaign against the Afghan government and international forces, and he has boasted of training and dispatching suicide bombers, as well as coordinating attacks against government officials.<sup>12</sup> Dadullah is often the public face of Taliban militancy, frequently appearing on propaganda DVDs and issuing press statements.

Dadullah gained international notoriety for his brutality during the rule of the Taliban. Among other abuses, Human Rights Watch documented Dadullah's campaign against the Hazara population of Yakaolang district, in the mainly Shi'a Hazarajat region, in June 2001, a campaign during which forces under his command killed dozens of civilians, displaced thousands, and destroyed 4,500 homes and 500 business and public buildings in a two-day period.<sup>13</sup> Dadullah was captured by anti-Taliban forces during the fighting in northern Afghanistan in October 2001, but escaped under mysterious circumstances, likely as part of a deal by Northern Alliance forces for surrender of other Taliban forces.<sup>14</sup> During a video released on the occasion of the Muslim holiday of the Eid al-Adha (December 30, 2006) Dadullah extolled the efficacy of the Islamic "equivalent" of an atomic bomb—suicide bombings—and applauded Muslim youth for undertaking "martyrdom" operations.<sup>15</sup>

### **Forces under Jalaluddin Haqqani**

Jalaluddin Haqqani is widely believed to be a top military commander in the Taliban-led alliance, though he maintains a relatively low public profile.<sup>16</sup> He is one of the most experienced of the military commanders who fought against Soviet occupation, with a power base in Khost, extending to Paktia and Paktika provinces. Haqqani began cooperating with the Taliban in 1995 and eventually held several high-level

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<sup>12</sup> Michael Hirst, "Brutal One-legged Fanatic Who Loves the Limelight," *The Telegraph* (UK), July 2, 2006.

<sup>13</sup> Human Rights Watch, *Afghanistan: Ethnically-Motivated Abuses Against Civilians*, October 2001, <http://www.hrw.org/backgrounder/asia/afghan-bck1006.htm>.

<sup>14</sup> "Afghanistan: Urgent Need to Decide How to Prosecute Captured Fighters," Human Rights Watch press release, November 26, 2001, <http://hrw.org/english/docs/2001/11/26/afghan3386.htm>.

<sup>15</sup> SITE Institute, "Video Interview with Commander Mujahid Mullah Dadullah by as-Sahab," December 28, 2006, <http://www.siteinstitute.org/bin/articles.cgi?ID=publications239006&Category=publications&Subcategory=0> (accessed January 2, 2007).

<sup>16</sup> Syed Saleem Shahbaz, "Through the Eyes of the Taliban," *Asia Times Online*, May 5, 2004, [http://www.atimes.com/atimes/Central\\_Asia/FE05Ago2.html](http://www.atimes.com/atimes/Central_Asia/FE05Ago2.html) (accessed January 2, 2007).

posts in the Taliban government. In August 2006, Haqqani issued an audio statement reiterating his commitment to fighting international forces under “the white flag” of the Taliban.<sup>17</sup>

Haqqani is a member of the Zadran tribe and provides a vital link between the Kandahari-based Taliban and the eastern and northern Pashtun groups, particularly in the Pakistani provinces of Northern and Southern Waziristan (for a discussion of the Taliban’s de facto rule over Pakistani Waziristan, see sections below).<sup>18</sup> US military officials have claimed that Haqqani supervises much of the training of forces opposed to the Afghan government, including fighters from Central Asia and the Arab world.<sup>19</sup> Jalaluddin Haqqani’s son, Sirajuddin, is now believed to exercise considerable day-to-day authority, not just in Afghanistan, but also in neighboring Pakistani Waziristan.<sup>20</sup>

Haqqani is alleged to have participated in some of the Taliban’s most brutal campaigns of “ethnic cleansing” around Kabul in 1996 and 1997, as the Taliban cemented their control over the ethnic Tajik population north of Kabul. As the Taliban’s Minister of Tribal Affairs, Haqqani had extensive contacts with tribes and Pakistani officials across the border, and he is believed to have helped Osama bin Laden build a network of training camps in Khost and Nangarhar and escape from US forces during late 2001.<sup>21</sup>

### **Forces under Gulbuddin Hekmatyar**

The Hezb-e Islami (“Islamic Party”) of Gulbuddin Hekmatyar, a longtime warlord whose notoriety was solidified by his shelling and rocket attacks on Kabul in the 1990s, is a Pashtun force operating primarily in southeastern Afghanistan (Kunar in

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<sup>17</sup> Janullah Hashimzada and Abdul Rauf Liwal, “Haqqani for Intensive Fight Against US Forces,” Pajhwok News Agency, August 2, 2006.

<sup>18</sup> Jan Blomgren, “Jalaluddin Haqqani was one of the great Afghan heroes during the war for independence,” *Svenska Dagbladet* (Sweden), July 9, 2006.

<sup>19</sup> Carlotta Gall and Ismail Khan, “Taliban and Allies Tighten Grip in Northern Pakistan,” *New York Times*, December 11, 2006.

<sup>20</sup> Robert D. Kaplan, “The Taliban’s Silent Partner Pakistan,” *New York Times*, July 24, 2006; Syed Saleem Shahbaz, “Through the Eyes of the Taliban,” *Asia Times Online*, May 5, 2004, [http://www.atimes.com/atimes/Central\\_Asia/FE05Ago2.html](http://www.atimes.com/atimes/Central_Asia/FE05Ago2.html) (accessed January 2, 2007), and Shahbaz, “Stage Set for Final Showdown,” *Asia Times Online*, July 21, 2004, [http://www.atimes.com/atimes/South\\_Asia/FG21Dfo2.html](http://www.atimes.com/atimes/South_Asia/FG21Dfo2.html) (accessed January 2, 2007).

<sup>21</sup> Peter Bergen, “The Long Hunt for Osama,” *The Atlantic Monthly*, October 2004.

particular). Hekmatyar, a university-trained engineer, professes a very strict interpretation of Islam, but still appears to be less restrictive than the Taliban regarding such matters as allowing education for girls and accepting elections as a means of selecting governments.<sup>22</sup>

Hekmatyar was one of the leading insurgent commanders in the struggle against the Soviet-backed communist government in the 1980s and early 1990s, and the chief recipient of financial and military support from Pakistan, Saudi Arabia, and the United States in the late 1980s and the early 1990s. After the communist government fell in 1992, Hekmatyar's forces entered Kabul, but fought with other mujahidin forces over control of government ministries. His forces were soon pushed back to the south of Kabul, but he continued to rocket the city and engage with other mujahidin forces in Kabul for most of 1992-1995.<sup>23</sup> Hekmatyar's rocket attacks on Kabul during this period killed thousands of civilians.<sup>24</sup> Human Rights Watch has called for further investigation of these events and for the prosecution of Hekmatyar and officers under his command for their involvement.

Hekmatyar and the Taliban were initially bitter rivals (Hekmatyar was forced into exile when the Taliban finally conquered Kabul in 1996), and as late as November 2002, Hekmatyar publicly denied cooperating with the Taliban. However, on December 25, 2002, Hekmatyar and the Taliban publicly announced that they were coordinating their activity against the Afghan government and its international supporters.<sup>25</sup> Media reports in 2006 indicate that Hekmatyar's son, Jamaluddin, has represented Hezb-e Islami at meetings with the Taliban.

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<sup>22</sup> A public statement by Hekmatyar delivered on the occasion of the Eid al Adha on December 29, 2006, called for a representative government and condemned attacks on schools, including those which teach secular topics such as science. "Hekmatyar Says in Eid Message that US Facing Imminent Defeat in Afghanistan," BBC Monitoring South Asia, December 30, 2006, on file with Human Rights Watch. Passages from this statement are included in the Legal Analysis section, below.

<sup>23</sup> For more on Hekmatyar's history and his role in the fighting in Kabul in 1992-1994, see Human Rights Watch, *Blood Stained Hands: Past Atrocities in Kabul and Afghanistan's Legacy of Impunity* (New York: Human Rights Watch, 2005), <http://hrw.org/reports/2005/afghanistano605/>.

<sup>24</sup> See *ibid.*

<sup>25</sup> Reports in early March 2007 of a split between the Taliban and Hezb-e Islami were denied by a Hekmatyar spokesman. Rahimullah Yusufzai, "Hekmatyar denies offering unconditional talks to Karzai," *The News* (Pakistan) March 9, 2007.

It appears that the two groups are united more by a common enemy than shared aims, and have not merged their organizations. Hezb-e Islami regularly issues its own communiqués, distinct from those of the Taliban, and assumes responsibility for its own attacks. Numerous sources in northern Afghanistan told Human Rights Watch in late 2006 that Hezb-e Islami had reorganized political and intelligence networks in areas around Kunduz and Mazar-e Sharif—areas in which the Taliban have little to no political support or operational capacity.<sup>26</sup> Afghan analysts have questioned whether Hekmatyar would ever fully cooperate with the Taliban, given their different ideologies and his explicit leadership ambitions.<sup>27</sup>

### **Pakistan's role**

As far back as the early 1970s, Pakistan has provided military, economic, and political support for different warring factions within Afghanistan. Throughout the 1980s, Pakistan was the most significant front-line state serving as a secure base and training ground for the mujahidin fighting against the Soviet intervention. After the Soviets withdrew from Afghanistan in the late 1980s and US attention shifted to Iraq during the 1991 Gulf War, Pakistan continued to support warring factions within Afghanistan, primarily Hezb-e Islami. When Hekmatyar's Hezb-e Islami failed to capture Kabul during the early 1990s and thereby failed to secure Pakistan's influence over Afghanistan, Islamabad shifted its support to the Taliban, a then-new movement of religious students (*talibs*) who were gaining strength in the south of the country. The Taliban went on to take over most of Afghanistan by the late 1990s.

Throughout the 1990s Pakistan's support for the Taliban included providing diplomatic support as the Taliban's virtual emissaries abroad, financing Taliban military operations, recruiting skilled and unskilled manpower to fight with the Taliban, planning and directing offensives, obtaining ammunition and fuel for Taliban operations, and on several occasions providing direct combat support.<sup>28</sup>

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<sup>26</sup> Human Rights Watch interviews with civil society leaders in Mazar-e Sharif, September 2006.

<sup>27</sup> See, for example, Abdul Qadir Munsif and Hakim Basharat, "Conflicts keep away Taliban, Hezb-e Islami," Pajhwok News, December 13, 2006; and Syed Saleem Shahbaz, "Taliban line up the heavy artillery," *Financial Express* (Bangladesh), December 28, 2006, available at [http://www.financialexpress-bd.com/index3.asp?cnd=12/28/2006&section\\_id=4&newsid=48039&spcl=no](http://www.financialexpress-bd.com/index3.asp?cnd=12/28/2006&section_id=4&newsid=48039&spcl=no).

<sup>28</sup> Human Rights Watch, *Afghanistan – Crisis of Impunity: The Role of Pakistan, Russia, and Iran in Fueling the Civil War*, vol. 13, no. 3 (C), July 2001, <http://www.hrw.org/reports/2001/afghan2/>.

Driven from power in December 2001 by the US-led invasion of Afghanistan, the Taliban fled to the remote, mountainous, tribal area of Pakistan. The tribal area, officially known as Federal Administered Tribal Areas (FATA), stretches 500 miles along the Afghan border and is divided into seven districts, or “agencies,” from Bajaur in the north to North and South Waziristan in the south.

After being pushed from their bases inside Afghanistan, the Taliban and other groups, like Hezb-e Islami and al Qaeda, have used the tribal areas to regroup and rearm. Intelligence agencies put the number of non-Pakistani fighters in the tribal areas as high 2,000, including Afghan Taliban commanders, Arabs linked to al Qaeda, and fighters from Central Asia and the Caucasus who support the Islamic Movement of Uzbekistan.<sup>29</sup> Analysts suggest that there may be as many as 32 different militant groups operating just in North and South Waziristan.<sup>30</sup>

Since the Taliban were overthrown in 2001, Afghan officials, as well as NATO officials and even the UN Secretary General, have accused Islamabad of failing to crack down on Taliban operating from Pakistani territory; some officials have even alleged direct Pakistani support for the Taliban.<sup>31</sup> Tribal chiefs in FATA have also alleged that the Inter-Services Intelligence (ISI), Pakistan’s intelligence agency, helped the Taliban plan a new offensive in 2007, aimed at NATO and Afghan forces in southern Afghanistan, and that the ISI has allowed Taliban forces to move large quantities of weapons and ammunition to the Afghan border.<sup>32</sup>

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<sup>29</sup> International Crisis Group, “Pakistan’s Tribal Areas: Appeasing the Militants,” Asia Report No. 125, December 11, 2006, <http://www.crisisgroup.org/home/index.cfm?id=4568&l=1> (accessed January 15, 2007); and “Taliban on Consolidating Position in Afghanistan, NWF,” ANI, December 11, 2006.

<sup>30</sup> International Crisis Group, “Pakistan’s Tribal Areas: Appeasing the Militants,” Asia Report No. 125, December 11, 2006, <http://www.crisisgroup.org/home/index.cfm?id=4568&l=1> (accessed January 14, 2007).

<sup>31</sup> See Elizabeth Rubin, “In the Land of the Taliban,” *New York Times Magazine*, October 22, 2006 (noting that the ISI is advising “the Taliban about coalition plans and tactical operations and provide housing, support and security for Taliban leaders.”). See also Paul Watson, “On the trail of the Taliban’s support,” *Los Angeles Times*, December 12, 2006 (reporting that the Afghan and United States governments suspect the ISI of supporting the Taliban and its allies). Barnett Rubin, an authority on Afghanistan’s political and security situation, states that intelligence gathered during mid-2006 Western military offensives “confirmed that Pakistan’s Inter-Services Intelligence (ISI) was continuing to actively support the Taliban leadership.” See Barnett Rubin, “Saving Afghanistan,” *Foreign Affairs*, December 2006/January 2007.

<sup>32</sup> Ahmed Rashid, “Taliban Drown Our Values in Sea of Blood, Say Political Leaders from the Pashtun Tribes,” *Daily Telegraph* (UK), November 22, 2006.

Whether insurgents receive assistance from Pakistani authorities or not, there is little doubt that Taliban and other insurgent groups, including al Qaeda sympathizers, have found safe havens in Pakistan: Pakistani government officials publicly admit this (see below).

In September 2006, the UN secretary-general reported that the Taliban leadership “relies heavily on cross-border fighters, many of whom are Afghans drawn from nearby refugee camps and radical seminaries in Pakistan.”<sup>33</sup> Besides being reported in the Pashtun-majority districts bordering on south-eastern Afghanistan, there are also numerous reports of insurgent presence in Baluchistan province, which borders Afghanistan’s Kandahar province. On September 21, 2006, in a US Senate Foreign Relations Committee hearing, General James Jones, the former NATO Supreme Allied Military Commander who oversaw US and NATO operations in Afghanistan, testified that it was “generally accepted” that the Taliban leadership was based in and operating out of Quetta—an assessment shared by analysts inside and outside of Afghanistan.<sup>34</sup> British government officials have made similar comments.<sup>35</sup> From close allies of Pakistan, these are serious allegations.

The Pakistan government has been sensitive about criticisms relating to insurgent activities. In a notable episode, *The New York Times* published a story in January 2007 detailing reports of Pakistani government support to the Taliban and other insurgents.<sup>36</sup> While reporting the story, journalist Carlotta Gall was harassed by ISI agents in Quetta, who detained her photographer and later forced themselves into her hotel room, punched her, and confiscated her notes, camera, and computer.<sup>37</sup>

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<sup>33</sup> Secretary-General Kofi Annan, “The situation in Afghanistan and its implications for peace and security,” Report of the UN Secretary-General to the UN General Assembly, September 11, 2006.

<sup>34</sup> General Jones’ comments were reported by Barnett Rubin, “Saving Afghanistan,” *Foreign Affairs*, January/February 2007, <http://www.foreignaffairs.org/20070101faessay86105/barnett-r-rubin/saving-afghanistan.html> (accessed January 15, 2007). See also Seth Jones, “Terrorism’s New Central Front,” Center for Conflict and Peace Studies-Afghanistan, September 26, 2006, <http://www.caps.af/detail.asp?Lang=e&Cat=3&ContID=99> (accessed January 15, 2007).

<sup>35</sup> See Alastair Leithead, “Helmand seeing insurgent surge,” BBC online, February 11, 2007, [http://news.bbc.co.uk/2/hi/uk\\_news/6352089.stm](http://news.bbc.co.uk/2/hi/uk_news/6352089.stm) (accessed February 12, 2007; quoting Afghan and British military officials describing Arab and Afghan insurgent fighters crossing into Helmand from Baluchistan province in Pakistan).

<sup>36</sup> Carlotta Gall, “At Border, Signs of Pakistani Role in Taliban Surge,” *New York Times*, January 21, 2007.

<sup>37</sup> Carlotta Gall, “Rough Treatment for 2 Journalists in Pakistan,” *New York Times*, January 21, 2007. On January 25, 2007, at a public event at the Davos World Economic Forum, journalists asked Pakistan’s prime minister Shaukat Aziz about the incident. Aziz said that Gall “should not have been where she was, legally,” and stated that she violated the terms of her visa by visiting Quetta without authorization from the government. See Katrin Bennhold and Mark Landler, “Pakistani Premier Faults

President Musharraf and other Pakistani officials have repeatedly denied that the ISI is assisting the Taliban. In response to a leaked UK Ministry of Defense document that suggested Pakistan's intelligence agency was supporting the Taliban, President Musharraf said: "I totally, 200 percent, reject it. . . . ISI is a disciplined force, breaking the back of al Qaeda."<sup>38</sup> Yet Musharraf has also stated that "there are al Qaeda and Taliban in both Afghanistan and Pakistan. Clearly they are crossing from the Pakistan side and causing bomb blasts in Afghanistan."<sup>39</sup> And in February 2007, Musharraf made a partial admission that Pakistani government personnel might be complicit in allowing insurgents sanctuary in Pakistan. Referring to allegations about Pakistani border guards' failure to arrest insurgents, a topic raised at a press conference in Rawalpindi in February 2007, Musharraf said "We had some incidents I know of that in some [border] posts, a blind eye was being turned. So similarly I imagine that others may be doing the same."<sup>40</sup>

Further evidence that insurgents have been active in Pakistan was provided when Pakistani authorities reportedly arrested a senior Taliban military commander in Quetta in late February 2007, around the time of a visit to Pakistan by US Vice-President Dick Cheney.<sup>41</sup>

### Events in North and South Waziristan

In June 2002, a Pakistani army division moved into Khyber and Kurram Agencies to apprehend fleeing al Qaeda members crossing into Pakistan as a result of coalition operations on the Afghan side of the border. However, the deployment had little

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Afghans for Taliban Woes on Border," *New York Times*, January 25, 2007. (Aziz's claims appear to be disingenuous: Human Rights Watch confirmed that Gall's Pakistani visa in fact had no travel restrictions.) Aziz added that it was "regrettable [Gall] got bruised in that interaction" and that Pakistani authorities were investigating the matter. Aziz also denied the allegations in the January 21 article, calling them "ridiculous," and said that Afghanistan itself was to blame for insecurity in border areas. On January 27, 2007, also at Davos, Kenneth Roth, the executive director of Human Rights Watch, asked Aziz about the incident again; Aziz provided no explanation as to why Gall required permission to visit Quetta (a city which other journalists, and Human Rights Watch researchers, have repeatedly visited without authorization or permission).

<sup>38</sup> Declan Walsh, "Taliban Attacks Double After Pakistan's Deal with Militants," *The Guardian*, September 29, 2006. See also Katrin Bennhold and Mark Landler, "Pakistani Premier Faults Afghans for Taliban Woes on Border," *New York Times*, January 25, 2007 (quoting Pakistani prime minister Shaukat Aziz denying Pakistani involvement in Afghan insurgency).

<sup>39</sup> David Montero, "Pakistan Proposes Fence to Rein in Taliban," *The Christian Science Monitor*, December 28, 2006.

<sup>40</sup> "Musharraf admits border problems," BBC Online, February 2, 2007, [http://news.bbc.co.uk/2/hi/south\\_asia/6323339.stm](http://news.bbc.co.uk/2/hi/south_asia/6323339.stm) (accessed February 1, 2007). A Taliban fighter also told a BBC correspondent in early March 2007 that Pakistani frontier guards generally allow Taliban fighters to pass over the border without interference. See Ilyas Khan, "Taliban Spread Wings in Pakistan," March 5, 2007, [http://news.bbc.co.uk/2/hi/south\\_asia/6409089.stm](http://news.bbc.co.uk/2/hi/south_asia/6409089.stm) (accessed March 26, 2007).

<sup>41</sup>"US, Pakistani Officials Grill Nabbed Taleban Leader Rana Jawad," Agence France-Presse, March 4, 2007.

effect on insurgent movements or rate of attacks on coalition troops in Afghanistan. In 2003, under pressure from Washington, Islamabad began deploying 80,000 troops to both North and South Waziristan Agencies in what turned out to be a botched military operation. With increasing civilian deaths from heavy-handed tactics, and military casualties from insurgents and pro-Taliban militants in the Waziristans, Islamabad was forced to change tactics.

In April 2004 in South Waziristan and September 2006 in North Waziristan—two of the seven FATA agencies—the Musharraf government reached “peace” agreements with pro-Taliban militants.<sup>42</sup>

Under the agreements, Pakistan pledged to take a much lower profile in both Waziristan areas and withdraw its military from the region. In return, the pro-Taliban signatories pledged not to support, train, and provide sanctuary to the Taliban and al Qaeda-linked fighters, and agreed not to establish new government offices.

Since the North Waziristan deal was struck, pro-Taliban militants in Miramshah, the agency’s seat, have reportedly established criminal courts, levied “taxes” on local businesses, prevented women from leaving their homes, and closed girls’ schools and offices of civil society organizations and NGOs, all of which violate their agreement with Islamabad.<sup>43</sup>

Many tribal chiefs, clerics, and political actors from tribal areas have denounced the agreements and have demanded an end to support of the Taliban by elements within President Musharraf’s government.<sup>44</sup> Local Pashtun politicians say that since that deals were struck between Islamabad and pro-Taliban forces, many tribal leaders

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<sup>42</sup> The agreements were reported to be sanctioned by Taliban commander Jalaladin Haqqani and brokered by head of the pro-Taliban Jamiat Ulema-e-Islam (JUIF), Fazlur Rahman who in 1993 with assistance from Pakistan’s ISI helped form the Taliban and catapult it to power in Afghanistan.

<sup>43</sup> “Taliban slap taxes in Miramshah,” *The Dawn* (Pakistan), October 23, 2006, <http://dawn.com/2006/10/23/top7.htm> (accessed February 1, 2007).

<sup>44</sup> Ahmed Rashid, “Taliban Drown Our Values in Sea of Blood, Say Political Leaders from the Pashtun Tribes,” *Daily Telegraph* (UK), November 22, 2006.

who were against the agreements have been killed.<sup>45</sup> Bomb attacks and other violence have also increased in tribal areas and border cities like Peshawar.<sup>46</sup>

Since the agreements were signed, it has become clear that the Taliban and other insurgent groups view the agreements with Islamabad as little more than cover to regroup, reorganize, and rearm. Moreover, attacks against Afghan, US, and NATO forces have increased in eastern Afghanistan since the signing of the accords, especially in Afghan areas bordering North Waziristan. A US military official told the Associated Press that there was a three-fold increase in attacks on US troops in eastern Afghanistan in the month following the agreement between the Pakistan government and pro-Taliban tribesman in North Waziristan.<sup>47</sup> Since late 2006, Afghan and Pakistani officials have said that suicide attackers are being trained in Waziristan and other agencies for missions in Afghanistan and Pakistan.<sup>48</sup> In a media interview, a diplomat in Kabul identified two Pakistani Taliban leaders as trainers of suicide bombers in Waziristan who were sending bombers into Afghanistan.<sup>49</sup>

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<sup>45</sup> Carlotta Gall and Ismail Khan, "Taliban and Allies Tighten Grip in North of Pakistan," *New York Times*, December 11, 2006.

<sup>46</sup> Carlotta Gall, "Islamic Militants in Pakistan Bomb Targets Close to Home," *New York Times*, March 14, 2007.

<sup>47</sup> "Taliban Attacks Triple in Eastern Afghanistan since Pakistan Peace Deal, US Official Says," Associated Press, September 27, 2006.

<sup>48</sup> "Taliban on Consolidating Position in Afghanistan, NWFP," ANI, December 11, 2006.

<sup>49</sup> Carlotta Gall and Ismail Khan, "Taliban and Allies Tighten Grip in North of Pakistan," *New York Times*, December 11, 2006.

### III. Civilian Accounts

Hundreds of civilians have been killed or injured in insurgent attacks in Afghanistan over the last five years. This section provides accounts of attacks targeting civilians, as well as indiscriminate and disproportionate attacks and other attacks carried out with little or no regard for the consequences for civilians. The accounts are taken from witnesses, survivors, and the relatives of victims.

#### Attacks Targeting Civilians

##### *Southern and Southeastern Afghanistan*

The most deadly attacks targeting civilians by insurgent groups have occurred in Afghanistan's south and southeast. Because of the poor security conditions in many of the areas in which attacks have occurred, it is difficult to obtain first-hand testimony about many attacks. Human Rights Watch nonetheless has been able to speak with witnesses in some cases, and collect accounts from security reports by the United Nations and the Afghanistan NGO Security Office (ANSO), a security consulting organization for non-governmental organizations, and from media reports.

On January 17, 2006 in Spin Boldak, a border town in Kandahar province, a bomb exploded in a crowd attending a wrestling match, killing at least 20 civilians.

Haji Agha, a car dealer with a house near the site of the attack, told Human Rights Watch about the attack:

There was a wrestling match during the Eid festival. There were around 2000 people gathered there to watch these [wrestling] matches. I was with two other friends and we were enjoying the festival.

It was about 5:30 pm when the matches finished and all the people were returning home. A lot of people left but we were delayed for some time because of the crowd. We were in the car and about to leave when there was a bang and yellow flames and smoke. We were about

50 to 60 meters away [from the blast]. There were many cars in front of us. There was shrapnel from the bomb which made holes in the bodies of the car. There was smoke and dust all over and we could not see for a long time. The shrapnel made large holes in the bodies of the men. Some [men] were blown to pieces.

Our car shook from the blast. . . . We parked our car off to the side and did not approach the bomb scene as we were afraid there might be another blast following the first.<sup>50</sup>

On the day of the attack a Taliban spokesman claimed responsibility for the bombing, but later rescinded his statement and said the Taliban was not involved.<sup>51</sup> In addition to the initial claim of responsibility, the later Taliban denial is drawn into question by the fact that the attack took place in the heart of Spin Boldak, in the heart of the Afghan-Pakistani border area in which the Taliban regularly operate and transit. Some Afghans in the area suggested that the Taliban were responsible and were targeting government officials who were attending the wrestling match, but that they then denied responsibility for the attack because of the high number of civilian casualties.<sup>52</sup>

Another major attack targeting civilians occurred in the southern province of Helmand around August 28, 2006. A bomb (by some reports a suicide bomber) detonated in the middle of the day in a crowded bazaar in Lashkar Gah, Helmand's capital.<sup>53</sup> According to local officials, the bomb killed 15 people and wounded 47, including 15 children. Local officials told journalists that one of the wounded children was a two-year-old boy, who had a leg amputated.

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<sup>50</sup> Human Rights Watch interview with Haji Agha, Kandahar, August 28, 2006. See also "24 dead in Afghanistan suicide bombings," Agence France-Presse, January 17, 2006 (quoting a witness to the attack: "People were starting to go home, a motorcycle approached the area and a big explosion happened. . . . I saw a big fire and a couple of vehicles on fire and I estimate around 30 people were lying either dead or wounded. There were screams and blood everywhere.")

<sup>51</sup> Human Rights Watch interview with Afghan news media producer familiar with statements made on the day of the attack (name and details withheld by Human Rights Watch), December 27, 2006.

<sup>52</sup> Human Rights Watch interviews with Kandahar province officials, Kandahar, August 29, 2006.

<sup>53</sup> Information about this attack was taken from security briefings by the Afghanistan NGO Security Office (ANSO) and media reports, including Abdul Khaleq, "Suicide Bomber Kills 17 in Afghan Town," Associated Press, August 28, 2006.

### Types of Attack

Methods of attack by insurgent groups can be roughly categorized as follows:

- Remote bomb or “Improvised Explosive Device” (IED). An explosive device, buried in the ground or hidden in a cart, box, or basket, detonated remotely or with a timer.
- Suicide bomber, on foot. A person carrying explosives, typically worn in a concealed vest, who detonates the explosives manually.
- Vehicle Bomb or “Vehicle Borne Improvised Explosive Device” (VBIED). An explosive device placed inside a vehicle, detonated manually by a suicide bomber in the vehicle, or, if the vehicle is parked and unoccupied, remotely or with a timer.
- Assaults. Armed attacks, usually with small arms.
- Arson attacks. Setting fire to government buildings, typically girls’ schools, usually at night.
- Abductions/Executions. The abductions of civilians, sometimes followed by execution, typically by gunshot, knifing, or beheading.

A shopkeeper named Razaq Khan, whose shop was damaged in the attack, told a journalist at the scene:

[It was] the biggest explosion I have seen in my life. I was shocked. When I opened my eyes, everywhere was smoke and dust. Many people and children were lying in pools of blood, killed and injured.

Qari Yousaf Ahmadi, a Taliban spokesperson, told the Associated Press that Taliban forces were responsible for the bombing, and that its target was a businessman and former police chief who had served in the government during the Soviet occupation of the 1980s. Ahmadi said the attack was not intended to cause civilian deaths, an groundless claim given that the targeted man—his past political affiliations aside—

was a civilian. Ahmadi said: “We are very sad about the civilian casualties. We only wanted to kill this former police chief.”<sup>54</sup>

Numerous other bombings directed at civilians and civilian objects occurred through the south and southeast in 2006. (See Appendix A for a selection of other examples.)

However, bombings were not the only form of violence used to target civilians in the south and southeast. In 2006, anti-government groups in border regions also continued to carry out assassinations of clerics, teachers, and government officials and employees.



Family members help a civilian bomb victim change his bandages in a hospital in Kandahar on June 15, 2006. The victim, a mechanic, suffered multiple shrapnel wounds after a bomb exploded on a civilian bus in front of an automotive shop in Kandahar city where the victim worked. At least 10 civilians on the bus were killed, and another 15 were injured. © 2006 Getty Images

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<sup>54</sup> Abdul Khaleq, “Suicide Bomber Kills 17 in Afghan Town,” Associated Press, August 28, 2006.

Human Rights Watch believes that at least 17 governmental officials were killed by insurgent forces in 2006—mostly governors, deputy governors, district administrators, provincial council members, and senior officials in government ministries.<sup>55</sup> Almost all of these killings took place in the south or southeast of the country.

For example, on September 10, 2006 in Khost, in southeastern Afghanistan, a suicide bomber killed Abdul Hakim Taniwal, the 63-year old governor of Paktia, along with his nephew, driver, and a bodyguard.<sup>56</sup>

On September 25, two gunmen on a motorcycle killed Safia Ama Jan, a woman in her mid-60s and the Kandahar director for Afghanistan's Ministry of Women's Affairs.<sup>57</sup>

The Taliban claimed responsibility for both incidents.<sup>58</sup>

There were also several cases in 2006 in which school teachers, officials, and students were attacked by alleged insurgents. In an incident in early December 2006, gunmen scaled the wall of a residential compound in a village in the southeastern province of Kunar, entered the house, and shot and killed two sisters who worked as local schoolteachers, as well as their mother, grandmother, and a 20-year-old male relative. According to Gulam Ullah Wekar, a provincial education official, the two teachers had recently received a written warning from the Taliban to stop teaching or "end up facing the penalty."<sup>59</sup>

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<sup>55</sup> This estimate is based on ANSO reports, government statements, and media reports; additional civilians were killed in many of these attacks. See also "A glance at recent targeted attacks on senior Afghan officials," Associated Press, December 12, 2006; and Jason Straziuso, "Targeted attacks on Afghan leaders rising in militant strategy to undermine gov't," Associated Press, October 19, 2006.

<sup>56</sup> See Pamela Constable, "Afghan Governor Assassinated in Suicide Bombing," *Washington Post*, September 11, 2006. Another suicide bomber attacked during Taniwal's funeral the next day, setting off an explosion near a vehicle carrying Paktia's deputy provincial police chief, Mohammed Zaman. Zaman was injured; five other police were killed, along with a 12-year old boy. At least thirty-five other people were reported wounded. See Matthew Pennington, "Suicide attacker strikes at funeral of assassinated Afghan provincial governor, 6 dead," Associated Press, September 11, 2006.

<sup>57</sup> See Mirwais Afghan, "Afghan provincial women's affairs chief killed," Reuters, September 25, 2006.

<sup>58</sup> See "Afghan provincial women's affairs chief killed," (Hakim Taniwal); and Abdul Qodous, "Suicide bomb kills 18 in south Afghanistan," September 26, 2006 (Safia Ama Jan).

<sup>59</sup> See "Gunmen kill 5 family members in Afghanistan," Associated Press, December 9, 2006

## *Western and Northern Afghanistan*

In 2006, anti-government forces extended their reach beyond south and southeastern Afghanistan, carrying out attacks throughout the country. Attacks were even launched in and around the western city of Herat and the northern city of Mazer-e Sharif, largely Dari-speaking areas in which most anti-government forces—who are predominately ethnic Pashtun—have less local support.

On May 12, 2006, a United Nations Children’s Fund (UNICEF) convoy transporting doctors from a clinic in Badghis province back to neighboring Herat was ambushed in Karokh district in Herat province, approximately 80 km from Herat city.

Combatants armed with rocket propelled grenade (RPG) launchers and AK-47 assault rifles launched an RPG at the lead vehicle in the convoy, a civilian vehicle clearly marked with a “UN” logo. Two people were killed in the attack: a UN staff-person and an engineer with a non-governmental humanitarian organization.<sup>60</sup> The engineer was named Zamarey, and was a health specialist for Malteser International, a German aid organization working in Badghis province.

Naser Mohammadi, Zamarey’s elder brother, spoke with several witnesses to the attack and with local security officials who investigated the scene.<sup>61</sup> He told Human Rights Watch:

There were two UNICEF vehicles and four soldiers. The UNICEF vehicle came at the beginning, then the second UNICEF vehicle and then the soldiers. The Taliban fired at the vehicle first with a rocket propelled grenade. The RPG went into the mountain, not into the vehicle.

My brother survived the [first] RPG. He got out of the vehicle. . . . [But] when my brother was escaping the Taliban fired a second RPG. The RPG hit a rock next to my brother. The shrapnel hit my brother in the head and killed him.

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<sup>60</sup> The description of this incident is based on interviews with ANSO officials in Herat who are familiar with the incident; and interviews with Naser Mohammadi, brother of Engineer Zamarey, one of the men killed in the attack, September 2, 2006.

<sup>61</sup> Human Rights Watch interview with Naser Mohammadi, brother of Engineer Zamarey, Herat, September 2, 2006.

Naser said he had been worried about Zamarey earlier in the day, after he received a call from Zamarey's fiancée, who was wondering where he was. "She asked me if my brother was in Herat or not. I told her no, he was not here yet. . . . I tried to call my brother but he did not answer." Naser then called one of the UN workers traveling in the convoy. He then learned that his brother's convoy had been attacked, that two people in the convoy had been killed, and that an injured man had been brought to Herat city hospital. He rushed to the hospital.

I went to the hospital, but the injured person was not my brother. I knew he was dead then. So I immediately set off for the location of the attack on the border of Herat and Qala-e Naw.

When Naser got the scene, he learned that police had taken Zamarey's body to a local police station. Naser retrieved his brother's body and returned to Herat.

A CNN dispatch later reported that the one surviving UN worker had his leg amputated, because of the injuries he sustained in the attack.<sup>62</sup>

Local security officials told Naser that his brother had been killed by Taliban forces. Naser, from his own discussions with police officials at the scene, also believed the Taliban was responsible.

A few weeks after the attack, two suspected Taliban fighters were arrested in Herat province in connection with the killings.<sup>63</sup>

Zamarey and his fiancée were to be married two weeks later. Naser said his family spent "thousands and thousands of dollars to prepare for the wedding ceremony."

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<sup>62</sup> "Rocket kills 2 U.N. workers in Afghanistan," CNN, May 12, 2006 , [http://edition.cnn.com/2006/WORLD/asiapcf/05/12/afghanistan.rocket/index.html?section=edition\\_world](http://edition.cnn.com/2006/WORLD/asiapcf/05/12/afghanistan.rocket/index.html?section=edition_world) (accessed February 12, 2007).

<sup>63</sup> ANSO Security Situation Summary, Weekly Report No. 022, May 31, 2006.

The money we collected for his wedding party had to be spent for his funeral. Everything was ready for his wedding. We had everything prepared for him and his wife to start a new life. Everything was ready and they [the Taliban] just killed him.

You know, it is really hard. You're expecting your brother to come, and you want to have a party for him, and suddenly you are going and bringing home his dead body.

Naser continued:

This was a young person the Taliban killed; he could have helped many, many people in Afghanistan. He was a malaria coordinator for a clinic in Badghis [he coordinated NGO anti-malaria campaign]. I can say with my whole heart that my brother cured 90 percent of the people in Qala-e Naw who had malaria. You can ask people from Qala-e Naw they will tell you the same. The Taliban did this. . . .

My brother knew the Koran. . . he was a real Muslim. . . . You could ask him anything from the Koran. . . he could tell you hundreds and thousands of verses about religious issues. . . .

Everything, it's just too much now. . . I don't know. . . . I can't see the world anymore, I don't know if this is a carpet or if this is a pillow, or what that is. . . . I don't know if I am drinking or if you are eating. It's just leaving and moving and coming. Everyone in my family is like this now because my brother was killed, just because my brother is dead.

He was innocent! He was innocent! Twenty-two years. Twenty-two years old, he was just starting his life. . . . Now he is dead.

\* \* \*

On May 30, 2006, four aid workers with the humanitarian organization Action Aid, three women and one man, were killed on a road in Mingajig district in the northern province of Jowzjan, when two gunmen on a motorcycle fired on their vehicle in broad daylight.<sup>64</sup>

One of the women killed, named Binafsha, was 17 years old. Binasha's mother Latifa told Human Rights Watch how on the day of Binafsha's death she received a telephone call from Binafsha's co-workers, telling her to come urgently to the Action Aid office:

They told me I had to come to the main office that we needed to have an urgent meeting. . . . One of her colleagues said that my daughter's car had been attacked in Mingajig district by insurgents.

I was terrified when I heard. . . . I don't know happened next because I fainted. When they told me my daughter had been killed, I fainted.

When I woke up, I saw all of my relatives at my house. They were crying, and they were gathered here outside in the yard. The only thing that I thought about was Binafsha.<sup>65</sup>

The family went to a local hospital to retrieve Binafsha's body and prepare it for her funeral.

I went to the hospital to see my daughter. [But] I did not get to see my daughter's body until the following day because she had been bleeding very badly. [The family did not allow Latifa to see her body until it had been washed.]

A doctor told Latifa that Binafsha's colleagues were killed instantly, but that Binafsha had likely survived for over an hour after the attack.

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<sup>64</sup> The details of this incident are based on interviews cited below, and ANSO North Security Incident Report, Incident Report, May 30, 2006.

<sup>65</sup> Human Rights Watch interview with Latifa, mother of Minafsha, Shiberghan, August 25, 2006.

Nobody went there to help for five hours because they supposed that there could have been another ambush. . . . Maybe somebody could have helped her; brought her back here [to Shiberghan] to save her life. But it was impossible for the people to go there, because their life was at risk too. People believed that if they went there they would be attacked like my daughter was. I understand that it is a difficult decision for someone to have to make but I really would have appreciated anybody who could have saved my daughter's life.

Before her death, Binafsha was working to support her family and studying to become a doctor. According to her mother Latifa:

She used to say "I just want my father to own a house." . . . She really wanted to help out our family because we are not well off. She used to always tell her father that "since you didn't have a son, I am your son. I'll work with my mom; I am here to support our family."

She was one of the most intelligent students in her class. She was first or second in her class and used to pray five times a day; she could cite the Koran. She used to always tell us she wanted to be a doctor. She was studying hard because she wanted to go to medical college and become a doctor. She wanted to help her countrymen; she wanted to be a qualified doctor.

Latifa went on to say that Binafsha was more than a daughter to her, "She was not just my daughter, but my teacher."

She used to teach my husband and me every day and every night. She used to give us news updates. . . . Our relation wasn't only mother-daughter, but more like student and teacher. . . . With her gone now, my life has changed a lot; I am like a skeleton now.

One of the other women killed in the attack was named Bibi Sadaat. Her husband, Mohammad Hashim, was in Kabul, on work-related travel, when she died. He told Human Rights Watch how he learned of his wife's death:

I received a phone call from my son the night my wife was killed. He told me that something bad had happened, but he did not tell me what. He told me to come back to Shiberghan because something bad had happened. . . . So I went back at 10pm, because I was worried. I thought that maybe my son had gotten into fight, or had done something wrong, and he needed my help. When I arrived there were some 50 people or so standing at our door. I supposed that something had happened in my house, so I called my son over to me. My son told me that my wife had been martyred in an attack.

I was extremely upset. We were married for 30 years.<sup>66</sup>

Mohammad said his wife's death took him entirely by surprise, that he never imagined that his wife would be killed in an attack. "She did not have any enemies." Mohammad said. "She worked for four years helping people and made many friends, a lot of people loved her. Even now people are still coming to express their condolences."

My wife's death has really affected the life of my family. We relied on her salary. We have to pay \$50 [US] a month for this house. We are now facing a lot of difficulties. . . .

Mohammad told Human Rights Watch that his wife's death affected him deeply. "Over 30 years I have collected many memories of my wife," he said.

She was great mother and good woman. All of our relatives used to tell me that. Whenever she got her salary she used to give part of it to the poor. All of her co-workers are sad too. They said, alone she [Sadaat]

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<sup>66</sup> Human Rights Watch interview with Mohammad Hashim, husband of Bibi Sadaat, Shiberghan, August 25, 2006.

could do the work of 200 people. She was literate and highly educated. . . . She was a good wife. It was like we were newly married everyday. She was my best friend.

I am lost now and the only thing I have found is depression. Whenever I enter a room that she had been in, I get depressed. . . . Because my wife is dead, I have not only had enough of this government—I have had enough of this world.

Although no group claimed responsibility for the killings, a Taliban spokesperson had telephoned BBC on May 29, 2006, the day before the attack, and warned of attacks in the north of the country.<sup>67</sup> However, many northern residents whom Human Rights Watch interviewed believed that Gulbuddin Hekmatyar's Hezb-e Islami forces were responsible for attacks in the area, and for the attack in Jowzjan.

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On June 8, 2006, a week after the incident detailed above in which four Action Aid staffers were assassinated, three humanitarian aid workers working in Chintal district, in the northern province of Balkh, were gunned down by unknown assailants while traveling around the district performing humanitarian assessments.

While on a remote road between villages, their vehicle was stopped by two armed-men on a motorcycle, and all three men were shot multiple times with an automatic weapon; two were killed and one was serious wounded. The two who were killed were an engineer, Mattiullah, and a driver, Abdul Qayoom.<sup>68</sup>

Human Rights Watch interviewed the sole survivor of the shooting, Shafiq Ahmad. He was shot four times at close range in the left arm and leg. He told Human Rights Watch what happened:

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<sup>67</sup> "Aid workers killed in Afghanistan," BBC Online, May 30, 2006, [http://news.bbc.co.uk/2/hi/south\\_asia/5029582.stm](http://news.bbc.co.uk/2/hi/south_asia/5029582.stm) (accessed February 12, 2007).

<sup>68</sup> Details of this incident are based on the interviews cited below, with Shafiq Ahmed, survivor of the attack, Mazar-e Sharif, August 24, 2006; Human Rights Watch interview with Paykai, widow of Abdul Qayoom, Mazar-e Sharif, August 24, 2006; Human Rights Watch interview with Wahida, daughter of Abdul Qayoom, Mazar-e Sharif, August 24, 2006.

It is our job to go the districts and hear what kinds of projects they want for their villages. . . . We left Mazar-e Sharif at 8 am that day, for Chintal district. We had a female colleague with us too; we dropped her off in another district. All of us usually go to the districts to talk to people but after the event in Shiberghan where four people were assassinated [discussed above], our office told us to take extra precautions. Since the attack in Shiberghan we felt more at risk, so we dropped her [the female colleague] in another village.

Shafiq said that he, Mattiullah, and Abdul visited several districts in Chintal before starting back to Mazar-e Sharif around 3 pm.

When we reached Arab-e Mazari, on the way to Mazar-e Sharif, a motorbike appeared, then a second one. There was one person on the first motorbike and two on the second. They both passed us on the passenger side of our car, the side where Matiullah was sitting.

The men on the motorbikes looked very anxious and worried. We thought they were concerned because of the dust in the air from our car. They were driving really fast and did not let us pass. It was like a race.

Shafiq said that “It seemed as if the bikes were signaling to each other.” Shafiq told Human Rights Watch that a man on the first motorcycle seemed to be signaling to the second in some manner than suggested “this is the car, now you can attack.”

The motorbikes came very close to each other and then first one disappeared and the second kept going in front of us.

I was really suspicious of those men because they kept touching their side of their bodies like they were carrying guns. They were wearing shawls on their shoulders. I told Qayoom to be careful because the men looked suspicious. They just did not look good to me.

After the first bike disappeared, the second one with two men pulled to the side of the road and one man pulled out a gun and started shooting. We stopped the car about 15 meters from the man [who was shooting]. When we saw the gun we had no choice but to stop the car on the left hand side of the road.

Shafiq said he did not know whether the first shots hit anyone. He was in the back seat. "I was scared so I ducked down behind the front seats to protect myself."

Shafiq said the shooter got off the motorbike and continued to fire at the car. He walked around the left side of the car, the driver's side, and shot Abul Qayoom first, and then Mattiullah, who was in the front passenger seat, and that he himself was then hit in the leg and arm.

The gunman then fled on their motorcycles.

I heard Qayoom saying the Kalimah Shahidat [the martyr's prayer], but he died before he could finish it. I could hear that he was in pain. It was devastating. . . .

Matiullah was wounded, but died two hours later. According to Shafiq, Matiullah was to be married in three days in his home province of Wardak, near Kabul.

Abdul Qayoom, the driver, was the father of nine children in Mazar-e Sharif.

Abdul Qayoom's widow, Paykai, described to Human Rights Watch, how she and her family learned of Abdul's murder:

I was sitting here [in her house] when I found out that my husband had been killed. . . . I could not do anything when I found out he had been killed; all I could do was cry. He was everything for us; he was just everything.<sup>69</sup>

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<sup>69</sup> Human Rights Watch interview with Paykai, the widow of Abdul Qayoom, Mazar-e Sharif, August 24, 2006.

Paykai told Human Rights Watch that Abdul Qayoom “was a very good father, neighbor, and husband.” She said:

The only thing Abdul Qayoom wanted to do was to work to feed and bring up his children in the best way he could. This was the fifth year he was working with the NGO office. He was very proud of his job.

He was a very good man and father. He got along well with the neighbors, and used to pray five times a day. He was very good Muslim and used to encourage the children on the street to pray and study as well.

My husband was very kind to us. Since my husband was killed, my children cry for their father everyday. He was a good husband, he did not prevent me from doing things, and he did not criticize me. He did not criticize me for what I cooked or did not cook. He really was a good man. My memories of him are my life now.

Abdul’s death also affected the future of my children tremendously. My goal is to send my children to school. But I want them to wear the same clothes as the other children do. I don’t want other children to make fun of them for what they wear. I also don’t want other children to ridicule them for not having a father. This has really affected our life.

Wahida is Abdul Qayoom’s 14-year-old daughter. She told Human Rights Watch:

My father’s death has affected all my brothers’ and sisters’ lives. . . .

We don’t have enough money for books, bags and clothes to go school, so people laugh at us. Even the neighbors’ children don’t talk to my brothers and sisters anymore.<sup>70</sup>

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<sup>70</sup> Human Rights Watch interview with Wahida, daughter of Abdul Qayoom, Mazar-e Sharif, August 24, 2006.

Wahida's oldest brother now works to support the family, but she says the money is not enough, and that the family does not know what to do.

"I never expected my father to leave us," she said.

Numerous other attacks on humanitarian and developmental workers took place in the west and north around the same time. For instance, on June 20, 2006, a Turkish worker for a road construction company and three Afghan colleagues were reportedly ambushed and killed in the western province of Farah.<sup>71</sup>

### *Kabul City and Surrounding Areas*

On March 12, 2006, two suicide bombers in Kabul carried out an attack apparently directed at former Afghan president Sibghatullah Mojaddedi, a senior official in the upper house of the Afghan parliament and the head of a reconciliation committee that seeks dialogue with Taliban leaders and reintegration of former combatants into civilian life.<sup>72</sup> Mojaddidi was leaving his office when two men with suicide vests detonated their explosives near his vehicle, killing four pedestrians. Mojaddidi was slightly burned on his hands and face.

Human Rights Watch spoke with "Sharzad,"<sup>73</sup> a nine-year-old girl who was seriously wounded in the blast. Sharzad said that at the time of the attack she was walking home with her brother and sister from a visit to the Pir-e Boland shrine in Bagh-e Bala, situated on a crowded street near Mojaddidi's office. When the bomb went off, Sharzad was struck in the abdomen with a large piece of shrapnel. Sharzad told Human Rights Watch:

I went to the mosque that day to say prayers. I was worried that I may not be accepted to school [a school she had applied to], so I went to

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<sup>71</sup> "Turk, three Afghan guards killed in Afghanistan attack," Agence France-Presse, June 20, 2006. Turkish officials said the man killed was Mehmet Sut, 48, and that the attackers used rocket propelled grenades and automatic weapons in the attack.

<sup>72</sup> Information about this incident is based on an ANSO security report, see ANSO-Central, "Kabul city, VBIED attack against high government official," March 12, 2006; and Human Rights Watch interview with Nargiz N., Kabul, September 6, 2006; and Interview with Leila N., mother of Nargiz, Kabul, September 6, 2006. See also Sayed Salahuddin, "Afghan ex-president survives bomb," Reuters, March 12, 2006.

<sup>73</sup> Human Rights Watch has used pseudonyms for the victim and her mother to protect their anonymity.

ask God to help me to get into the school. My younger brother and sister came with me too.

The explosion happened on our way home. It cut my stomach open and I thought I was going to die.<sup>74</sup>

Sharzad's stomach was badly ripped open. The bomb did serious damage to her abdomen, intestines, and kidneys; her mother showed Human Rights Watch the massive and gruesome scars left on Sharzad's stomach. Doctors had to remove 156 cm of her intestines after the attack.

I tried to walk after the explosion knocked me down, but when I got up, I fell down again. I think I fell because I tripped on my intestines.

Sharzad said "the first explosion did not do anything to me." It was the second:

I remember the explosion throwing me a few meters. . . . I did not feel getting hit by the bomb. The bomb threw me down but then I stood up and ran away, but then I fell down again and don't remember what happened after that.

"Faronuz," Sharzad's mother, recounted to Human Rights Watch her fear and confusion when she learned of the attack:

The very first thing that came to my mind when I heard that there was an explosion was that my youngest daughter, who was with Sharzad at the time, had been killed. That daughter is very small and weak. I knew that an explosion like that would kill her instantly if she was close by.<sup>75</sup>

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<sup>74</sup> Accounts in this section are taken from a Human Rights Watch interview with Sharzad, Kabul, September 6, 2006, and Human Rights Watch interview with Faronuz, Sharzad's mother, Kabul, September 6, 2006.

<sup>75</sup> Human Rights Watch interview with Faronuz, mother of Sharzad, Kabul, September 6, 2006.

Faronuz rushed out of her home and found a taxi to take her to the hospital.

When I got into the taxi I wanted to scream, but I couldn't in front of the taxi driver. My heart was about to burst, I could not wait to get to the hospital to see my child.

I thought my child had been killed, I just assumed that she was dead.

Faronuz said that she arrived at the hospital around 11am but did not manage to see Sharzad until 3 pm.

The first moment I saw my daughter, she was white like a sheet. I did not recognize her. When I touched her body it was cold like ice. I thought then that she would not come back to us.

There have been a lot of strong men killed with one bullet. Sharzad was hit with a large piece of metal. I thought that she would not come back.

But Sharzad was lucky and recovered, although she was hospitalized for several weeks afterwards. Given the major damage to her torso and internal organs, the doctors told Sharzad's parents that her recovery was "a miracle," and that she easily could have died that day.

Nearly ten months after the attack, Sharzad still has pain in her arms and legs.

For Sharzad's mother Faronuz, the attack revived painful memories of Afghanistan's past conflicts, including civil conflicts in the early 1990's. Faronuz told Human Rights Watch:

During the wars, many of my family members were killed. I just assume [these days] that my family will be killed in fighting. An attack like this only reminds me of those terrible feelings I had [in the past]. . . . I am not normal now; I can't take things like this.

Faronuz said Sharzad is still affected by the attack:

She [Sharzad] still has bad memories from that day. Once we took Sharzad to a shop near the site of the explosion, and she started shivering. We asked her what was wrong and she said: “Dad! Take me away from here now!” We immediately put her in taxi and took her home.

Sharzad told Human Rights Watch that she still has nightmares from that suicide attack:

Sometimes I dream about that day—I have nightmares. I thought that I would not survive.

I started saying the Kalimah [the martyrs’ prayer] when I was hurt that day, because I thought I was going to die, but my brother told me to stop [i.e., because he didn’t want her to think she would die]. I said no [and kept praying] because I did not want to die *haram*.<sup>76</sup>

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On July 5, 2006, three bombs targeting government employees and offices exploded in Kabul during the morning rush hour, killing several people and wounding over 50. Two bombs targeted buses carrying workers to the Commerce and Interior Ministries, and a third detonated in a vendor’s cart near the Justice Ministry.

Human Rights Watch spoke with Ghulam Haider, an employee of the Commerce Ministry and a survivor of the attack on the ministry bus.

He detailed to Human Rights Watch how he experienced the attack:

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<sup>76</sup> Sharzad is referring to the practice of praying before death to re-confirm one’s faith as a Muslim. (*Haram*, literally “forbidden,” is a religious term in Arabic meaning “without religious purity.”)

It was Wednesday, July 5th, at about five minutes to 8 am. I was going to work. I picked up the bus a little bit past the stop, because the road was blocked. When I got on the bus began moving again.

We came to a speed bump, and our bus slowed down, and when it did there was a sound of a huge explosion and fire surrounded the bus. I didn't understand what had happened.

The explosion was very bright and made a nasty sound. Inside the bus was like hell. The bus was engulfed in flames. I could see that the fire was coming from the floor of the bus. The first thing I realized was that I was very badly burnt. I ran to the emergency door at the back and I tried to get out of the bus.

He continued:

The man sitting next me died on the spot, I couldn't move him. I was bleeding very badly but I managed to get out of the bus. I shouted at the police and people to come and help me but everyone was scared and were screaming and running away from me. A few minutes later some army guys came and they put us in their trucks. They opened up the door of the truck and put in two women who had been injured in the bus. We were taken to Emergency Hospital.

While we were driving to the hospital one guy died on the way.

I was examined by the doctors. There was a big bomb fragment in my back. They operated on me and discharged me the next day.

Ghulam had a scar on his back from the fragment and had to receive continuing medical treatment for the scarring on his legs, arms, and head.

Later the same day, a second bomb exploded at a busy intersection near the Justice Ministry, killing two civilians and injuring another twelve. The intended target of the bombing was unclear.

Mohammad Rasoul, whose taxi was damaged in the explosion, told the Associated Press that he was inside his car when the blast went off about twenty feet away. Rasoul said: “The glass windows were blown in toward me. When I turned my head, I saw one man with both legs cut off and he was screaming.”<sup>77</sup>

Mohammad Yusef Aresh, one of the injured at the scene, described the attack to Human Rights Watch: “The street after the bomb exploded was like Afghanistan 23 years ago [i.e., during the war against the Soviet occupation]. People were running and screaming because of the bombs.”<sup>78</sup>

Moments before the attack, Aresh said he was walking by the by the Ministry of Justice and saw a man pushing a vegetable cart about 20-25 steps in front of him. Aresh believes the bomb was in the cart, although it is not clear whether the man pushing the cart was even aware of this.

I thought there was something wrong with this man pushing a cart in this area. You know, this area is a really crowded area with heavy traffic and at lunchtime there is even more traffic. That road was a major road and it was busy. Carts are usually not on that road.

The road and bazaar was so crowded. I passed the cart and few seconds later the bomb exploded. It was like an earthquake. It blew me back about three or four meters.

When Aresh regained consciousness he realized that he was lying in the middle of the street and bleeding profusely out his side: “While lying [in the street] I thought I

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<sup>77</sup> “5 Afghan Workers for US Base Killed,” Associated Press, July 4, 2006.

<sup>78</sup> The accounts provided here are based on an interview with Mohammad Yusef Aresh, Kabul, September 6, 2006.

was going to die, 100 percent, but I trusted in God. If someone had not helped then, I would have died. I was bleeding very badly.”

I think I was unconscious for five minutes on the road. I woke up and saw people and body parts everywhere; fingers, hands, feet, toes, almost everything.

The windows of the Ministry of Justice were shattered. People were screaming and others were screaming that another bomb would explode but it never came. I started to check my body to see if I was injured. . . . I was wearing a white suit that day and I saw that my suit was red. I was hit by a four-inch piece of shrapnel in my hip.

Aresh recalled that immediately before the explosion he had seen one of the women killed in the bombing:

I was walking next to a woman who was killed by the bomb. We were walking very close to each other because the street was very crowded. When I woke after the explosion I saw her laying on the street ahead of me and I asked the people to see if she was dead or alive. Somebody told me she had been martyred.

He also recalled thinking about his mother and family while he was lying in the street.

“I wanted to call my mother and family to tell them what happened to me, but I lost my phone in the attack. I wanted to call somebody but I couldn’t. I remember losing hope.”

Aresh detailed to Human Rights Watch how his injuries from the attack have affected his present-day life and health:

I can’t walk fast now. You know, I was a boxer. I can’t box anymore. I lost a lot of speed and power with my boxing after the attack. Also the

attack has affected my memory and my mental health. I am depressed everyday. My leg hurts everyday and I have a hard time walking.

There have been many changes in my life since the attack. I will tell you three changes: One, my memory has gotten worse. I hate that I can't remember. Two, I am depressed. And three, it [the explosion] has affected my eyesight. It's hard for me to read. When I think about these things it brings tears to my eyes. When I think about these and put them all together it makes me want to leave this country.

### **Indiscriminate or Disproportionate Attacks on Military Targets**

In addition to attacks that target civilians, insurgent forces have also launched numerous attacks aimed at military targets that appear to have been carried out with little or no regard to the consequences for civilians. While limited information often makes it difficult to determine conclusively that a particular attack violated the laws of war, insurgents appear to have repeatedly used methods or means of attack that did not distinguish between civilians and combatants (indiscriminate attacks) or knowingly conducted attacks in which the loss of civilian life and property exceeded the expected military gain (disproportionate attacks).

#### *Southern and Southeastern Afghanistan*

On August 3, 2006, a suicide attacker detonated a car bomb in a crowded market in Panjwai Markaz, a town about 25 km west of Kandahar city. The Taliban claimed responsibility for the attack, which killed at least 21 civilians, including children, and wounded dozens more.<sup>79</sup> From the circumstances of the attack, it appeared the intended target of the attack was a Canadian ISAF patrol, roughly 200-400 meters from the blast. The patrol was unharmed. (The same day, another ISAF patrol was ambushed elsewhere in the same district, and four Canadian soldiers were killed.)

An Associated Press correspondent who visited the scene of the bombing attack reported: "At least fourteen shops were burnt by the blast that left a crater 1.5 meters

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<sup>79</sup> Tim Albone and Terry Pedwell, "The bloodiest day yet," *Globe and Mail* (Canada), August 4, 2006.

across and 50 centimeters deep.”<sup>80</sup> The report also said that wreckage from the car bomb was flung 100 meters from the blast site and that human body parts and debris littered the road.<sup>81</sup>

Human Rights Watch spoke with “Abdullah,” a motorcycle repairman and an owner of one of the shops destroyed in the blast.<sup>82</sup> His brother, son, and nephew were all killed in the attack, as was one of his employees.<sup>83</sup> Abdullah said that, at the time of the attack, he was inside his shop with his son Idris, his nephew Kawun, and his assistant Naseem. It was a very hot day, just after lunch, and he and his assistant, Naseem, were sleeping while his son kept watch for customers.

“I was awakened by the sound of the blast. I jumped with fear,” he said.

I was not sure what had happened, I thought there was fighting between the Taliban and the coalition forces whose tanks and vehicles were standing not far from my shop. My shop caught on fire, the roof had collapsed and part of it was blown off from the blast. . . .

I could not see anything. My shop was filled with smoke and it was very difficult to see and breathe. I ran towards the door but saw that my nephew, assistant, and my son were lying on the floor.

I didn’t know that they were injured and I was angry with them for not leaving the shop. I yelled to them to get up and get out of the shop, but then I realized that they were all injured. . . . My son was unconscious and so was my assistant. . . . I took them out of the shop one by one. . . .

Then I ran towards my brother’s shop, which was opposite to my shop. I saw that he and his assistant were lying dead in front of the shop.

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<sup>80</sup> “21 killed in car bomb attack on market in southern Afghanistan,” Associated Press, August 3, 2006.

<sup>81</sup> Ibid.

<sup>82</sup> Human Rights Watch has used pseudonyms for the witness and his family to protect their anonymity.

<sup>83</sup> Human Rights Watch interview with Abdullah, Kandahar City, Kandahar, August 22, 2006.

Abdullah told Human Rights Watch he was slightly wounded but his son, nephew, and assistant all sustained severe injuries.

My son was hit by pieces of shrapnel, the car metal that flew into the shop with full force. He received injuries to his head, chest, legs and stomach. All the flesh from his cheeks was gone; all of his teeth were visible.

My assistant received injuries to his chest, stomach and legs. My nephew's arms and legs were shredded by the metal pieces from the car. Somehow I was safe and received almost no injuries except for some cuts on my hands and feet.

Abdullah's nephew soon died. His son, Idris, lived for a few days after the attack but then eventually succumbed to his injuries as well. Abdullah told Human Rights Watch about how the deaths affected the family:

When I brought his body to my home his mother fell unconscious. In my house we were mourning the death of my brother and nephew and we thought that my son would survive, but it was not our fate. . . .

I have lost my shop; my brother lost his life and his shop. He got married just last year and now his infant son is an orphan and his wife who is very young is now a widow. . . . I lost my son, brother, and nephew because of the Taliban. They say that they are fighting for God and Islam but they are not; they are killing good and innocent Muslims and Afghans who have done nothing wrong.

Abdul, an 11-year old, was also injured. He was working as an assistant in one of the other motorcycle repair shops near the site of the attack. Human Rights Watch interviewed him in a Kandahar city hospital, one month after the attack. He was lying in traction, having sustained severe injuries to his hands, leg, and his left eye. He described the attack:

On the day of the explosion, my boss, the owner of the shop, was sleeping in the shop [it was just after lunch] and I was sitting outside the shop. It was afternoon, I don't know what time, but it was very hot in the shop and I did not want to sleep so I came out and sat outside the shop. I saw these [ISAF] tanks and soldiers who were standing at the other end of the market, I wanted to go near them but was afraid they would scold me and send me away, so I stayed there sitting in front of the shop, in the shade of the cloth we had in front of the shop, when all of a sudden I felt something hit me. . . . I don't remember any car bomb or blast sound; nothing. . . . I don't remember what happened, but when I opened my eyes I was lying in this bed in this hospital.<sup>84</sup>



Injured victims of the suicide car bomb attack on August 3, 2006 in Panjwai Markaz in the southern province of Kandahar, lying in a Kandahar hospital. The bomb attack appeared to be aimed at a convoy of NATO troops, but killed at least 21 civilians. The Taliban claimed responsibility for the attack. © 2006 Reuters

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<sup>84</sup> This account is taken from a Human Rights Watch interview with Arbab, Kandahar, August 22, 2006.

Human Rights Watch also spoke with another shop-owner, Arbab, who like Abdullah owned a motorcycle repair shop at the site of the attack, which was also destroyed. Lal Mohammad said business was slow on the day of the attack and he and his son closed the shop around midday and went home for lunch. He was at home when the attack occurred:

At about 3 pm there was a big bang I thought there was some fighting between the army and the Taliban or it was a bomb dropped by a US plane. I asked my son to go up to the roof to see. He went up, and said there was smoke coming from the market. . . . A few minutes later my cousin Hafeez called me. . . . He said there was a car bomb, a suicide attack, just in front of my shop and my shop together with the other shops were on fire and were completely destroyed. He said that there were a lot of injured and dead.<sup>85</sup>

Arbab then went to the market with his cousin:

As I approached the scene my heart felt as if it was sinking and my legs didn't have any power. There was smoke and fire all around, the shops were on fire some of the shops were totally demolished and others had their windows, doors, and roofs blown away. There was this black smoke which made it hard to breathe and go near some of the shops. There were injured men and children crying, screaming, others trying to help those who were trapped in their shops.

The most terrifying thing I saw was in one of the shops, which belonged to a man by the name of Hezbollah who was a welder and owned a welding shop.

Hezbollah was severely injured and was screaming for help. Nobody could get near his shop because it was on fire. We could see him lying on the floor with stretched arms and screaming for help but no one

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<sup>85</sup> These accounts are taken from a Human Rights Watch interview with Lal Mohammad, Kandahar City, August 22, 2006.

dared to go near as there were these gas tanks in his shop which he used when he was welding. He was burnt alive. Sometimes I see him lying on the floor and screaming for help, in my dreams.

Arbab knew many of the families who lost relatives in the blast.

Many of my friends lost their relatives and their main source of income which was their shop. . . . That night was very distressing because we [my family] could hear the women and children who lost their family members crying and mourning throughout the night.

A Taliban commander claimed responsibility for the two attacks in Panjwai: “We carried out all the attacks,” said Mullah Amnullah, a Taliban commander who spoke by telephone with a reporter a day after the attack.<sup>86</sup>

We destroyed two big vehicles and killed a lot of Canadians. . . .

We also carried out the suicide attack in the market. . . .

We keep asking Muslims to stay away from NATO and Canadian convoys as we have martyrs chasing them. We feel bad about today's civilian deaths, but the people haven't been taking our warnings seriously.<sup>87</sup>

Local residents told Human Rights Watch they were angry that the Taliban would choose to carry out an attack in the middle of a crowded civilian area.

Arbab noted that the ISAF patrol near the market was unharmed in the attack, and questioned why the Taliban carried out the attack in the manner they had:

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<sup>86</sup> Tim Albone and Terry Pedwell, “The bloodiest day yet,” *Globe and Mail* (Canada), August 4, 2006.

<sup>87</sup> *Ibid.*

That day, the Taliban—why didn't they hit the army? Who are they fighting? Why did they [the bombers] stop in front of the shops when they could have hit the convoy, as it was not more than 400 or 500 meters away? They didn't hit them but blasted right in front of the shops, killing innocent Afghans, Muslims, even kids.

Numerous other bombings and attacks like the one above occurred in southern and southeastern Afghanistan in 2006.

Late in 2006, insurgents launched another rash of suicide attacks on military targets moving around Kandahar: nine suicide attacks occurred in and around Kandahar during a two-week period in late November and early December.<sup>88</sup> The attacks mostly appeared to be meant for passing NATO patrols. The Taliban claimed responsibility in five of the nine attacks. In all nine cases the attacks were carried out within or close to crowded civilian areas. One of these attacks “failed” and killed only the attacker, but seven of the eight remaining attacks caused civilian casualties, and all seven killed more civilians than combatants.

A December 8 bombing, seemingly directed at a NATO convoy in the Chawk Madat neighborhood of Kandahar, caused ten civilian casualties. A hospital official at Mirwais hospital, Dr. Najibullah, told journalists: “We’ve got two dead bodies and seven injured in our hospital. They’re all civilians.”<sup>89</sup>

### *Western and Northern Afghanistan*

On April 8, 2006, a Taliban suicide bomber unsuccessfully attempted to drive an explosive-laden cart into the main gate of the Italian-led ISAF Provincial Reconstruction Team (PRT) compound in Herat.<sup>90</sup> The gate lies on a civilian street on

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<sup>88</sup> Information about these ten attacks is based on security reports and other accounts compiled by Human Rights Watch. See also Bill Graveland, “Bomber misses Canadian target,” *Canadian Press*, December 8, 2006; and Noor Khan, “‘Typically indiscriminate’ Taliban attack kills Afghans,” *Associated Press*, December 4, 2006.

<sup>89</sup> “Afghan Civilians Bear Brunt Of Suicide Attack on NATO,” *Agence France-Presse*, December 8, 2006.

<sup>90</sup> “Suicide bomber hits Afghan base,” *BBC Online*, April 8, 2006, [http://news.bbc.co.uk/2/hi/south\\_asia/4890384.stm](http://news.bbc.co.uk/2/hi/south_asia/4890384.stm) (accessed February 12, 2007). The Taliban claimed responsibility for the attack. A Provincial Reconstruction Team (PRT) are small international military and civilian teams stationed around Afghanistan and intended to liaise with local government officials, provide background security for local security forces, and engage in small development projects.

which there was regular foot and vehicle traffic. The attack caused severe damage to the surrounding buildings but only lightly affected the PRT. The attack killed an Afghan guard on duty at the time and three civilians, and injured seven others. The attack highlights apparent disregard for the security of civilians, both by the Taliban insurgents who carried out the bombing and by the ISAF forces that placed a military compound inside a populated area of the city.

One of the civilians killed in the attack on the PRT was Jalaluddin, a local vegetable seller and a father of four. “He left in the morning with his cart. At about 9 am he was on the street when the bomb exploded and he was killed,” his widow Leila told Human Rights Watch. “His children did not sleep for a week after that.”

Leila told Human Rights that she heard about the attack that killed her husband on the local televised news.

That day we heard on the TV that there was an explosion near the PRT. They announced where it was and how many people were killed. Herat TV said that a person pushing a cart near the PRT was killed. When we heard that we went to the hospital.

The hospital told us that my husband had been injured and to come back in the morning. Someone else told me the man who was killed was not my husband but the next day another person came to our house and told us that the man who was killed was my husband.

They told me to prepare some water to wash my husband’s body. We buried him that day.

The doctors did not know the night before if the dead man was my husband because his head was not with his body. He was also very badly burned.

Qari Yusuf Ahmadi, the Taliban spokesman, claimed responsibility for the attack on the Provincial Reconstruction Team (PRT). Ahmadi told Agence France-Presse that the

attack “was a suicide attack carried out by a citizen from Herat named Abdul Rahim.”<sup>91</sup>

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Human Rights Watch also collected information about a bombing that occurred in Herat in 2004: On July 11, 2004, at around 10:30 am in the morning, a man left a bomb near a police station in the city’s main bazaar. The bomb blast killed several civilians. No military infrastructure was damaged in the blast. Police stations are not normally valid military targets.

Human Rights Watch spoke with Mir Ahmad, who witnessed the attack, and lost his 17-year-old son, Amanullah. Mir Ahmad said that he and another of his sons owned adjacent hardware shops about five meters from the police station, and that he saw the man place the bomb, attached to a bicycle, outside his son’s shop.

Amanullah was minding his elder brother’s shop (the other shop). His school was out that day. At around 10:30 am a man riding a bicycle with a large package attached to the back of the bike appeared in front of our shops. Actually he was right in front of my son’s shop. I saw the man, he seemed out of place and nervous. The man parked the bicycle with the package in front of Amanullah’s elder brother’s shop, next to electric pole, which is only about three meters from that police station; an arm’s length from our shops. The police station was the target.

The man parked the bike and walked away in a hurry, which raised my suspicion. A few moments later the bomb exploded killing many civilians and causing minor injuries to only one police officer.<sup>92</sup>

Mir Ahmad was working in his shop at the time, sorting nails.

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<sup>91</sup> “Suicide bomber hits Afghan base,” BBC News, April 8, 2006.

<sup>92</sup> Human Rights Watch interview with Mir Ahmad, father of Amanullah, Herat, September 3, 2006.

The bomb exploded sent nails flying everywhere like bullets. I shouted for my son. I remember it was dark when the bomb exploded. There was a lot of smoke. When I could see, I saw my son lying out in front of the shop. He was torn apart from the shrapnel from the bomb.

According to Mir Ahmad, Amanullah was in sixth grade when he was killed. Mir Ahmad said he was well-respected among his family and peers:

One day there was a ceremony in his school where the school gives awards to the best students. His teachers and his classmates gave him many awards not just for being a good student but for being a good person, and good Muslim. I was very proud of my son. . . . Whenever we go to the cemetery, we see a lot of people at his grave. Our whole family respected him. His mother is still crying for him.

Amanullah's death has severely affected Mir Ahmad's family. Mir Ahmad told Human Rights Watch that Amanullah's elder brother, who owned the shop at which Amanullah was working the day he was killed, "will never open his shop again. He has not been to his shop since then."

My family and I can't go on as usual without my son since he was killed. At least we have memories of him. My family, they can't go out anymore. They won't go to wedding parties now. They are too sad because when they see happiness it reminds them of Amanullah. He was a happy boy. They just remember him and cry. The rest of my children can't live as normal now.

\* \* \*

"Panic" was how Lal Mohammad, a survivor of an IED attack in Mazar-e Sharif, described the reaction of victims immediately after a powerful bomb exploded in city's crowded main bazaar on July 13, 2006.<sup>93</sup> The attack took place across the street

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<sup>93</sup> Human Rights Watch interview with Lal Mohammad, Mazar-e Sharif, Balkh, August 26, 2006.

from the city's Blue Mosque. According to a report about the incident by the Afghanistan NGO Security Office (ANSO), a monitoring and consultative body that monitors security incidents:

An IED detonated in Darwaza-e Balkh area of Mazar-e Sharif, approximately 500 meters west of the Blue Mosque when an ISAF convoy was passing. Subsequently, 3 people and 1 child were injured. The bomb was placed on a bicycle in front of a row of shops in a heavily populated area.<sup>94</sup>

Sher Jan Durrani, a city police official, told Pajhwok News Agency that one man died in the attack.<sup>95</sup> The ISAF convoy was unharmed. Lal Mohammad said:

People were running and screaming. A lot of shop windows were broken. I was wearing white clothes, they turned red, and they soaked with blood. When I got to the hospital and I saw the other injured, I thought that the fighting [i.e. war] had started again in Afghanistan.

Lal Mohammad was struck in the back with a piece of shrapnel as he was loading a television into his car, parked near the bazaar.

My back was towards the explosion, I was facing away from the street towards the shops. I knew something had happened because people were running and screaming but I didn't feel getting hit by the bomb. First I did not understand what happened. Someone told me I was bleeding from my back. When I put hands on my back and brought them back in front of my face, I saw all the blood and started going into shock.

Habibullah, a survivor of the same attack, described the scene as something like what he had "watched on the TV or on the films."<sup>96</sup> He said, "It was like I was

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<sup>94</sup> ANSO North Security Incident, July 13, 2006.

<sup>95</sup> "Man dies in Mazar blast, cops killed in Zabul," Pajhwok Afghan News, July 13, 2006.

dreaming. If I had taken two steps forward, I would have been killed, because the bomb that exploded was very close to me.”

Habibullah was also injured and hospitalized.

I was in front of the explosion, so I saw the explosion, I saw smoke going into the sky. I was thrown onto the ground and went unconscious. When I got up, I didn't know I was injured. I didn't know what to do. I was bleeding from my head, arm, and leg. One person came to me and told me I was bleeding. I didn't know what was happening because I was in a panic.

At first I didn't know that I was injured. I had heard at university that when a person gets injured sometimes he doesn't know what is happening. I was really worried about severe injuries on my body. I just didn't know what was happening, where I was. . . .

Although no one claimed responsibility for the attack, victims like Habibullah think that the Taliban were responsible:

The fight with Taliban was only in the southern part of Afghanistan, but recently it has expanded to the north too. This attack shows that fighting is not just one or two parts of the country but has expanded to all of Afghanistan.

Lal Mohammad, Habibullah, and other witnesses to this attack told Human Rights Watch that fear of a second explosion was the cause of much of the panic that day.

I have heard that sometimes a small explosion will be followed by a big explosion. I have heard a lot about such things. For instance, there is an explosion, a small explosion and people gather to help the injured and then another bomb will go off there. There are examples

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<sup>96</sup> Human Rights Watch interview with Habibullah, Mazar-e Sharif, Balkh, August 26, 2006.

from Kabul, Kandahar, and Helmand. I heard the same things have happened there. That situation made me and everyone else very scared.

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### *Kabul City and surrounding areas*

Around December 10, 2005, a civilian vehicle rigged with explosives detonated on Dar al-Amman Road in Kabul, as an ISAF convoy was passing by. Three civilians were wounded in the attack, and one other civilian was killed (the suicide bomber was also killed). The attack reportedly only slightly damaged the ISAF vehicle, and ISAF reported no casualties.<sup>97</sup>

Roshan and Abdul Hadi were two brothers who shared a home with their families on the Dar al-Amman road in Kabul.

Both were victims of the attack—Abdul Hadi was killed. Human Rights Watch spoke with Roshan about the attack that day, and his brother’s death.

At the time of the attack, Roshan said he and his brother were on their way to mosque to say Friday prayers.

We were walking down the street when we heard a horrible sound. I didn’t know what happened. I only remember the sound and something pushing me towards the sky. Then I went unconscious.

When I woke up I found myself in the hospital. We were just a few moments away from where we were going.

When I regained consciousness people told me that there was an international military convoy which was coming from behind us. We were walking on the right side of the road, away from Darulaman

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<sup>97</sup> “ANSO Security Situation Summary,” Weekly Report no. 051, December 15-21, 2005, p. 3.

Palace, and they [ISAF] must have been coming from the other direction towards the palace. The explosion took place somewhere in the pavement, not on the street.<sup>98</sup>

Roshan's first thought was about the fate of his brothers:

When I became conscious I realized I was in a hospital. I raised my head and saw that my leg was injured and the first question I asked was "How's is my brother?" [As it turned out,] he and I were in the hospital together the entire time but I did not see him.

The hospital staff told me that my brother was injured very badly and that he was in the intensive care unit. I had three pieces of shrapnel in my back but my brother had a large piece of shrapnel in his head.

He died in the hospital ten days later. [Roshan never saw him.] The last time I saw my brother he was on the street.

Roshan sustained serious injuries to his arms and legs which badly impaired his ability to walk and sit comfortably. "My legs and hands were injured. When I move them it feels like I am being cut by a knife" he said.

I see a big change in my life; I can't move at times because it is too painful. It's been quite some time since my legs were injured in the explosion; they still have not healed properly.

I think my injuries have undermined our family life, economically and psychologically. Actually, psychologically, we are all depressed.

Human Rights Watch also collected information about some of the numerous IED and vehicle bomb attacks that have taken place on the road that leads out of Kabul city to the east, commonly referred to as Jalalabad Road. Since January 2006, the

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<sup>98</sup> Human Rights Watch interview with Roshan, Kabul resident, August 28, 2006.

Taliban and other insurgent groups have claimed or are suspected to have carried out dozens of IED attacks on Jalalabad Road.

The attacks usually target NATO or Afghan military convoys that are traveling to or from the center of Kabul to NATO's "Camp Warehouse," which lies on Jalalabad Road.

The road, however, is typically busy with civilian traffic, and although these attacks appear to target military convoys, they frequently incur needless loss of civilian life. Some accounts collected by Human Rights Watch illustrate the point:

On May 21, 2006, the Taliban carried out a suicide attack on a US military convoy traveling towards downtown Kabul on Jalalabad Road. Hanif Ahmadi, the Taliban spokesman, said the attack was carried out by a Taliban member named Sayed Mohammad Mujahid, and that the attack inflicted heavy casualties on US soldiers traveling in the convoy.<sup>99</sup> However, witnesses interviewed by Human Rights Watch, as well as by ANSO, said that no US soldiers were harmed in the attack.<sup>100</sup> ANSO and various media sources reported that two civilians were killed in the attack, in addition to the bomber, but witnesses told Human Rights Watch that six civilians were killed and seven others injured.

Human Rights Watch spoke with two witnesses: Najib and Habibullah. Habibullah's brother Saifoor was killed in the attack.

According to Najib and Habibullah, Saifoor and a shopowner named Sayeed Gul were sitting in front of Sayeed Gul's shop on the morning of the attack, eating watermelon. Habibullah described how the attack unfolded:

Usually I don't eat breakfast early in the morning; usually I go to Sayeed Gul's shop and talk with him [before breakfast]. That morning,

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<sup>99</sup> "Suicide blast in Kabul kills three," Pajhwok Afghan News, May 21 2006.

<sup>100</sup> ANSO Central Incident Report, May 21, 2006. According to ANSO: "A white Corolla type vehicle rigged as VBIED [Vehicle Borne Improvised Explosive Device] detonated while moving on the road in an easterly direction when a convoy of US military forces was passing in a westerly direction." ANSO reported the car "just missed an international military convoy and detonated after the convoy had passed it. As a result, two by-standers and the suicide bomber were killed and one truck and a shop were burnt."

I went to the shop and then came home for breakfast, but then my mother told me to go back out and buy some laundry detergent.<sup>101</sup>

Habibullah described what he saw when he returned:

I went back to the shop and [when I got back] I saw a car near there on the other side of road. The man in the car stared at me. We saw each other; he had a long beard. I saw the driver talking to another man; he was a Kandahari. I could tell because he spoke with a Kandahari accent. They were speaking loud, almost yelling. They were talking about the stones in the road. [White stones put in the road, usually to block off a portion for maintenance.] One man was in the car and one man was standing outside pointing to the stones.

Habibullah said the car was parked on the opposite side of the road, in front of Najib's house and Sayeed Gul's shop. Habibullah saw the military convoy coming down the road.

When the Americans came, the car [with the bomber] started to move. . . . Then the car jumped into the air. It was like it was a stone in a slingshot. The car exploded. I think [the explosion] hit the last American car. [According to ANSO and media reports, the explosion occurred just after the convoy passed; no military personnel were harmed.] I could not see anything.

All I could think of then was the smell in my nose. It smelled like burning meat.

I saw the shop and it was on fire. There was fire where Saifoor was sitting [inside the shop]. I went to get him; I knew he had to be hurt. I rushed to him and Sayeed Gul [who was outside the shop].

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<sup>101</sup> Human Rights Watch interview with Habibullah, brother of Saifoor, Kabul, July 29, 2006.

Sayeded was ok. Sayeed Gul and I ran into to the shop even though it was on fire. . . . I was injured but I went inside the shop to get my brother. He was dead.



Afghan police officers and villagers carry the dead body of a civilian killed in the car bombing on May 21, 2006. © 2006 AP

Najib, Saifoor's closest friend, told Human Rights Watch what he saw that day:

I was on the way there too but my friend stopped me on the road while on the way and asked me to borrow some money. So I returned home for a few minutes. . . . I heard the explosion and went running back.

I saw my friend Saifoor, I grabbed his hand but he was already gone.

Before the explosion, I saw the suicide bomber in his car talking to another man. He was parked on the right side of the road. He saw all

the children on the street and he must have seen Saifoor and Sayeed Gul eating watermelon.<sup>102</sup>

Sayeed Gul, who was with Saifoor during the attack, told Human Rights Watch “It was terrible day.”

Saifoor was going to be a father in a few months [Saifoor was married in December 2005, six months before he was killed]. We were talking about that and how he was happy that he going back to work the next day to earn money to support his family. He had been sick and the doctor told him not to go to work for 10 days. The day he was killed was the tenth day, the next day he was going back to work. If that explosion happened one day later Saifoor would not have been here and his child would have a father.<sup>103</sup>

Habibullah explained to Human Rights Watch how the attack affected his mother:

Our lives are different now that Saifoor is gone. Our family is different and it has affected us in very bad ways, particularly my mother. My mother, she is always thinking of him. I never remembered my mother being sick when I was boy. She was never unhealthy. Since Saifoor was killed, she is always sick. She cries a lot too. I am terrified that these people who took Saifoor from us will also take my mother too.

Saifoor’s friend Najib described the affect of the attack on the neighborhood:

The shop was a good shop. It was more than a shop where we bought things. All the neighbors came here during the day. Some of us came in the morning, some of us came in the afternoon. But all of us came here during the day.

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<sup>102</sup> Human Rights Watch interview with Najib, friend of Saifoor, Kabul, 29 July, 2006.

<sup>103</sup> Human Rights Watch interview with Sayeed Gul, Jalalabad Rd. Shopkeeper, Kabul, July 29, 2006

We all live here. There are many houses around here and we are like brothers and we take care of each other. [Now] the shops are destroyed and we have no money to rebuild them.

The tragedy here is not that the shops were destroyed but that we don't meet one another everyday now. We don't hear all the news and the stories about the families here.

I was thinking about this when I had to clean the shop. I had to take the body parts away that were in the shop. I had to take the hands and feet of Saifoor, my friend, away. That day was hell for me.<sup>104</sup>

Habibullah told Human Rights Watch:

We are worried about this street now. We were [worried] before but not like now. When we see the foreigners come in the cars and military trucks we go inside or around the corner to get off the street. We are suspicious of every car that is parked here now because there are so many children on the street.

There are always a lot of civilians on this road. There are homes here. There are so many children on this road. There were so many innocent people on that road, working and talking during the day. Why would they blow themselves up here?<sup>105</sup>

Two other attacks in Kabul in September 2006 killed numerous civilians:

On September 8, 2006, a suicide bomber detonated next to a US military convoy traveling through a crowded street in the Wazir Akbar Khan area of east Kabul; two US troops and 14 Afghan civilians died, including several women and children.<sup>106</sup>

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<sup>104</sup> Human Rights Watch interview with Najib, friend of Saifoor, Kabul, 29 July, 2006.

<sup>105</sup> Human Rights Watch interview with Habibullah, brother of Saifoor, Kabul, July 29, 2006.

<sup>106</sup> Paul Garwood, "Suicide Bomber Kills 16 in Afghanistan," Associated Press, September 8, 2006.

Journalists who visited the scene right after the attack saw trees set on fire by the bombing, and body parts, hats, shoes, and clothing scattered across the street.<sup>107</sup> On September 30, 2006, a suicide bomber detonated near the Interior Ministry office in downtown Kabul, killing 12 civilians, including an eight-year-old boy, and injuring another 42.<sup>108</sup> Tom Koenigs, the UN Secretary-General's Special Representative to Afghanistan, released a statement condemning the September 30 attack, saying he was "shocked and appalled":

It is particularly upsetting that so many lives have been lost in such a callous attack against innocent Afghans who were simply going to work. Afghanistan's people have suffered enough. It is wrong for any conflict to be played out in a civilian arena with such wanton disregard for so many innocent lives.<sup>109</sup>

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<sup>107</sup> See ANSO Central Incident Report, September 8, 2006; "Suicide Bomber Kills 16 in Afghanistan," Associated Press, September 8, 2006; and Patrick Bishop, "Taliban bring new carnage to heart of Kabul: Carnage in the heart of Kabul after Taliban suicide blast," *Daily Telegraph* (UK), September 9, 2006 (describing air "thick with the stench of burned explosive and smoke from the trees that were set on fire by the blast. All that remained of the car was a smoldering engine block. Debris was scattered for hundreds of yards around.")

<sup>108</sup> ANSO Central Incident Report, October 1, 2006, and Rahim Faiez, "Suicide bomber kills 12, wounds at least 42 near Afghan Interior Ministry, officials say," Associated Press, September 30, 2006; Agence France-Presse, "Suicide blast rocks Afghan capital," September 30, 2006.

<sup>109</sup> Statement of Tom Koenigs, Special Representative of the UN Secretary-General, September 30, 2006.

## IV. Civilian Perceptions

The attacks documented in this report have had wide-ranging social, political, and psychological consequences.

Many of the survivors, victims, and witnesses to the attacks detailed in this report told Human Rights Watch that insurgent attacks greatly affected their perceptions of the security situation in Afghanistan, the Taliban, the international community, and the Afghan government.

Habibullah, the brother of one of two civilians killed in a May 21, 2006 attack by Taliban forces on Jalalabab Road in Kabul (documented in the previous chapter of this report) told Human Rights Watch:

The bastards—they blew themselves up. They did not kill the foreigners. They only killed innocent people. It was like they tried to kill children.

Nobody from the government has come to offer condolences, to say they are sorry, or say they will try to stop these explosions.

But they [the Taliban] should stop this [i.e., attacks in civilians areas]. They killed the innocent; they killed the poor, and hurt the children. They just make us hate them. We felt like we were targeted, not the foreigners.<sup>110</sup>

Roshan, another Afghan interviewed for this report whose case is described above, was the victim of an insurgent attack on an ISAF convoy in Kabul in late 2005. Roshan's elder brother was killed in the attack, and Roshan sustained serious injuries. Roshan told Human Rights Watch:

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<sup>110</sup> Human Rights Watch interview with Habibullah, Kabul, July 29, 2006.

What the Taliban did is not Islamic; no one could ever justify their actions—these actions—in front of God. By their acts, the Taliban make children fatherless and poor families poorer.

They can't justify that, no one can.

When somebody dies, so do all his dreams. I want the people who commit these crimes to be punished. And I want to tell the people that did this, that what they did is unforgivable and God will punish them. If we poor people are their enemies, and this is how they kill, I would tell them they are cowards for not facing us. They're cowards, why don't they face us?<sup>111</sup>

Almost everyone Human Rights Watch interviewed for this report articulated confusion about the motives and goals of the insurgent attacks. For instance:

Mohammad Yousef Aresh, a survivor of an attack documented above, asked:

What's my mistake? Why does the Taliban want to kill me? Is just because I shave my beard? I am a worker. I don't have any enemies. I don't know any of these Taliban, al Qaeda, etc. I don't know any of these people. I am not their enemy.

I didn't see any ISAF people that day near the ministry, I just saw my people; Afghan people. What was the target, the people? The Taliban, they were targeting everybody and nobody. I don't know what or who was the target that day. I don't know what their target *is*.

The Taliban only kill poor people. If they kill poor people did they hit their target? They are just trying to find money to eat and feed their families. If you kill the poor you will go to hell and never see paradise. Poor people, what problems do they cause?

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<sup>111</sup> Human Rights Watch interview with Roshan, Kabul, August 29, 2006.

Human Rights Watch also spoke with Ghulam Haidar, who was severely injured in a suicide attack on a civilian bus in Kabul in July 2005. Haidar told Human Rights Watch that attacks on civilians are “absolutely criminal.”

It doesn't matter which side is right, the Taliban side or the side of the government, the police and army, and the coalition forces. We don't talk about that, we don't judge which one is right. But these are the two groups, and they shouldn't target people like us who are walking on the streets.

I strongly condemn these [attacks on civilians] because this is not something humane. I totally disagree with what they do now. This is not the way of the mujahidin. It can never be acceptable [killing civilians] and they [the Taliban] can never justify that, what they do. They can never justify what they did to us.<sup>112</sup>

Mir Ahmad, who lost his son in a bombing in Herat, July 11, 2004, said:

The Taliban, they don't care about civilians on the street. Their aim was to get to the police but they did not. They did not care if they killed innocent people.<sup>113</sup>

Leila, a woman from Kabul who lost her child in a suicide attack in March 2006:

The people who did this are murderers. They have to pay for the blood of their victims, the blood of the poor children that died. There was another child, a little girl that died that day. People told me her intestines were on the street. Who will answer for this?<sup>114</sup>

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<sup>112</sup> Human Rights Watch interview with Ghulam Haidar, Kabul, August 28, 2006.

<sup>113</sup> Human Rights Watch interview with Mir Ahmad, Herat, September 3, 2006.

<sup>114</sup> Human Rights Watch interview with Leila, Kabul, September 6, 2006.

## V. Rising Civilian Casualties: Trends and Statistics

In addition to the accounts above, Human Rights Watch reviewed additional information about insurgent attacks in which civilians have been killed or injured, from published and unpublished accounts and reports. The following section presents some of our findings.

### *Civilians in the Crosshairs*

Insurgent forces launched a large number of attacks in 2006 in which civilians were killed or injured. Based on our own data, information collected from other reliable sources, including both domestic and international monitors, and a review of various accounts, Human Rights Watch found that in 2006 there were at least 350 cases in which insurgent attacks caused civilian deaths or injury. These attacks—including bombings, shootings, kidnapping and executions, and other violence—killed at least 669 Afghan civilians.<sup>115</sup>

(These figures do not include the numerous civilians killed and injured during military engagements between insurgents and Afghan government, NATO, and coalition forces.)

The totals cited here are conservative. Numerous Afghan officials and civilians have suggested that many deaths and injuries go unreported, and that violence in remote rural areas often remains unknown. The real number of civilian victims during insurgent attacks is likely higher.

Most civilians who died in insurgent attacks were killed in bomb attacks, although large numbers of civilians were also targeted in shootings or were killed after having been abducted.

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<sup>115</sup> In early January 2007, a US military intelligence officer told *The New York Times* that “the use of roadside bombs more than doubled to 1,677 last year from 783 in 2005. The number of what the military calls ‘direct attacks,’ meaning attacks by insurgents using small arms, grenades and other weapons, increased to 4,542 last year from 1,558 in 2005.” David Cloud, “US Says Attacks Are Surging in Afghanistan,” *New York Times*, January 16, 2007.

The following is a breakdown of the available data:

**Bomb Attacks (Suicide Attacks and “Improvised Explosive Devices” or IEDS):**

- In 2006, there were at least 189 bomb attacks in which civilians were killed or injured (these include suicide, IED, and other types of bomb attacks).
- The 189 bomb attacks killed 492 civilians and injured approximately 773, a total of over 1,000 casualties.
- At least 118 of the attacks appear to have been directed at military targets, while another 57 appear to have been directed at civilians or civilian objects. (In 14 other cases, the target was unclear.)
- The 118 bomb attacks that appeared to have been directed at military targets killed 268 civilians and injured approximately 534 more.
- The 57 bomb attacks that appeared to have been directed at civilians or civilian objects killed 192 civilians, and injured approximately 215 more.

**Shootings, Abductions, and Executions, and Other Non-bombing Attacks:**

- At least 177 other civilians were killed in targeted shootings, abductions/executions, or other types of non-bombing attacks.

*Suicide Attacks*

Suicide bombings, which were once very rare in Afghanistan, occurred on a regular basis in 2006. Two suicide attacks were reported in 2003; six in 2004, and 21 in 2005. In 2006, however, at least 136 suicide attacks were reported in Afghanistan—a six-fold increase from 2005. (Note: this amount is a subset of the 189 bomb attacks noted above.) The US military has cited similar numbers, reporting 139 attacks in 2006, which appears to include attacks that were not publicly reported.<sup>116</sup> US military commanders said they expected the number of suicide attacks to grow in 2007.<sup>117</sup>

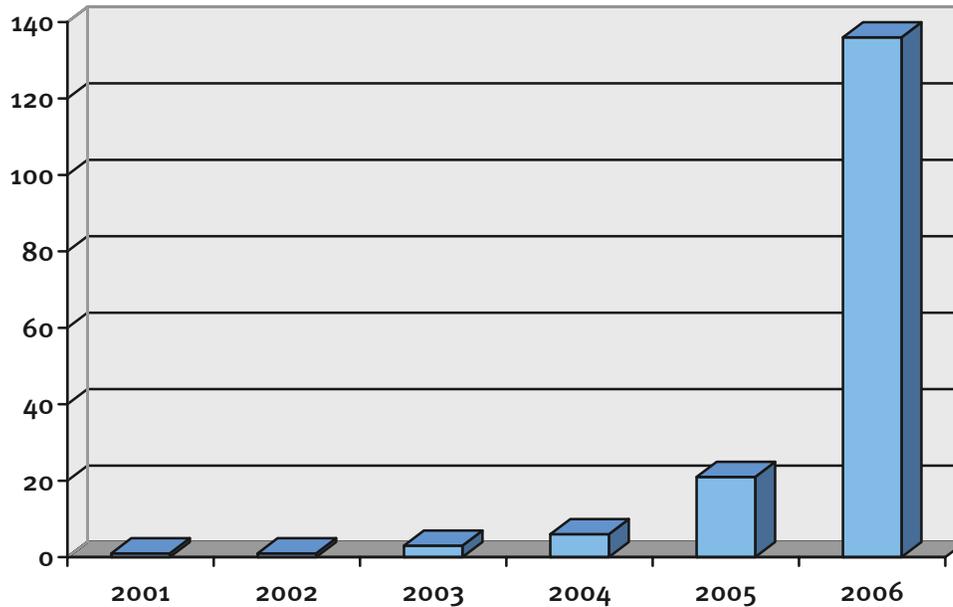
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<sup>116</sup> David Cloud, “US Says Attacks Are Surging in Afghanistan,” *New York Times*, January 16, 2007.

<sup>117</sup> “New US commander in Afghanistan expects rise in suicide attacks in 2007,” Associated Press, January 29, 2007 (quoting Maj. Gen. David M. Rodriguez, commander of the 82nd Airborne Division: “We’re expecting an increase in the suicide bombers and some of the other tactics that they have believed are successful. . . . So we expect to see that as well as the normal standoff type attacks and harassing kind of attacks on Afghan government officials, Afghan nationals, security forces, as well as coalition forces.”)

A total of 803 Afghan civilians were killed or injured in suicide attacks in 2006 (272 killed and 531 injured). The numbers of suicide attacks escalated in the second half of the year.<sup>118</sup>

### Suicide Attacks by Year



Sources: Data is based on recorded attacks compiled by Human Rights Watch in March 2007.

As discussed in the Legal Analysis section below, suicide attacks are not an unlawful method of combat. However, most suicide attacks in Afghanistan have violated the laws of war. Suicide bombers have typically attacked using perfidious means—that is, attackers have feigned protected civilian status to get close to targets. Suicide attacks have also frequently directed their attacks at civilians or civilian objects, or made no effort to minimize civilian casualties.

Taliban forces, which are believed responsible for the overwhelming majority of suicide attacks, have expressed little concern for the high civilian toll. Taliban commander Mullah Dadullah released a video in December 2006 lauding suicide

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<sup>118</sup> Collected data and reports of attacks are on file with Human Rights Watch. The Afghanistan NGO Security Office also issued a short report in December 2006 documenting a sharp escalation in suicide attacks in the last few months of 2006. See ANSO, “A Winters Tale: Less Attacks, More Threats,” December 2006.

attackers and claiming that they are particularly effective against foreign troops.<sup>119</sup> Taliban spokesman Qari Yousuf Ahmadi told Pajhwok Afghan News in December 2006 that attacks would continue in 2007, and that “Suicide attacks are part of our warfare approved by our supreme military council.”<sup>120</sup> Gulbuddin Hekmatyar has also spoken approvingly of the role of suicide attacks in insurgent activities.<sup>121</sup>

Statistics on casualties from suicide attacks in the past year highlight their lethality to the civilian population. Over 80 percent of suicide attacks in 2006 (112 attacks) appear to have been directed at military convoys or installations, while 13 percent (18 attacks) appeared to have been directed at civilians or civilian objects. (There were six bombings in which the intended target was unclear.) In the 18 suicide bombings that appear to have been directed at civilians or civilian objects, over 200 civilians were killed or injured (91 killed, 119 injured).

In theory, suicide bombers as weapons are very discriminate: a suicide bomber can detonate at a target with an accuracy that could match or exceed that of the most sophisticated guided weapon. It is thus not an inherently indiscriminate weapon, such as land mines. However, it appears that in some circumstances, suicide bombers become nervous or confused, and detonate their explosives accidentally or prematurely. In Afghanistan, many attackers in 2006 appear to have erroneously detonated their explosives away from intended targets, killing and injuring civilians. Thus while the majority of suicide attacks appear to be meant for military targets, the actual victims have been predominately civilian. Of the 112 bombings in which

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<sup>119</sup> See website of the Site Institute for review of video:

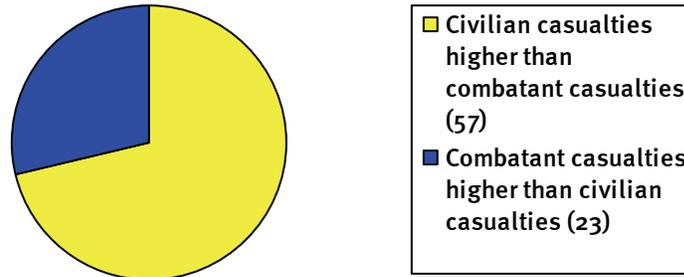
<http://www.siteinstitute.org/bin/articles.cgi?ID=publications239006&Category=publications&Subcategory=o>. Taliban spokesman Qari Yousuf Ahmadi also told Pajhwok Afghan News in December 2006: “Suicide attacks are part of our warfare approved by our supreme military council.” Pajhwok News, “Afghanistan’s record of suicide attacks in 2006,” January 6, 2007 (on file with Human Rights Watch). An October 2006 Associated Press interview with a Taliban commander provided some insights into the increasing popularity of suicide attacks in Afghanistan. See Noor Khan, “Taliban commander says ‘hundreds’ of suicide bombers ready in fight for Islamic law,” Associated Press, October 10, 2006. The correspondent interviewed a regional-level Taliban commander in Zabul, Mullah Nazir Ahmed Hamza, who explained: “Whenever the mujahedeen are preparing for jihad, it means they made a decision to sacrifice their lives. . . . Whenever we need a suicide attack, [I will] give my life and that day will be the luckiest day of my life. I am always ready to carry out a suicide attack against the Americans and their allies. . . . We want an Islamic state and Islamic law. We don’t want the Americans or any other Christians. . . . As a Muslim it’s my duty, I have to fight and I have to carry out jihad against the Americans until they leave.” Though likely more boastful than earnest, Commander Hamza’s statement does provide at least a view of the rhetoric that is being used to inspire suicide attacks.

<sup>120</sup> “Afghanistan’s record of suicide attacks in 2006,” Pajhwok News, January 6, 2007 (on file with Human Rights Watch).

<sup>121</sup> Interview with Gulbuddin Hekmatyar, “I live on the earth, underneath the sky,” *Cheragh* (Kabul), March 6, 2007.

suicide attackers appeared to be targeting military targets, 32 resulted in no civilian or combatant casualties.<sup>122</sup> Of the remaining 80 attacks on military targets in 2006, 57 attacks killed or injured more civilians than military or police. (See graph.)

### Suicide Attacks Targeting Afghan and International Security Forces in 2006



Sources: Data is based on recorded attacks compiled by Human Rights Watch in March 2007.

Overall, the 80 suicide attacks on military targets killed 181 civilians and 37 US, coalition, NATO, or Afghan military or police personnel. In other words, in suicide attacks on military targets in 2006, insurgents killed nearly five times as many civilians as combatants.

Suicide attacks overall have had an even greater impact on the Afghan civilian population. Combining attacks that appeared to be on military targets and attacks that appeared to be directed at civilians, a total of 803 Afghan civilians were killed or injured in suicide attacks in 2006 (272 killed and 531 injured). Suicide attacks overall have killed almost eight times as many civilians as combatants.

#### *Attacks on Schools*

The Afghan civilian death toll was not the only problem that grew worse in 2006. Insurgent forces also continued to target the Afghan educational system: Afghan schools, teachers, and parents. Human Rights Watch in a July 2006 report *Lessons in Terror* documented anti-government bomb and arson attacks—primarily against girls' schools—and killings of teachers and threats against parents.

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<sup>122</sup> To reiterate, this figure does not include the 18 intentional suicide attacks on civilians, cited above.

As discussed in that report, anti-government forces target schools either because of ideological opposition to secular education generally or to girls' education specifically, or because teachers and schools represent symbols of the government or the work of foreigners.

The problems detailed in *Lessons in Terror* have grown worse. In 2006 overall, anti-government forces carried out at least 190 attacks on teachers, school officials, students, and schools, including bombings, arson attacks and shootings—over twice as many as the 91 attacks on schools and teachers reported in 2005.<sup>123</sup>

The escalating attacks have continued to severely impact school attendance, especially in southern areas. In early August 2006, only a little more than half way through the year, UNICEF released figures indicating that in four main southern provinces more than half of all schools were closed because of attacks or threats, and that approximately 100,000 children had been driven out of school.<sup>124</sup> In August 2006, the Afghan ministry of education released a statement that 41 students, teachers, and school support staff were killed between January and July 2006 in insurgent attacks.<sup>125</sup>

In a speech in October 2006, President Karzai said that 200,000 children nationwide had been driven out of school by ongoing violence.<sup>126</sup>

### *Displacement and Lack of Development*

The armed conflict is also contributing to displacement and lack of development in many areas of Afghanistan.

From August to September 2006, an estimated 15,000 to 20,000 Afghan families—about 90,000 to 120,000 men, women, and children—fled their homes in the

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<sup>123</sup> See Appendix B, "Attacks on the Afghan Educational System 2005-2006."

<sup>124</sup> United Nations Children's Fund, "UNICEF fears progress in education will be reversed," August 4, 2006. UNICEF said that between January and July 2006 it had recorded 11 bombings, 50 arson attacks, 37 threats, and a missile attack.

<sup>125</sup> Afghanistan Ministry of Education, "Education Under Fire," August 2006. See also International Crisis Group, "Countering Afghanistan's Insurgency: No Quick Fixes," Asia Report No. 123, November 2, 2006, available at <http://www.crisisgroup.org/home/index.cfm?id=4485&l=1>.

<sup>126</sup> Pamela Constable, "Home schools operate secretly in fear of violence," *Washington Post*, October 13, 2006.

southern provinces of Helmand, Uruzgon, and Kandahar because of ongoing violence and armed conflict, according to the UNHCR and the Afghan government.<sup>127</sup> Approximately 115,000 other Afghans were already internally displaced within these provinces, meaning that, as of September 2006, at least 200,000 Afghans were reported to be displaced from their homes in these three provinces alone. In addition, an unknown number of others have been displaced in border regions of Paktika, Paktia, Khost, Nangahar, and Kunar. Millions of other refugees from all of these areas remain abroad in Pakistan or Iran.<sup>128</sup>

In late 2006, the Office of the UN High Commissioner for Refugees noted that it was incapable of providing assistance in numerous conflict-affected areas in the southeast:

The security situation is likely to remain a concern in the south and south-east of the country where anti-government groups remain active, using increasingly indiscriminate means, including ambushes, suicide bombings and IEDs. Such activities are expected to have an impact in slowing down administrative reforms at the provincial and district levels. UNHCR's direct access to returnees in Afghanistan is unlikely to be significantly improved in 2007.<sup>129</sup>

UNHCR's Global Appeal for 2007 makes clear that the situation remains grave:

At the time of writing, the situation in the south and south-east of the country remains extremely volatile, making it very difficult or impossible to have access to returnees. . . . The security situation

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<sup>127</sup> For a full collection of UN and government statistics and figures on displacement in southern Afghanistan, see Internal Displacement Monitoring Centre (IDMC), "Fighting in the south sets off new wave of displacement: a profile of the internal displacement situation," December 22, 2006, at <http://www.unhcr.org/cgi-bin/texis/vtx/rsd/rsddocview.pdf?tbl=RSDCOI&id=459e656d2> (accessed March 23, 2007).

<sup>128</sup> See *ibid.* See also UN High Commissioner for Refugees (UNHCR), "Afghanistan: 2007 Country Operations Plan," September 2006, p. 2, at: <http://www.unhcr.org/home/RSDCOI/4505323f2.pdf> (accessed March 23, 2007).

<sup>129</sup> See UNHCR, "Afghanistan: 2007 Country Operations Plan," p. 1.

continues to be a major concern and will likely restrain operational access, especially in the south and the south-east of the country.<sup>130</sup>

To help handle the continuing caseload of displaced Afghans, UNHCR has requested over US\$52 million, yet only expects about 400,000 refugees to return in 2007.<sup>131</sup>

There is little for refugees to return to. Besides ongoing violence, little government assistance or developmental or humanitarian aid is available in southern and southeastern areas. International and government assistance and development projects have been suspended in most districts within the south and southeast for most of the last two years.

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<sup>130</sup> See UNHCR, "Global Appeal 2007," pp. 205 and 208, at <http://www.unhcr.org/home/PUBL/455443a90.pdf> (accessed March 23, 2007).

<sup>131</sup> UNHCR, "Afghanistan: 2007 Country Operations Plan," pp. 2-5 and "Global Appeal 2007," pp. 205-206.

## VI. Legal Analysis

All parties to the military conflict in Afghanistan—Afghan government forces, US and other coalition forces, and insurgent groups—are bound by international humanitarian law (the laws of war).

International humanitarian law (IHL) imposes upon warring parties legal obligations to reduce unnecessary suffering and to protect civilians and other non-combatants. It is applicable to all situations of armed conflict, without regard to the legal basis for the conflict. That is, it applies whether the conflict itself is legal or illegal under international or domestic law, and whether those fighting are regular armies or non-state armed groups. All armed groups involved in a conflict must abide by IHL, and any individuals who violate IHL rules can be tried and convicted in domestic or international courts for their violations. The fact that insurgent forces are not the official government or military of Afghanistan is legally irrelevant to the applicability of international standards.

Insurgency itself is not a violation of international humanitarian law. The laws of war do not prohibit the existence of insurgent groups or their attacks on legitimate military targets. Rather, they restrict the means and method of insurgent attacks and impose upon them a duty to protect civilians and other non-combatants and minimize harm to civilians during military operations. International humanitarian law does not regulate *whether* states and armed groups can engage in hostilities, but rather *how* states and armed groups engage in hostilities.<sup>132</sup>

Human Rights Watch, consistent with our position of neutrality in armed conflicts, takes no position on the legality under international law of military operations by US,

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<sup>132</sup> However, with respect to non-government actors, the domestic law of Afghanistan is applicable with respect to many insurgent activities described in this report. Afghan law, like the laws of most nations, proscribes basic domestic crimes including murder, assault, arson, rebellion, and crimes relating to attacks on government forces or installations. See 1976 Penal Code of Afghanistan, art. 394 (murder); art. 407 (assault); arts. 491-493 (destruction of property); art. 173 (impairing the territorial integrity of Afghanistan or separating territory from the government's administration); art. 175 (taking up arms against Afghanistan); art. 177 (joining enemy forces); and art. 192 (destruction of military infrastructure). Individuals can be prosecuted for these domestic crimes in addition to any international violations.

NATO, and other coalition partners in Afghanistan, or of the insurgency against the Afghan government and its international allies.

## Applicable Treaties and Customary Law

Specific international humanitarian law provisions applicable in Afghanistan have changed as the nature of conflict in Afghanistan has evolved over the past five years. The initial US-led military operation against the Taliban government that began in October 2001 was considered to be an *international* armed conflict—a conflict between opposing states. The law applicable to international conflicts includes the four Geneva Conventions of 1949, to which Afghanistan and the United States are party, and the Hague Regulations of 1907, which are considered reflective of customary international law.<sup>133</sup>

After the fall of the Taliban government in November 2001 and with the creation of a government under President Hamid Karzai, the international armed conflict ended. Since then, hostilities have comprised a *non-international* armed conflict in which Afghan government forces and US, NATO, and other coalition partners are fighting against anti-government forces. (The conflict is not an international armed conflict under the conventions, since it is not a conflict between two or more states.)

Parties to a non-international armed conflict are obligated to observe applicable standards of the four 1949 Geneva Conventions, specifically, article 3 common to the conventions (“common article 3”), which provides standards for non-international armed conflict. All parties must also abide by the rules and obligations of customary law of armed conflict.<sup>134</sup> Much of the customary rules concerning the means and methods of warfare can be found in the two Additional Protocols of 1977 to the

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<sup>133</sup> See Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention), 75 U.N.T.S. 31, entered into force Oct. 21, 1950; Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Geneva Convention), 75 U.N.T.S. 85, entered into force Oct. 21, 1950; Geneva Convention relative to the Treatment of Prisoners of War (Third Geneva Convention), 75 U.N.T.S. 135, entered into force Oct. 21, 1950; Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 75 U.N.T.S. 287, entered into force Oct. 21, 1950. See also Convention (IV) Respecting the Laws and Customs of War on Land and the Annexed Regulations Concerning the Laws and Customs of War on Land of 18 October 1907 (Hague Regulations), 3 Martens Nouveau Recueil (ser. 3) 461, 187 Consol. T.S. 227, entered into force January 26, 1910. Afghanistan became a party to the Geneva Conventions in 1956.

<sup>134</sup> See Art. 3 common to the four 1949 Geneva Conventions. The customary rules of armed conflict have been set out in International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law* (Cambridge, UK: Cambridge University Press, 2005).

Geneva Conventions, which are largely considered reflective of customary international humanitarian law.<sup>135</sup>

In 2003, Afghanistan ratified the Rome statute of the International Criminal Court (ICC).<sup>136</sup> Accordingly, all persons in Afghanistan responsible for war crimes and other violations of the Rome statute committed after May 2003, when the statute went into effect in Afghanistan, are subject to the ICC's jurisdiction.<sup>137</sup>

International human rights law is also applicable in the current conflict. In the context of hostilities occurring as part of armed conflict, international humanitarian law, as the *lex specialis*, or specialized law, takes precedence but does not replace human rights law. Persons under the control of government or armed opposition forces in an internal armed conflict must in all cases be treated in accordance with international humanitarian law, which incorporates important human rights standards. (And where that law is absent, vague, or inapplicable, human rights law still applies.<sup>138</sup>)

The rules above are not arbitrary standards, foreign to Afghanistan, or un-Islamic. On the contrary, these standards are considered throughout the world to be customary international law, and are solidly supported by statements and practice of

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<sup>135</sup> See Protocol Additional to the Geneva Conventions of August 12, 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1125 U.N.T.S. 609, entered into force December 7, 1978 (hereinafter "Protocol I"). Protocol I applies as treaty law only to international armed conflict, and Afghanistan has not ratified it, but many of its provisions, including those in articles 48-54, are widely considered reflective of customary international law applicable to international and non-international conflict. See also Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), adopted June 8, 1977, 1125 U.N.T.S. 3, entered into force December 7, 1978, art. 13(2). Afghanistan has not ratified this protocol, but as with Protocol I, many of its articles are widely considered to be reflective of customary international law.

<sup>136</sup> Rome Statute of the International Criminal Court (Rome Statute), U.N. Doc. A/CONF.183/9, July 17, 1998, entered into force July 1, 2002.

<sup>137</sup> Human Rights Watch made a public statement on the date Afghanistan ratified the statute, warning armed forces that any violations they might commit after May 1, 2003, could be punished as offenses under ICC jurisdiction. See "Afghanistan: Warlords Face International Criminal Court: Future War Crimes Can Be Prosecuted," Human Rights Watch News Release, February 10, 2003, <http://hrw.org/press/2003/02/afghano20903.htm>.

<sup>138</sup> Human rights law can be found, for instance, in the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, both of which have been ratified by Afghanistan. See International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, acceded to by Afghanistan on January 24, 1983; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, ratified by Afghanistan on April 1, 1987.

combatants in every continent. These standards have been regularly invoked or cited by state and non-state actors in Afghanistan, and in Africa, Asia, South America, and the Middle East. The Geneva Conventions have been ratified by every nation in the world, and common article 3 and numerous other provisions are considered customary international law.

Afghanistan has long accepted the Geneva Conventions and international humanitarian law. The government of Afghanistan ratified the Geneva Conventions over fifty years ago, in September 1956. The International Committee of the Red Cross (ICRC), the international agency that promotes adherence to the Geneva Conventions, has been active in and around Afghanistan since the late 1970s, and ICRC representatives at various times met with Afghan mujahidin commanders, including Taliban commanders now fighting against the coalition and government, to provide instruction on applicable IHL standards, among other humanitarian activities. The Taliban and other insurgents have accepted medical and other assistance from the ICRC in years past, assistance provided as part of the ICRC's mandate under the Geneva Conventions.

Notably, insurgent commanders themselves have invoked international standards in the past. In the late 1970s and 1980s, mujahidin commanders regularly invoked international standards publicly to condemn Soviet and Afghan government attacks in violation of international law and other illegal practices. For instance, in October 1985, at the height of the Soviet occupation of Afghanistan, several mujahidin representatives traveled to the United Nations in New York and condemned war crimes and human rights abuses committed by Soviet forces. They submitted a statement, signed by Gulbudin Hekmatyar, stating that "Soviet conduct in Afghanistan makes a mockery of the U.N. charter, the Declaration of Human Rights, international law and the norms of civilized behavior."<sup>139</sup> During US-led military operations against the Taliban in late 2001, Taliban officials repeatedly invoked human rights and law of war norms in condemning US actions.<sup>140</sup>

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<sup>139</sup> "The Leaders of Afghanistan's Resistance Groups Called on the U.N. to order Withdrawal of Soviet Troops," PR Newswire, October 24, 1985.

<sup>140</sup> See, for example, "2,000 Afghans killed in US bombing: Taliban," Xinhua, November 11, 2001 (quoting Taliban official Suhail Shahan condemning "indiscriminate" bombing attacks); "Taliban deny US air supremacy, claim high civilian toll," Agence France-Presse, October 10, 2001 (citing Taliban official Abdul Salam Zaef: "It is our message to the Muslims of

Human rights groups working in Afghanistan over the last 25 years—including Human Rights Watch—have also repeatedly invoked international humanitarian law and human rights law to criticize foreign governments operating on Afghan territory. Human Rights Watch repeatedly invoked IHL and human rights standards to criticize Soviet forces in the 1980s,<sup>141</sup> and more recently have invoked these norms to criticize US and coalition forces.<sup>142</sup> The Organization of Islamic Conferences has also invoked Geneva Conventions norms and human rights standards in its resolutions on armed conflict, including in connection with the Soviet occupation of Afghanistan and civil conflict in the 1990s.<sup>143</sup>

## Applying Legal Standards to Insurgent Activities

Many of the attacks detailed in this report violated international humanitarian law and involved illegal methods of warfare which forces were obligated not to use.

### *Obligation to Distinguish Combatants from Civilians*

Numerous cases are detailed in this report of insurgent forces carrying out attacks that were *intentionally directed at civilians or civilian buildings or areas*. Such attacks included bombings in civilian areas, and bombings or ambushes on civilian officials or humanitarian aid workers. Human Rights Watch gathered reports of as

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America and all human rights organizations that they should show their opposition to such atrocities being made by America against the people of Afghanistan.” See also “Taliban execute key rebel leader as US jets hit civilians, aid depot,” Agence France-Presse, October 27, 2001 (citing Taliban Education Minister Amir Khan Muttaqi: “The international human rights organizations should put pressure on the Americans not to use cluster bombs.”)

<sup>141</sup> For more information on human rights abuses and violations of international humanitarian law during the Soviet occupation of Afghanistan, see Helsinki Watch and Asia Watch (now Human Rights Watch), *Tears, Blood, and Cries: Human Rights in Afghanistan Since the Invasion, 1979 to 1984* (New York: Human Rights Watch, 1984); Helsinki Watch and Asia Watch (now Human Rights Watch), *To Die in Afghanistan* (New York: Human Rights Watch, 1985); Helsinki Watch and Asia Watch (now Human Rights Watch), *To Win the Children* (New York: Human Rights Watch, 1986); Helsinki Watch and Asia Watch (now Human Rights Watch), *By All Parties to the Conflict* (New York: Human Rights Watch, 1988). See also, Jeri Laber and Barnett R. Rubin, *A Nation is Dying* (Illinois: Northwestern University Press, 1988); Amnesty International, *Afghanistan: Torture of Political Prisoners* (London: Amnesty International Publications, 1986).

<sup>142</sup> See, for example, Human Rights Watch, *Enduring Freedom: Abuses by US Forces in Afghanistan*, vol. 16, no. 3(C), March 2004, <http://hrw.org/reports/2004/afghanistano304/>.

<sup>143</sup> See, for example, Resolution No. 1/EOS, “The Soviet Military Intervention in Afghanistan and on Its Ensuing Effects,” First Session of the Islamic Conference of Foreign Ministers, Islamabad, Pakistan, January 27-29, 1980 (noting that “the military operations of [Soviet] troops against the Afghan people flout international covenants and norms and blatantly violate human rights,” and that the OIC “condemns the Soviet military aggression against the Afghan people, denounces and deplores it as a flagrant violation of international laws, covenants, and norms.”). See also Islamic Conference of Foreign Ministers (Bangladesh), December 6-11, 1983 (invoking the 1949 Geneva Conventions in connection to the Iran-Iraq war and Israeli military activities in Palestinian territories and Lebanon); and OIC resolutions on Kosovo and Israel adopted during the Islamic Summit Conference (Doha), November 11-12, 2000 (also invoking the 1949 Geneva Conventions).

many as 177 separate attacks in 2006 that appear to have been intentionally directed at civilians or civilian objects, several of which were detailed in Chapter 3 of this report.

Intentional attacks on civilians are flatly prohibited under international humanitarian law, which makes the intentional targeting of civilians a war crime. One of the most basic rules of armed conflict is that parties to a conflict must distinguish between combatants and civilians and should not intentionally target civilians or other persons not taking direct part in hostilities. The principle exists in both international treaty law and customary international law.<sup>144</sup> The ICC statute also makes the intentional targeting of civilians a war crime.<sup>145</sup>

Civilians cannot be attacked unless and for only such time as they take a *direct part in hostilities*. According to the ICRC commentary to Protocol I, “direct participation [in hostilities] means acts of war which by their nature and purpose are likely to cause actual harm to the personnel and equipment of enemy armed forces.”<sup>146</sup> Direct participation in hostilities “implies a direct causal relationship between the activity engaged in and the harm done to the enemy at the time and the place where the activity takes place.”<sup>147</sup> Typically, civilians who fire weapons, directly assist combatants on the battlefield, such as by loading weapons or acting as artillery spotters, are considered to be directly participating in the hostilities.

“Hostilities” not only covers the time when the civilian actually makes use of a weapon but also the time that he is carrying it, as well as situations in which he

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<sup>144</sup> See Common Article 3 of the four Geneva Conventions (applicable in non-international armed conflict, and prohibiting acts against “persons taking no active part in the hostilities,” including “violence to life and person, in particular murder of all kinds,” as well as “the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court.”). See also International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law* (Cambridge, UK: Cambridge University Press, 2005), Volume 1: Rules 1 and 7, pp. 3 and 25: “The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed at civilians. . . . The parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Attacks must not be directed against civilian objects.” See also Protocol I, articles 48-54; Protocol II art. 13(2).

<sup>145</sup> Rome Statute, art. 8(2)(e)(i).

<sup>146</sup> ICRC, *Commentary on the Additional Protocols*, p. 619.

<sup>147</sup> Bothe, *New Rules for Victims of Armed Conflicts*, p. 303.

undertakes hostile acts without using a weapon.<sup>148</sup> Persons planning military operations or directing attacks would also be considered directly participating in hostilities. In case of doubt whether a person is a civilian, all forces should assume such a person is a civilian.<sup>149</sup>

### **Afghan Police: Civilians or Combatants?**

Police normally have the status of civilians.<sup>150</sup> However, police units that take part in military operations or otherwise engage in military functions may be targeted as combatants. Individual police may only be targeted during such time that they take a direct part in the hostilities.<sup>151</sup>

Although insurgent groups have carried out numerous attacks on police officers or police convoys in 2006, Human Rights Watch has not counted police deaths in the approximately 650 civilians killed in insurgent attacks, noted above. Human Rights Watch has taken this admittedly conservative approach because of difficulties in conducting research about attacks on police to determine whether the attacks were lawful under international standards. It is likely, however, that many attacks on police in 2006 were not legal, as many police officers working in Afghanistan are not directly taking part in hostilities, but instead engage in basic police activities: investigating ordinary crimes, directing traffic, and guarding civilian government offices.

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<sup>148</sup> ICRC, *Commentary on the Additional Protocols*, p. 618-19. This is a broader definition than “attacks” and includes at a minimum preparation for combat and return from combat. Bothe, *New Rules for Victims of Armed Conflicts*, p. 303.

<sup>149</sup> Protocol I, Article 50(1). Some states have expressed reservations about the military implications of a strict interpretation of this rule. According to the ICRC, “when there is a situation of doubt, a careful assessment has to be made as to whether there are sufficient indications to warrant an attack. One cannot automatically attack anyone who might appear dubious.” See ICRC, *Customary International Humanitarian Law*, pp. 23-24. There are a number of gray areas in the phrase “direct participation in the hostilities.” These relate not only to the civilian’s activity and whether it is direct participation or not, but also to its geographic or temporal beginning and end. That is, there is little clarity as to when a civilian with a weapon actually begins participating in the hostilities, and at what point the participation ends.

<sup>150</sup> See Bothe, *New Rules for Victims of Armed Conflicts*, p. 240; Report of Working Group B, Committee I, 18 March 1975 (CDDH/I/238/Rev.1; X, 93), in Howard S. Levie, ed., *The Law of Non International Armed Conflict*, (Dordrecht, Netherlands: Martinus Nijhoff, 1987), p. 67.

<sup>151</sup> ICRC, *Customary International Humanitarian Law*, rule 4, citing Protocol I, article 43(1). The commentary to rule 4 states: “Incorporation of paramilitary or armed law enforcement agencies into armed forces is usually carried out through a formal act, for example, an act of parliament. In the absence of formal incorporation, the status of such groups will be judged on the facts and in the light of the criteria for defining armed forces. When these units take part in hostilities and fulfill the criteria of armed forces, they are considered combatants.” *Ibid.* p. 17.

Politicians and civilian government employees, civilian officials and staff of foreign governments, humanitarian aid workers, journalists, and contractors without a military function are all protected civilians under the laws of war, and cannot be targeted for attack. Any attacks directed at such persons are prohibited.

### *Indiscriminate and Disproportionate Attacks*

International humanitarian law prohibits, as war crimes, attacks that use means or methods of attack that do not distinguish between civilians and combatants, and attacks in which the expected civilian loss is disproportionate to the anticipated military gain. Many of the attacks described in Chapter 3 above appear to have violated these requirements, as well as prohibitions against attacks that do not seek to minimize civilian casualties or are perfidious.

The ICRC articulates the rule against *indiscriminate* attacks as follows:

Indiscriminate attacks are those:

- which are not directed against a specific military objective;
- which employ a method or means of combat which cannot be directed at a specific military objective;
- which employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law;
- and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.<sup>152</sup>

Indiscriminate attacks include attacks in the vicinity of civilians or civilian areas that use bombs or other explosive materials so powerful that explosions cannot be limited to military targets. For instance, if an attacker uses a bomb to target a military convoy passing through a populated area that can be expected to cause destruction

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<sup>152</sup> ICRC, *Customary International Humanitarian Law*, rule 12, citing Protocol I, art. 51, which states: “Among others, the following types of attacks are to be considered as indiscriminate: an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects. . . .”

to combatants and civilians alike, without any distinction, the attack may be indiscriminate.

The ICRC explains the rule against *disproportionate* attacks as follows:

Launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited.<sup>153</sup>

Under international humanitarian law, a “military objective” is an object or a target, selected by its nature, location, purpose, or use, that contributes effectively to the enemy’s military capability, and whose destruction or neutralization offers a definite military advantage in the circumstances.<sup>154</sup> The anticipated military advantage must be *concrete* and *direct*, and not merely potential or theoretical.

Legitimate military objectives include the enemy’s forces, weapons, convoys, installations, and supplies. In addition, objects generally used for civilian purposes, such as houses, buses, taxicabs, or a civilian airfield, can become military objectives if their location or use—such as being used by enemy troops—meets the criteria for a military objective.<sup>155</sup> However, the laws of war characterize all objects as civilian unless they satisfy the test mentioned above. Objects normally dedicated to civilian use, such as houses, mosques, churches, and schools, are presumed not to be military objectives.

There is no specific formula for what constitutes a disproportionate attack. Excessive damage is a relative concept. The presence of a single soldier cannot serve as a justification to destroy an entire village. If the destruction of a bridge is of paramount importance for the occupation of a strategic zone, “it is understood that some

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<sup>153</sup> ICRC, *Customary International Humanitarian Law*, rule 14, citing Protocol I, art. 51(5). See also ICRC, rule 8, citing Protocol I, art. 52(2).: “[M]ilitary objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose partial or total destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”

<sup>154</sup> ICRC *Customary International Humanitarian Law*, rule 8, citing Protocol I, art. 52(2).

<sup>155</sup> Bothe, *New Rules for Victims of Armed Conflicts*, pp. 306-07.

houses may be hit, but not that a whole urban area be leveled.”<sup>156</sup> By contrast, if an attack is directed at a high-value military target, it is conceivable that a higher number of civilian casualties might be legally justifiable under the laws of war. However, the fact that an attack is directed at a military objective does not absolve the attacking party of responsibility for civilian deaths. Indiscriminate methods of attack are still impermissible, and there is never a justification for *excessive* civilian casualties, no matter how valuable the intended military target.<sup>157</sup>

### *Taking Precautions to Minimize Harm to Civilians*

International humanitarian law makes the above rules into positive obligations.

As the ICRC articulates these obligations:

- In the conduct of military operations, constant care must be taken to spare the civilian population, civilians, and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians, and damage to civilian objects.<sup>158</sup>
- Each party to the conflict must do everything feasible to verify that targets are military objectives.<sup>159</sup>
- Each party to the conflict must take all feasible precautions in the choice of means and methods of warfare with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians, and damage to civilian objects.<sup>160</sup>
- Each party to the conflict must do everything feasible to assess whether the attack may be expected to cause incidental loss of civilian life, injury to civilians,

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<sup>156</sup> ICRC, *Commentary on the Additional Protocols*, p. 684.

<sup>157</sup> *Ibid.*, p. 626.

<sup>158</sup> ICRC, *Customary International Humanitarian Law*, rule 15, citing Protocol I, art. 57(1); Protocol II, art. 13(1).

<sup>159</sup> ICRC, *Customary International Humanitarian Law*, rule 16, citing Protocol I, art. 57(2)(a).

<sup>160</sup> ICRC, *Customary International Humanitarian Law*, rule 17, citing Protocol I, art. 57(2)(a).

damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.<sup>161</sup>

- Each party to the conflict must do everything feasible to cancel or suspend an attack if it becomes apparent that the target is not a military objective or that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.<sup>162</sup>

These rules place obligations on parties to a conflict to take affirmative steps to minimize civilian casualties.

In the incidents documented in this report, Human Rights Watch found little evidence to suggest that insurgent forces were in any way seeking to minimize civilian losses. Many insurgent attacks in 2006 have unfolded in a typical way: an Afghan government vehicle or ISAF or coalition convoy is traveling through a city or village. As it passes by a set of shops or houses, a civilian car pulls into traffic alongside the convoy, and then explodes. Possibly a small number of troops or government personnel are injured and their vehicle is damaged. At the same time, a significant number of surrounding civilian buildings are destroyed, and numerous civilians are killed or injured.<sup>163</sup> Indeed, in many attacks, insurgents appeared to have purposefully conducted attacks in the midst of crowds to conceal their attack, itself a violation of international law.

In order to avoid violating international law, insurgent forces must take better measures to protect civilians. Minimizing civilian losses could mean attacking

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<sup>161</sup> ICRC, *Customary International Humanitarian Law*, rule 18, citing Protocol I, art. 57(2)(a).

<sup>162</sup> *Ibid.*, Rule 19, citing Protocol I, art. 57(2)(b).

<sup>163</sup> Attacks of this type are detailed in Chapter 3 of this report, for instance, the August 3, 2006 suicide car bomb attack in a crowded market in Panjwai Markaz, near Kandahar, which killed at least 22 civilians, including children, and wounded dozens more. The intended target, a Canadian patrol 200 meters from the blast, was unharmed. To take a more recent example, on December 14, 2006, a suicide bomber attacked an Afghan police vehicle in Qalat, in the southern province of Zabul. Only two police officers were wounded, but four civilians were killed and approximately 20 more injured, including four children. See Abdul Waheed Wafa, "4 Are Killed And 22 Hurt In Bomb Attack In Afghanistan," *New York Times*, December 15, 2006. As noted in Appendix A, many other attacks of this kind occurred through 2006.

military targets outside of crowded populated areas, or conducting attacks during a time of day when there would be fewer civilians out on the streets. Attacks that cannot be lawfully carried out must be cancelled or suspended.

### *Acts Intended to Spread Terror*

This report has described several attacks in which the apparent aim of the insurgents was not merely to harm specific individuals, but to generate broader fear among the civilian population. This aim violates international legal norms.

Parties to a conflict cannot engage in acts or threats of violence primarily intended to cause terror or “extreme fear” among civilians.<sup>164</sup> For instance, this would include the abduction or shooting of humanitarian aid workers in which the insurgents claim that such persons can be targeted because they are working with the government, as part of an apparent effort to drive out the larger humanitarian aid community. Insurgent groups have also regularly left “night-letters” warning civilians not to cooperate with government or international military forces or NGOs, or else face violence. And insurgents have bombed or set fire to schools in dozens of districts across Afghanistan with the apparent broader goal of disrupting the educational system. Depending on the attacker’s intent, bombings directed at crowded civilian areas might also violate this rule, in addition to being an unlawful attack on civilians.

### *Perfidy and its Effects on the Civilian Population*

In many of the attacks detailed in this report, anti-government forces have feigned civilian status—pretended to be civilians—in order to carry out attacks.

Under international law, this tactic violates the laws of war prohibitions against *perfidy*. Perfidious attacks are acts “inviting the confidence of an adversary to lead him to believe that he is entitled to, or is obliged to accord, protection under the rules of international law applicable in armed conflict, with intent to betray that confidence.”<sup>165</sup> Examples of perfidy include “the feigning of civilian, non-combatant

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<sup>164</sup> ICRC, *Customary International Humanitarian Law*, rule 2, citing Protocol I, art. 51(2) and Protocol II, art. 13(2). While applying this rule in 2003, the international criminal tribunal for the Former Yugoslavia stated that terror could be understood also as “extreme fear.” See *Prosecutor v. Galic*, Case No. IT-98-29-T (Trial Chamber), December 5, 2003, para. 137.

<sup>165</sup> See ICRC, *Customary International Humanitarian Law*, rule 65, citing Protocol I, art. 37.

status.”<sup>166</sup> The ICC statute makes perfidy a war crime during a non-international armed conflict, listing it as “killing or wounding treacherously a combatant adversary.”<sup>167</sup>

This has especially been the case during suicide bomb attacks (discussed below) where suicide bombers almost always feign protected status as civilians to safely approach military targets, such as convoys and checkpoints, on foot or in a vehicle before detonating their weapon.<sup>168</sup>

The rule against perfidy is meant not only to promote “honorable” war-fighting on the battlefield, but also to protect civilians and other persons and objects protected by international law.<sup>169</sup> It is linked to other rules that are meant to protect civilians, such as the rule against using civilians as “shields.”

Specifically, prohibiting combatants from feigning civilian status is meant in part to ensure the principle of distinction between combatants and civilians.<sup>170</sup>

The prohibition is intended to minimize cases in which combatants mistakenly target civilians believing them to be combatants. Perfidious attacks have a damaging psychological impact on Afghan civilians and on Afghan government, coalition, and NATO forces, whose personnel fear that at any moment they may be killed by another “civilian” nearby. As a result, it increases the likelihood that actual civilians will be mistaken for suicide attackers by government, coalition, and NATO forces, and mistakenly attacked.

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<sup>166</sup> See *ibid.*

<sup>167</sup> Rome Statute, art. 8(2)(e)(ix). The phrase “killing or wounding treacherously,” from the 1907 Hague Regulations, art. 23(b) is equivalent to perfidy.

<sup>168</sup> In addition to cases cited in this report, other examples include a December 2006 ANSO report: “15th December, 1500hrs, Barmal District [Paktia]. A male suicide bomber in *burka* (veil) detonated his IED at the entrance of Shkin ANA base in the above-mentioned district.” An Associated Press dispatch: “Kandahar—A suicide car bomber attacked a NATO convoy Thursday in southern Afghanistan, leaving 15 civilians killed or wounded, police said. No NATO troops were hurt in the blast. . . .” See “15 civilians killed or badly wounded in Afghan blast,” Associated Press, December 7, 2006.

<sup>169</sup> See ICRC Commentary to Protocol I, p. 430.

<sup>170</sup> See *ibid.*

Such effects can be readily seen in incidents in which Afghan or international forces fire on civilian motorists who they mistakenly believe are suicide bombers—a regular occurrence in southern provinces and even around Kabul.

In November and December 2006 alone, Human Rights Watch collected reports of at least 17 Afghan civilian motorists shot by NATO or coalition troops in circumstances suggesting that NATO forces erroneously suspected the motorists of being suicide attackers.<sup>171</sup> (Nine of the seventeen died.) These numbers are just from the last few months of 2006, when NATO began keeping more accurate records.

NATO press statements about these attacks, which could not be verified, provide some information about how these shootings can unfold. For example:

(23 November) – Early yesterday morning, an incident involving an ISAF convoy traveling on the Bagram Road resulted in the death of one Afghan and the injury of 4 others. A civilian van was observed driving suspiciously in the vicinity of the convoy; ISAF troops signaled for the vehicle to stop and fired a number of shots. The driver subsequently lost control of the van and unfortunately crashed. Regrettably, one of the civilians was killed and 4 were injured. The casualties were taken to Kabul ANA hospital for medical treatment.<sup>172</sup>

Another report reads:

(27 December) – This morning, an ISAF security patrol was involved in a tragic incident resulting in the death of a young Afghan civilian. A vehicle approaching the patrol failed to heed warnings to stop. The

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<sup>171</sup> See various press releases from the International Security Assistance Force (ISAF), November 16, 2006; November 23, 2006; November 27, 2006; November 28, 2006; November 30, 2006; December 13, 2006; and December 27, 2006, available at [http://www2.hq.nato.int/isaf/Update/media\\_press.htm](http://www2.hq.nato.int/isaf/Update/media_press.htm).

<sup>172</sup> Press Release, International Security Assistance Force (ISAF), November 23, 2006, available at [http://www2.hq.nato.int/isaf/update/press\\_releases/newsrelease/2006/pro61122-297.htm](http://www2.hq.nato.int/isaf/update/press_releases/newsrelease/2006/pro61122-297.htm).

patrol fired upon the vehicle, unfortunately killing one Afghan civilian. . . . ISAF deeply regrets this loss of life.<sup>173</sup>

The use of perfidious attacks by one party to an armed conflict does not excuse unlawful attacks in response. Afghan government and international forces still have an obligation to ensure that attacks are directed at military targets and not civilians, and to call off an attack when the civilian nature of a target becomes known.<sup>174</sup>

Yet there have been several instances where international forces have responded to suicide attacks by firing indiscriminately on civilians.

In Kandahar city in late November 2006, ISAF personnel, fleeing from the scene of a vehicle suicide attack in which three soldiers in their convoy were injured, fired on several civilian motorists. Three civilians were reported killed by the gunfire, and approximately seven others were wounded.<sup>175</sup> An ISAF spokesperson confirmed that ISAF personnel discharged their weapons in the wake of the attack, and said they were responding to what they perceived were potential suicide car bombs: “This is not to say that they were fired in a cavalier fashion, but the convoy had just been attacked by a suicide bomb. They had the right to self defence.”<sup>176</sup> (A similar incident occurred with US military forces in Nangahar in March 2007, during which at least 10 civilians were shot and killed.<sup>177</sup>)

The UN Assistance Mission in Afghanistan (UNAMA) in December 2006 raised concerns about anti-government forces’ use of perfidy and feigning civilian status,

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<sup>173</sup> Press Release, International Security Assistance Force (ISAF), December 27, 2006, available at [http://www2.hq.nato.int/isaf/Update/Press\\_Releases/newsrelease/2006/pro61227-395.htm](http://www2.hq.nato.int/isaf/Update/Press_Releases/newsrelease/2006/pro61227-395.htm).

<sup>174</sup> See generally ICRC, *Customary International Humanitarian Law*, “Precautions in Attack,” chapter 5.

<sup>175</sup> The United Nations Assistance Mission prepared a report on the incident in December 2006 indicating that the Herat city hospital reported seven victims with gunshot wounds, and that the local office of the Afghan human rights commission reported three fatalities. See UNAMA memorandum, “Taliban suicide attack and UK ISAF firing upon Afghan civilians, 03 December 2006, Kandahar,” December 2006, on file with Human Rights Watch. See also Noor Khan, “3 die, 19 hurt in Afghan blast, gunfire,” Associated Press, December 3, 2006.

<sup>176</sup> See Tom Coghlan, “Three Marines hurt in Afghan suicide attack,” *The Telegraph* (UK), December 5, 2006.

<sup>177</sup> See Human Rights Watch, “Afghanistan: US Should Investigate Civilian Deaths,” March 6, 2007, <http://hrw.org/english/docs/2007/03/06/afghan15446.htm>. US military commanders ordered an investigation into the incident and ordered the US Marines unit involved to leave Afghanistan. See Robert Burns, “Marine unit ordered out of Afghanistan,” Associated Press, March 23, 2007.

and about NATO forces' rules of engagement for situations in which they have come under attack by suicide bombers using perfidious disguise. The report specifically raised the following "key issues":

- Increased risk to civilians due to frequent insurgent attacks with disregard for the civilian population.
- Increasing number of incidents in which NATO/ISAF has fired at civilians who have strayed too close to traveling convoys.<sup>178</sup>

### *Suicide Bombing Attacks*

Many of the insurgent attacks discussed in this report were carried out by suicide bombers wearing explosive-laden vests or driving vehicles filled with explosives.

Suicide attacks are not an unlawful means of attack under international humanitarian law, and the suicidal methodology is irrelevant to its legality. For example, Japanese kamikaze attacks against US military forces during World War II were lawful attacks on military targets. And as noted above, over 80 percent of suicide attacks in Afghanistan in 2006 (112 attacks) appear to have been directed at military convoys or installations. Yet most insurgent suicide attacks in 2006 appear to have violated the laws of war.

First, suicide bombers have at times targeted civilians or civilian objects during their attacks, not military targets. Many of these attacks on civilians have been devastating. As noted above, over 200 civilians have been killed or injured in the 18 suicide bombings in 2006 that appear to have been directed at civilians or civilian objects (91 killed, 119 injured).

Second, in virtually all of the cases from 2006 investigated by Human Rights Watch in which suicide bombers attacked military objectives, the attacker feigned civilian

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<sup>178</sup> UNAMA, "Taliban suicide attack and UK ISAF firing upon Afghan civilians, 03 December 2006, Kandahar," December 2006, on file with Human Rights Watch. The report also states: "Scores of innocent Afghan men, women and children have been displaced, terrorized, injured and killed as the Taliban target the Afghan government and NATO/ISAF with scant regard for civilian lives. Military operations by the Afghan government and NATO/ISAF have also taken lives and contributed to an atmosphere of fear."

status, violating the prohibition against perfidy. Attackers did not carry their weapons openly or wear insignia or uniforms identifying themselves as combatants. Rather, they dressed as civilians and with their explosives hidden, and then used their civilian status to get close to targets. Not only was this unlawful, but, as detailed above, it makes it more likely that belligerent forces may erroneously target civilians during military operations, mistakenly believing they are combatants.

Third, insurgent commanders have continued to carry out suicide bomb attacks after it became apparent that, in practice, the method of attack was indiscriminate, killing combatants and civilians without distinction, and perhaps disproportionate to any expected military gain. In theory, suicide bomb attacks are very precise, with the attacker able to determine specifically where and when to detonate the explosives. However, Human Rights Watch found that in practice bombers frequently panic or make misjudgments, setting off explosives at the wrong time or place—and without regard to civilians nearby. This has occurred time and again through 2006 and into 2007, with great loss of civilian life. Commanders who knowingly deploy such an indiscriminate weapon are committing war crimes.

### *Justifications by Insurgent Forces*

Insurgent forces in Afghanistan often claim that their military operations are generally lawful, or that the targeting of civilians is legally permissible.

Media statements by various Taliban commanders and spokesmen, and documents attributed to the Taliban *shura* (council), indicate that Taliban leaders consider it permissible to attack Afghan government workers and teachers, employees of non-governmental organizations, or anyone who supports the government of President Hamid Karzai. Taliban spokesmen have at various times claimed responsibility for various kidnappings and killings of foreign humanitarian aid workers, claiming that they are killed because they are “spying for the Americans” or for NATO or coalition forces.<sup>179</sup> Such statements not only implicate Taliban leaders in war crimes, but they facilitate and encourage lower level commanders in violations of the laws of war.

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<sup>179</sup> Statement of Taliban spokesperson Qari Mohammad Yousuf to a Reuters correspondent. “Afghans launch hunt for kidnapped Albanians,” Reuters, March 12, 2006. This statement concerned four kidnapped Macedonian citizens (initially and

A “rulebook” issued by the Taliban leadership in December 2006 explains why the Taliban believes civilians and civilian infrastructure can be targeted for attack:

Working for the current puppet regime is not permitted, either in a madrassa [religious school] or as a schoolteacher, because that provides strength to the infidel system. In order to strengthen the new Islamic regime, Muslims should hire a religious teacher and study in mosque or another suitable place and the textbooks used should be from the *mujahid* [anti-Soviet war] time or the Taliban time.

Those who are working in the current puppet regime as a madrassa teacher or school teacher should be warned. If he doesn’t stop he should be beaten. But if a teacher is teaching against true Islam he should be killed by the district commander or a group leader.

The NGOs that came into the country under the infidel’s government are just like the government. They came here under the slogan of helping the people, but in fact they are part of this regime. That’s why their every activity will be banned, whether it is building a road, bridge, clinic, school or madrassa, or anything else. If a school matches these conditions, it should be burned. If it is told to close but doesn’t, it should be burned. But before burning it all religious books should be taken out.<sup>180</sup>

In mid 2006, a Taliban commander in Helmand province under the command of Mullah Mohammad Kaseem Farouqi, told the London *Times*: “The Americans, the British, Canadians and others have destroyed Afghanistan. We are hunting every individual who supports this imposed democracy. . . . We will also hunt the puppet Afghans who are the rented bicycle for the infidels.”<sup>181</sup>

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erroneously reported to be Albanian) who were executed by the Taliban a few days later. After the four were killed, Yousef told the BBC: “We will kill anyone who is helping the Americans.” “Afghans killed on hostage mission,” BBC, March 17, 2006.

<sup>180</sup> Rulebook for the Mujahidin From the Supreme Leader of the Islamic Emirate of Afghanistan, unspecified date, faxed to media outlets in Pakistan in November 2006. (On file with Human Rights Watch.)

<sup>181</sup> See Tahir Luddin and Tim Albone, “Do not send your children here. We will kill them,” *The Times* (London), May 24, 2006.

Gulbuddin Hekmatyar, who leads Hezb-e Islami, in an October 2006 statement denied his forces' involvement in attacks on civilians and criticized such attacks. He explained:

We condemn the acts of those who instead of targeting the enemy, blow up mosques, kill mullahs, and burn schools. These are not acts that the mujahidin are involved in; rather, they are acts of the Americans or agents acting on the CIA's instructions. [The statement then provides an example of a mosque bombing, suggesting the attack was carried out by foreign forces.] Explosions of that type, that the victims have been innocent, have been carried out by the Americans and the British. . . along with local agents. The real mujahidin understand that burning and destroying schools does not hurt the enemy, and they understand that terrorizing lowly and mercenary propagandists, who are bought for a meager wage, has no significance to the enemy. Rather, these acts offer them propaganda material and a pretext to terrorize honorable Islamic scholars.<sup>182</sup>

Hekmatyar's denial, however, contains ambiguities suggesting that civilians and civilian objects *can* be targeted if they are aiding in the "occupation" of Afghanistan:

The mujahidin understand that their aim is not to destroy schools, but to eliminate all those people who use schools as a front line against Islam and our people; our real enemies are those who use schools, hospitals and mosques as tools meant for the long-term occupation of our country.

Insurgent spokespersons and commanders have at times expressed concern for the security of civilians, at least those who do not work for the government or non-governmental organizations. For instance, in October 2006, Taliban spokesman Mohammad Hanif provided a statement to the Associated Press said to be from Mullah Omar, the former leader of the Taliban government, which stated: "I would

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<sup>182</sup> Gulbuddin Hekmatyar, Congratulatory Message on the Occasion of Eid-ul Fitr (translated by Human Rights Watch), October 22, 2006. (Original Dari and Pashto versions on file with Human Rights Watch.)

again ask mujahidin to intensify their attacks, but they should avoid any harm to innocent people and children.”<sup>183</sup>

Just a month earlier, in September 2006, after the Taliban carried out an attack in Kabul aimed a convoy of ISAF troops in which approximately 15 civilians died, Ahmadi told a journalist by telephone: “We are sorry about the loss. We are trying our best to avoid civilian casualty [sic]. This is war.”<sup>184</sup>

The Taliban have spoken of “innocent” civilians on other occasions. For instance, after a January 2006 attack in the border town of Spin Boldak, near Kandahar, that reportedly killed 26 civilians attending a wrestling match, Ahmadi initially claimed responsibility for the attack, but later told Agence France-Presse: “We strongly condemn this attack on innocent people. The Taliban leadership convey their condolences to the relatives of the victims.”<sup>185</sup>

Rather than demonstrating their concern for certain civilians, such statements are unconvincing, given the record of insurgents detailed in this report, and ultimately highlight the Taliban’s disregard for the security of those persons—protected under international humanitarian law—whom they do not consider to be “innocent.” Expressing concerns for some in no way justifies unlawful acts against the others.

### *Precautions Against the Effects of Attacks*

International humanitarian law places obligations on parties to a conflict to take steps to protect civilians from needless harm. Thus they must take “all feasible precautions” to protect the civilian population from the effects of attacks,<sup>186</sup> and “must, to the extent feasible, avoid locating military objectives within or near densely populated areas.”<sup>187</sup>

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<sup>183</sup> Statement provided to Associated Press, purportedly signed by “Mullah Omar Mujahid, the Amir-ul-Momineen,” on file with Human Rights Watch. See also Amir Shah, “Gunmen kill 8 civilians working for US military in eastern Afghanistan,” Associated Press, October 20, 2006.

<sup>184</sup> See Kim Barker, “Attack on US convoy deadliest suicide bomb assault in almost 5 years in Kabul; kills 2 soldiers and at least 14 Afghan civilians,” *Chicago Tribune*, September 9, 2006.

<sup>185</sup> “Afghanistan reeling after suicide attacks kill 26 people,” Agence France-Presse, January 17, 2006.

<sup>186</sup> ICRC, *Customary International Humanitarian Law*, rule 22, citing Protocol I, art. 58(c); Protocol II, art. 13(1).

<sup>187</sup> ICRC, *Customary International Humanitarian Law*, rule 23, citing Protocol I, art. 58(b); Protocol II, art. 13(1).

Afghan government and international forces are responsible for providing security for the civilian population—operations which frequently entail operating within and near civilian areas. Thus, taking all “feasible” precautions is still likely to mean that these forces will conduct operations in highly populated areas. Nonetheless, certain steps, like keeping bases out of such areas and avoiding crowded roads, should be adopted where feasible to minimize the potential harm to civilians in the event of an insurgent attack.

### **International Forces, Security Concerns, and Laws of War Violations**

Many Afghans who spoke to Human Rights Watch raised various concerns about the armed conflict, some relating to the specific conduct of the fighting by both sides, others relating to broader issues of the legitimacy of the insurgency and the role of international forces in supporting the government. While the former issue is within the purview of international humanitarian law, the latter is not, and yet for many Afghans the two types of concerns were invariably related. How each side engages in war was seen as affecting its legitimacy. Unmet expectations for security factored in heavily on individual opinions.

Many Afghans blamed Afghanistan’s worsening security situation on failures by the government, coalition, and NATO forces since the fall of the Taliban. Some suggested that insurgent forces have had renewed successes in 2006-2007, especially in the south, because of support from local populations angry at general lack of security (from crime and insurgent attacks), government corruption, government alliances with warlords, and government failures to deliver promised development aid and governmental services.<sup>188</sup> Others argued that Taliban popularity has been aided by the repeated cases in which coalition or US forces have killed civilians during

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<sup>188</sup> See, for example, Kathy Gannon, “Taliban Comeback Traced to Corruption,” Associated Press, November 24, 2006 (quoting Afghan civilians and officials about the issue of corruption). See also Barney Rubin, “Saving Afghanistan,” *Foreign Affairs*, January 2007 (describing sanctuary in Pakistan as the other main source of strength for anti-government groups). A statement purportedly made by Mullah Omar in October 2006, cited above, also states: “The Kabul puppet regime has failed to establish peace and stability as well as to control narcotics. The regime has also not succeeded in maintaining unity. The government cannot maintain peace as Hamid Karzai has recruited thieves and looters in his armed militias.”

military operations.<sup>189</sup> Human Rights Watch has reported previously on a number of these security and governance issues.<sup>190</sup>

Of particular concern to Human Rights Watch are violations of international humanitarian law by international forces. Afghan government, NATO, and coalition forces have carried out numerous military operations in 2006 against anti-government forces using ground operations, aerial bombardment, and missile strikes, some of which have killed significant numbers of civilians. Afghans are understandably outraged by cases in which international forces have killed civilians. At least 230 civilians were killed during coalition or NATO operations in 2006, some of which appear to have violated international humanitarian law. While there is no evidence suggesting that coalition or NATO forces have intentionally directed attacks against civilians, in a number of cases international forces have conducted indiscriminate attacks or otherwise failed to take adequate precautions to prevent harm to civilians. For instance, Human Rights Watch criticized several military operations by NATO forces in southern provinces in October 2006 which killed over 50 civilians,<sup>191</sup> and, more recently, criticized operations in March 2007 that resulted in other civilian deaths.<sup>192</sup>

International forces at times may also be placing civilians at unnecessary risk by entering in or operating too closely to civilian areas, and should consider refiguring

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<sup>189</sup> Pamela Constable, "In Afghanistan's South, Mixed Signals for Help; Residents Differ on Strategy Toward Taliban," *Washington Post*, November 20, 2006 (quoting Afghan civilians and officials about the issue of civilian deaths).

<sup>190</sup> See Human Rights Watch, *Enduring Freedom: Abuses by US Forces in Afghanistan*, vol. 16, no. 3(C), March 2004, <http://hrw.org/reports/2004/afghanistano304/> (discussing civilian casualties and detention-related abuses by US forces); and *"Killing You is a Very Easy Thing For Us": Human Rights Abuses in Southeast Afghanistan*, vol. 15, no. 5, July 2003, <http://www.hrw.org/reports/2003/afghanistano703/afghanistano703.pdf> (discussing abuses by Afghan police and military).

<sup>191</sup> On October 18, 2006, in separate operations in Kandahar and Helmand provinces, NATO forces killed at least 22 civilians, and possibly as many as 26, including women and children. NATO later blamed the deaths on faulty intelligence. A week later, around October 25, NATO operations in Panjwai district in Kandahar led to the deaths of at least 31 civilians. See Human Rights Watch, Letter to NATO Secretary-General Regarding Summit in Latvia, November 28, 2006, <http://hrw.org/english/docs/2006/11/28/afghan14684.htm>. See also Kathy Gannon, "NATO Strikes Kill Villagers," Associated Press, October 19, 2006; *Globe and Mail* (Canada), "NATO admits killing more civilians," October 26, 2006; and *Globe and Mail*, "Women and children killed, NATO admits," October 27, 2006.

<sup>192</sup> As noted above, on March 4, 2007, in Nangarhar province, apparent indiscriminate fire by US forces following a suicide bomb attack caused at least ten civilian deaths. See Human Rights Watch, "Afghanistan: US Should Investigate Civilian Deaths," March 6, 2007, <http://hrw.org/english/docs/2007/03/06/afghan15446.htm>.

some bases and patrol routes to minimize the possibility of attacks which cause incidental harm to civilians.<sup>193</sup>

None of the criticisms above—whether failings in governance by the Afghan government or violations of international law by international forces—offer a legal or moral excuse for the illegal attacks described in this report. Responsibility for these attacks and their consequences lies squarely with the forces carrying them out, and the commanders who order them. Insurgent forces cannot credibly claim that the government is to blame for the hundreds of deaths and injuries resulting from attacks that they themselves carried out.

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<sup>193</sup> Human Rights Watch interviews with various humanitarian officials, Kabul, September 2006.

## VII. Recommendations

International humanitarian law places restrictions on the military operations of all parties to an armed conflict. State armed forces and opposition armed groups are prohibited from: intentionally targeting civilians or civilian objects; conducting attacks that do not discriminate between civilians and combatants or are anticipated to cause civilian loss that is disproportionate to the military gain; conducting attacks or threats primarily intended to spread terror amidst the civilian population; and attacking military targets using perfidious methods. In all attacks they must take all feasible steps to minimize harm to civilians. When conducting offensive operations, insurgent forces should choose areas to launch attacks that are not in proximity of civilian areas, and try to avoid operations in crowded civilian areas. Afghan government and international forces should, to the extent feasible, avoid locating their bases and operations within or near densely populated areas.

Human Rights Watch makes the following specific recommendations:

**To the Taliban, Hezb-e Islami, Jaish al Muslemin, Jalaluddin Haqqani's forces, and other opposition armed groups:**

- *Cease all intentional attacks on civilians and civilian objects.* Commanders and other leaders of the Taliban and other insurgent groups should ensure that civilians are never targeted for attack. Under international humanitarian law, armed forces can only target military objectives, enemy combatants, or civilians *directly participating in hostilities*. Persons immune from attack include Afghan civilian government officials and employees, humanitarian aid and development workers, school teachers, journalists, doctors, and other non-combatant civil servants. Civilian objects such as schools, hospitals, and homes must not be attacked unless currently being used for military purposes.
- *Cease all attacks that cause indiscriminate or disproportionate harm to civilians or civilian objects.* Insurgent forces attacking military targets must take all feasible steps to minimize harm to civilians. No attack should be carried out

that uses means and methods of war that do not discriminate between civilians and combatants or are expected to cause excessive civilian harm. The Taliban and other armed groups should avoid any attacks in crowded civilian areas, such as busy roads, village or city streets, bazaars, or other public gathering places, given the likely unlawfulness of such operations.

- *Cease attacks or threats that are primarily meant to spread terror among civilians.* The Taliban and other armed groups should not make threats or launch attacks intended to spread terror among the civilian population, which is illegal under the laws of war. They should not make threats of violence to civilians, such as the delivery of “night letters,” or take other actions intended to terrorize civilians.
- *Stop feigning civilian status during attacks.* Members of the Taliban and other insurgent groups should not pretend to be civilians to gain military advantage while carrying out attacks. Feigning civilian status puts civilians at heightened risk of attack during hostilities. Anti-government forces who seek to carry out attacks on military targets can use “ruses of war,” including camouflage, decoys, mock operations, and misinformation, but they must not present themselves as civilians.
- *Affirm commitments to follow international humanitarian law.* Anti-government forces should publicly affirm their commitment to follow established rules of the laws of war, including prohibitions against targeting civilians, using indiscriminate and disproportionate attacks, attacking with the primary intent to cause terror among civilians, and feigning civilian status to gain a military advantage. These are rules which Afghan forces invoked to criticize Soviet forces during the 1980s and US and coalition forces during the 2001 war.

**To the Afghan government and allied international forces, including US, NATO, and coalition military forces:**

- *Review policies and protocols for basing, patrolling, and convoys, to minimize harm to the civilian population.* Government and international forces are at

heightened risk of attack by anti-government forces, and should therefore seek to distance their forces from civilians and civilian objects to the extent feasible. Ensuring the protection of the civilian population does require that military forces at times place themselves in the vicinity of populated civilian areas. However, these forces where possible should take precautions to minimize harm to civilian life, for instance, by locating bases, checkpoints, or temporary posts at heightened distances from civilian areas.

- *Review rules of engagement and operating procedures for how forces respond to real or perceived suicide attackers.* Government and allied forces need to improve their policies for identifying and warning civilians, to avoid mistaken shootings of civilians who are erroneously believed to be suicide attackers. Some suggested actions:
  - Take further steps to better mark checkpoints and convoy vehicles with lights and large signs in Dari and Pashto.
  - Have interpreters available at all checkpoints at all times.
  - Provide soldiers at checkpoints with basic knowledge of Dari and Pashto commands and hand signals to ensure better communication with civilians.
  - Strengthen public service campaigns to inform Afghan civilians about proper behavior at checkpoints and around convoys. Civilians should be informed of the basic guidelines to avoid danger.

#### **To the government of Pakistan:**

- *Properly investigate and prosecute insurgents located in Pakistan who have been implicated in serious violations of international humanitarian law.*
- *End support, including providing safe haven, to insurgent forces operating out of Pakistan who are responsible for serious violations of international humanitarian law.* Pakistani authorities should ensure that no Pakistani government authorities, whether at a federal, province, or local level, are providing sanctuary or support to insurgents responsible for attacks violating the laws of war.

To political, religious, and civil society leaders in Afghanistan, Pakistan, and elsewhere, including leaders who provide political or practical support to Afghan insurgent forces:

- *Speak out against intentional attacks on civilians, and attacks that are carried out indiscriminately, cause disproportionate harm to civilians, or use perfidious means.* Political, religious and civil society leaders, tribal elders, and local government officials—whatever their views on the insurgency in Afghanistan—should denounce illegal methods of warfare used by Afghan insurgent forces. Illegal methods include assassinations, executions, and attacks on all civilians, including civilian government employees and aid workers, and attacks on civilian objects such as clinics and schools.

## **Methodology**

During visits to Afghanistan in mid-to-late 2006, Human Rights Watch interviewed dozens of witnesses and victims of bombing and shooting attacks, as well as surviving family members, and Afghan and international military and police personnel. Human Rights Watch obtained numerical data and additional details about the incidents described in this report from various sources including published and unpublished reports by international and non-governmental organizations, such as the Afghanistan NGO Security Office (ANSO), and from international and Afghan journalists who investigated the incidents. Most of the conclusions and data set out in this report have also been corroborated by information released by ANSO, the United Nations Assistance Mission for Afghanistan (UNAMA), and media and other observers.

## Acknowledgments

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## **Appendix A: Examples of Insurgent Attacks in 2006**

*The following list provides selections from a database compiled by Human Rights Watch of attacks believed to have been carried out by the Taliban and other insurgent groups in Afghanistan in 2006. The entries below are based on Human Rights Watch research and interviews, reviews of security reports by the Afghanistan NGO Security Office, media reports, and statements by government officials, non-governmental organizations, and spokesmen of insurgent groups.*

January 5, 2006 — A suicide bomber carried out an attack in the city of Tirin Kot, in southern Uruzgan province, a few hundred yards away from where US ambassador to Afghanistan Ronald Neumann was meeting with local leaders. The explosion killed at least 10 civilians and wounded approximately 50 others. The US Ambassador was unhurt in the blast. The Taliban claimed responsibility for the attack and said the bomb was intended to kill “high-ranking Americans.”

January 14, 2006 — A bomb exploded in downtown Khost city, in eastern Afghanistan, in close proximity to a group of children celebrating their Eid holidays. The explosion killed two children and wounded 19 others.

January 17, 2006 — A bomb exploded in a crowd attending a wrestling match in Spin Boldak in southern Kandahar province. The explosion killed at least 20 civilians. A Taliban spokesman claimed responsibility on the day of the attack, but later rescinded his statement and said the Taliban was not involved.

February 7, 2006 — A civilian vehicle carrying four construction workers in western Farah province was hit by a roadside bomb. All four passengers were killed: the Afghan driver, a Turkish engineer, an Indian engineer and a Nepalese security guard. The construction workers were assisting with repairs to the main road from Herat to Kandahar.

February 7, 2006 — A suicide bomber carried out an attack on a Kandahar city police station. The attack killed 6 police officers and 5 civilians; 13 other civilians were

wounded, five seriously. Shortly after the incident a Taliban spokesman claimed responsibility for this suicide attack.

March 11, 2006 — Six employees of a road building company—including four Macedonian workers and two Afghans—were abducted by a group of armed men on the border of Kandahar and Helmand provinces. The following day, the two Afghans were released unharmed but the four Macedonians were executed. According to the released drivers, armed men wearing police uniforms in a highway police vehicle stopped the group. The Taliban claimed responsibility for the attack and stated that they had executed the four for being spies. “We will kill anyone who is helping the Americans,” a spokesman said.

March 12, 2006 — Two suicide bombers in Kabul carried out an attack directed at former Afghan president Sibghatullah Mojaddedi, now a senior official in the Afghan parliament. Two men with suicide vests detonated their explosives near Mojaddedi’s vehicle, killing four pedestrians and severely wounding two others, including one girl. Mojaddedi was slightly burned on his hands and face. The Taliban claimed responsibility for the attack.

April 8, 2006 — A Taliban suicide bomber unsuccessfully attempted to drive an explosive-laden car into the main gate of the Italian-led ISAF Provincial Reconstruction Team (PRT) compound in Herat. The attack killed an Afghan guard on duty at the time, three civilians and injured seven others. The attack caused severe damage to the surrounding buildings but not serious damage to the PRT facility. A Taliban spokesman claimed responsibility for the attack.

April 11, 2006 — Three rockets were fired at a US military base in Asadabad, in eastern Kunar province. One rocket hit a school in Asadabad city, killing seven school children and injuring 30 more, and one teacher.

April 25, 2006 — Two remote controlled mines exploded on the Kabul airport road near a coalition military compound. The mines were placed inside a garbage container near a mosque. The bombs exploded minutes apart, killing two civilians and wounding three others. The coalition forces suffered no damage or casualties.

April 28, 2006—Insurgents abducted and later killed Kasula Suryanarayana, an Indian telecommunications engineer, near Qalat city in southern Zabul province. A statement from the Taliban demanded that all Indian workers leave Afghanistan within 24 hours or the hostage would be killed. Suryanarayana's body was found decapitated on April 30. A Taliban spokesman said the group had not planned to kill the hostage but killed him when he tried to escape.

May 9, 2006 — Gunmen ambushed a vehicle belonging to the Department of Women's affairs in Lashkar Gah City. There were three people in the vehicle: a driver and two women. The driver was killed and one women was wounded.

May 12, 2006 — Gunmen ambushed a UNICEF convoy in Karokh district in Herat province. The convoy was transporting doctors from a clinic in Badghis province back to neighboring Herat. The gunmen launched a rocket propelled grenade at the lead vehicle in the convoy, a civilian vehicle clearly marked with a "UN" logo. Two people were killed in the attack: a UN staff-person and an engineer with a non-governmental humanitarian organization.

May 21, 2006 — The body of a man was found in Badghis province; authorities believe he was abducted and killed by insurgents involved in the May 12 attack detailed above. Officials said the man had informed authorities about the identities of suspected perpetrators of the May 12 attack, possibly making him a target.

May 21, 2006 — A vehicle-borne suicide bomber carried out an attack on a US military convoy on Jalalabad Road in Kabul city. The suicide attacker detonated after the military convoy had passed. Four civilian bystanders and the suicide bomber were killed and two others were injured. Several roadside shops were also destroyed in the attack. No damage was reported to the military convoy. The Taliban claimed responsibility for the attack.

May 22, 2006 — A remote-controlled bomb detonated near a vehicle used by a public health NGO in Wardak province near Kabul. The explosion killed all four passengers of the vehicle, including a doctor, two nurses and the driver.

May 27, 2006 — Two armed men on a motorbike assassinated Mawlavi Fazul Rahman, a prominent religious scholar in Ghazni province. The shooting occurred as Mawlavi Rahman was returning home from a religious graduation ceremony. The following day the Taliban claimed responsibility for the attack.

May 30, 2006 — Four gunmen on motorcycles ambushed a NGO staff vehicle in Mingajig district of Jowzjan province. The attackers stopped the car and executed four aid workers by gunshots to the head. Nothing was stolen from the vehicle.

June 2-3, 2006 — A vehicle-borne suicide attacker attempted to attack a coalition convoy in Arghandab district in Kandahar province. The bombers detonated after the convoy passed. The explosion killed three civilians and the suicide bomber. One other civilian was also wounded in the incident. The same day, gunmen in Kunar province shot and killed Haji Mursalin, a local tribal leader, as he attended mosque. Mursalin had been working on reconciliation efforts with insurgent groups. The next day, Dr. Eid Mohammad, the director of a provincial health department, and his brother, were shot and killed by gunmen in Wormami District of Paktika province. The two men were en route to visit a newly-built health clinic. Local authorities said they suspected Taliban forces had carried out the attacks on both Haji Mursalin and Eid Mohammad.

June 4, 2006 — A vehicle-borne suicide bomber carried out an attack on a convoy carrying Afghan government and coalition officials in Kandahar city. The explosion killed four pedestrians and wounded 12 other civilians, three of whom were in critical condition. Coalition and government personnel suffered no casualties or damage.

June 8, 2006 — Armed men on a motorcycle in Chemtal district of Balkh province attacked three staff members of a national humanitarian NGO. The attackers ambushed the NGO vehicle with gunfire. When the vehicle stopped, the attackers shot at the three aid workers in the car, killing two and severely injuring the third.

June 15, 2006 — A bomb planted on a bus exploded in Kandahar city. The bus had been carrying local workers to the Kandahar airfield. The explosion killed at least 12

passengers and wounded 14 others, including passersby. The Taliban claimed responsibility for the attack.

June 23, 2006 — Four bodies were found beheaded in Shahjoy district in Zabul province. The bodies appeared to be four civilians who insurgents kidnapped on June 19, 2006. The Taliban claimed responsibility for the beheadings, and accused the four of spying for coalition forces and the Afghan government.

June 24, 2006 — Two men on a motorcycle shot and killed Abdul Satar, a member of the religious shura in Kandahar city. The victim was responsible for computerizing newsletters and magazines for the shura.

July 3, 2006 — Gunmen attacked a taxi carrying six civilians working for the coalition forces in Pech district of Kunar province. The assailants killed five of the civilians and critically wounded a sixth. Taliban spokesmen had repeatedly left warnings in Kunar province telling local residents not to work for government or international forces.

July 4-5, 2006 — Several bombings occurred in Kabul city, including two attacks on the street and two bombings on government employee buses. One of the street attacks on July 5 was carried out in front of the Ministry of Justice. The bomb, hidden in a vegetable cart, killed two civilians and wounded two others. Another bomb detonated the same day near a Ministry of Commerce bus transporting workers. The explosion killed two civilians and injured four others.

July 13, 2006 — A bomb exploded in the main bazaar in Mazar-e Sharif in Balkh province. The attack took place across the street from the city's Blue Mosque. The bomb detonated as an ISAF convoy was passing. One civilian was killed and three others were injured, including one child. The ISAF convoy was unharmed.

July 16, 2006 — A suicide attacker detonated himself in close proximity to a military patrol in Gardez city on the main road to Khost. The explosion killed the suicide attacker and four civilians. Eight other civilians were also injured. The military patrol was unaffected.

July 22, 2006 — A suicide attacker carried out an attack on a passing military convoy in Kandahar city. The attack killed the suicide bomber, two coalition soldiers, and wounded eight other soldiers and five pedestrians. After the attack, as coalition personnel sealed off the site of the attack, a crowd of civilians assembled approximately 150 meters from the scene. A second suicide bomber then detonated next to the crowd, killing six civilians and wounding 27 others. Taliban spokesman Yousuf Ahmadi said the Taliban had carried out both attacks. Ahmadi told Agence France-Presse that, “The second [suicide attack] was pre-planned to impact more casualties.”

July 23, 2006 — A suicide bomber detonated in close proximity to a police check post in Gurbez district in eastern Khost province. Four civilians were killed and six others were wounded in the incident. No police casualties were reported.

August 3, 2006 — A suicide attacker detonated a car bomb in a crowded market in Panjwai Markaz, a town about 25 km west of Kandahar city. The intended target of the attack appeared to be a Canadian ISAF patrol, but the bomb detonated when the patrol was roughly 200-400 meters away. The patrol was unharmed but the attack killed at least 21 civilians, including children, and wounded dozens more. The Taliban claimed responsibility for the attack.

August 12, 2006 — Insurgents launched several mortar rounds on a road construction company in Kunar province. Several mortar rounds hit near the construction company’s compound, causing no casualties or damage. Two other mortar rounds fell short and hit a residential compound, injuring 20 family members and killing numerous livestock.

August 28, 2006 — A bomb detonated in the middle of the day in a crowded bazaar in Lashkar Gah, Helmand. The bomb killed 15 civilians and wounded 47 others, including 15 children. A Taliban spokesman claimed responsibility for attack and stated that the target was a civilian businessman.

September 8, 2006 — A suicide bomber detonated next to a US military convoy traveling through a crowded street in the Wazir Akbar Khan area of Kabul; two US

soldiers and 14 civilians were killed, including several women and children. The Taliban claimed responsibility for the attack.

September 10, 2006 — A suicide bomber targeted and killed Abdul Hakim Taniwal, the 63-year-old governor of Paktia, along with his nephew, driver, and a bodyguard. The Taliban claimed responsibility for the attack. (The next day, September 11, 2006, a suicide bomber targeted Taniwal's funeral, killing two children and wounding approximately 40 other civilians.)

September 25, 2006 — Two gunmen on a motorcycle assassinated Safia Ama Jan, a woman in her mid-60s who served as the Kandahar director for Afghanistan's Ministry of Women's Affairs. The Taliban claimed responsibility for the attack.

September 26, 2006 — A suicide bomber carried out an attack on a vehicle near the provincial governor's office in Lashkar Gah, in Helmand. At the time of the attack a crowd of civilians was gathered outside of the governor's office, applying for permission letters to travel to Mecca for the Hajj. The explosion from the suicide attack killed three soldiers and 13 civilians, and wounded 18 other civilians. The Taliban claimed responsibility for the attack.

September 30, 2006 — A suicide bomber detonated near the Ministry of Interior office in downtown Kabul, killing 12 civilians, including an 8-year-old boy, and injuring another 42. The Taliban claimed responsibility for the attack.

October 13, 2006 — A suicide attacker in a car targeted a coalition convoy. The explosion killed one soldier and eight civilians. Eleven other civilians were wounded. The Taliban claimed responsibility for the attack.

October 18, 2006 — Three armed men on a motorcycle stopped a taxi carrying two government staff members in Bala Murghab district, in western Badghis province. The government staff members were forced out from the vehicle and shot dead. The taxi driver was unharmed, possibly because he was not a government employee.

October 27, 2006 — A civilian vehicle was hit by a roadside bomb in Tirin Kot in Uruzgan province. The explosion killed 14 civilians and wounded three others. The bomb was planted on a route used by both civilians and coalition vehicles.

November 26, 2006 — A suicide bomber carried out an attack on police officials in a crowded restaurant in Paktika province. The attacker's target appeared to be a district commissioner and regional head of police, who were eating breakfast at the restaurant. The district commissioner and the head of police were injured, and fifteen people were killed and 25 others injured, most of them civilians. Many of the casualties were children.

November 27, 2006 — A suicide bomber carried out an attack on an ISAF convoy near a bus stand in Kandahar city. Two ISAF soldiers were killed and one other was wounded, but nine civilians were also wounded. The Taliban claimed responsibility for the bombing.

December 3, 2006 — A suicide bomber carried out an attack on an ISAF convoy driving through Kandahar city. Three ISAF soldiers were wounded and one of their vehicles was severely damaged in the incident. In addition, two civilians were killed and seven others wounded. The Taliban claimed responsibility for the attack.

December 5, 2006 — A suicide bomber carried out an attack on an ISAF convoy in Panjwai village in Kandahar province. Two ISAF soldiers were wounded in the bombing. Six civilians were also wounded, including a small child. Four of the civilians were critically wounded.

December 7, 2006 — A suicide bomber attacked a joint ISAF and Afghan military convoy in Kandahar city. The attacker detonated before reaching the convoy, wounding 10 civilians, including a small girl. No casualties were reported to the military convoy.

December 9, 2006 — Gunmen scaled the wall of a residential compound in a village in the southeastern province of Kunar, entered the house, and shot and killed two sisters who worked as local schoolteachers, as well as their mother, grandmother,

and a 20-year-old male relative. Prior to their murders, the two teachers had received a written warning from the Taliban to stop teaching or “end up facing the penalty.”

December 14, 2006 — A suicide bomber carried out an attack on a police vehicle near Qalat city in Zabul province. Only five police personnel were injured, but three civilians were killed and five others were wounded.

## Appendix B: Attacks on Afghan Educational Facilities in 2006

Date	Province	District	Village/City	School	Description
January 1, 2006	Laghman	Alingar		Salinger Girls' Primary Tent School	Unknown persons set several school tents on fire.
January 5, 2006	Kandahar	Kandahar city		Mohammad Hotak School	Unknown men attempted to set a school on fire but fled when guards intervened.
January 7, 2006	Kandahar	Kandahar city		Qabail Co-educational Primary School	Unknown armed men burned down a school, destroying tents, wooden desks, and school books. They tied up two or three guards but did not harm them. A provincial education official said the fire disrupted examinations for female students.
January 8, 2006	Kandahar			Zeray Primary School	More than a dozen armed men set classrooms and school documents on fire.
January 8, 2006	Helmand	Nawzad		Shakhzai Middle School	Unknown persons set a school on fire.
January 11, 2006	Helmand	Garmser		Koshti School	Unknown persons set a school on fire.
January 12, 2006	Helmand	Grishk	Tornera		Unknown persons set a school on fire.
January 13, 2006	Helmand		Sha Peshiti village	secondary school	Gunmen entered a school compound, beat the guards, and set the school on fire.
January 14, 2006	Kunar	Narang		Girls' school	An improvised explosive device exploded at a girls' school, causing no injuries but shattering all windows in the building and leading to the collapse of one wall.
January 15, 2006	Helmand	Washer			A police report stated that a group of insurgents burned down a school.
January 16, 2006	Ghazni	Deyek			Unknown persons set three school tents on fire.
January 18, 2006	Kandahar	Daman	Shorandam		An anti-tank mine was found buried on a main route leading to a school in the area. An Afghan National Police team was informed and disposed of the device.
January 20, 2006	Kandahar	Dand	Sufi village	Sufi Village School	Unknown persons set a school on fire.
January 21, 2006	Faryab	Kohistan	Dahan Dara village		A hand grenade was thrown in a school at night. No casualties or injuries were reported.
January 23, 2006	Farah	Farah city	Charbagh area	primary school	A group of unknown insurgents broke into a primary school, tied up the watchman, put improvised explosive devices and gas canisters in the school building, and blew up the school from the outside by wire-control. The main school building was not destroyed, but the library was burned and the windows and doors destroyed by the explosion.
January 28, 2006	Helmand	Nahri Sarraj			Unknown persons set a school on fire.
January 28, 2006	Helmand	Nawa		Surkhroz Middle School	Unknown persons set a school on fire.
January 28, 2006	Helmand	Nawa		Hazara Jof High School Surkhroz Middle School	Unknown persons set a school on fire.
January 28, 2006	Helmand	Nawa		Mangalzai Middle School	Unknown persons set a school on fire.
January 26 or 29, 2006	Laghman	Mihtarlam	Heydar Khani area	Naidar Khani Girls' High School	Six unknown armed men set fire to a girls' school.
January 29, 2006	Helmand	Grishk	Malgir Baizo area	Paizai Primary or Middle Boys' School	Unknown persons set a school on fire. Furniture and stationery were destroyed.
January 30, 2006	Laghman	Garghayi		Bagh-e-Mirza School	There was an attempt to break in and set fire to a school, but villagers intervened and the perpetrators escaped.

Date	Province	District	Village/City	School	Description
January 30, 2006	Farah	Pushht Rod	Kariz Haji Naim village		Unknown persons set two school tents on fire.
February 3 or 4, 2006	Kandahar	Zhare Dasht	Ashoka village	Ashoka School	Unknown persons set fire to a school, burning books and biscuits.
February 5, 2006	Kandahar	Panjwai	Zangawat village	Hashimi School	Two hand grenades exploded at the school, which was under reconstruction. Minor damage was inflicted on the construction equipment.
February 5, 2006	Kandahar	Panjwai	Spirant village	Kawaka Mayweed School	Armed school guards quelled an attempt to set the school on fire.
February 7, 2006	Helmand	Loymanda		Boys' middle school	Unknown gunmen set a boys' middle school on fire but residents were able to put it out.
February 8, 2006	Jawzjan	Sheberghan	Afghan Tapa village	Afghan Tapa Primary School	Two school tents were burned; school caretakers saved the third tent and the school building was not damaged.
February 8, 2006	Zabul	Qalat	Qalat city	Boys' school	A boys' school was set on fire during demonstrations about cartoons published in a Danish newspaper which were perceived to be insulting to Islam.
February 9, 2006	Laghman	Qarghayi		Mandrawol Girls' School	Unknown armed individuals broke into a school, tied up the guards, and set the school on fire. Copies of the Koran and other school books were burned.
February 13 or 14, 2006.	Ghazni	Gelan	Agho Jan village		A school was set on fire. Locals extinguished the fire and saved several rooms.
February 13, 2006	Jawzjan			Girls' primary school	Unknown persons burned two tents used for a girls' primary school.
February 20, 2006	Helmand	Marja or Nad Ali	Zarghoon or Zarghan village		Unknown armed men set fire to classrooms, burning chairs, desks, and study materials and destroying at least three classrooms.
February 26, 2006	Samangan	Khuram Wa Sarbagh	Aybak city		Unknown persons threw a hand grenade into the yard of the head of the Education Department for Samangan province. No casualties or injuries were reported. The previous head was killed last year by unknown perpetrators.
February 26, 2006	Kabul	Surobi	Jik Dalik village		Unknown individuals threw a hand grenade at a school during the night, damaging doors and windows.
February 26, 2006	Khost	Jani-e Khiel		Jani-e Khiel Girls' School	An improvised explosive device exploded inside the school compound. The school guard found another device and threw it outside the compound. No casualties were reported but three rooms were damaged.
February 27, 2006	Kunduz	Ali Abad	Shina Tapa village	Ali Abad Secondary School	Unknown gunmen placed three mines in a school, but were confronted by guards when leaving the school. According to police, the school's guard was injured by small arms fire during gunfire exchanged between police and perpetrators, and the perpetrators did not explode the mines.
March 7, 2006	Daykundi	Gizab			Insurgents set a school on fire. Small arms fire were exchanged between security forces and the anti-government forces, but the perpetrators escaped.
March 7, 2006	Badakshan	Fayzabad	Fayzabad city	Girls' school #1 (high school)	The police reported that unknown perpetrators, described by the police as "Taliban," set the school on fire, damaging one classroom. The school was under construction by an international NGO and night letters had been previously distributed there.
March 7, 2006	Uruzgan	Chora	Kamisan village		Insurgent forces surrounded the village, set one school on fire and abducted two government officials from a government compound.
March 8, 2006	Badakhshan	Fayzabad	5th city district	Girls' high school	A bomb exploded at a girls' high school built by German Provincial Reconstruction Team; residents put out the fire.
March 9, 2006	Balkh	Chahar Bolak	Temorak village	Badaye Balkhi Boys' High School	An IED was discovered and safely removed from a classroom. The device consisted of a small gas cylinder with a hand grenade affixed to the side with a number of wires.
March 18, 2006	Laghman	Qarghayi	Mashakhil village	Mashakhil High School	A group of unknown individuals set fire to the administration department and the store room of a girls' and boys' high school. Afghan National Police later conducted a search operation and arrested two suspects.

Date	Province	District	Village/City	School	Description
March 25, 2006	Kunar	Khas Kunar	Tanar area	Girls' primary school	Unknown persons set a girls' school on fire.
March 29, 2006	Baghlan	Pul-e-Khumri city	District 3	Hussain Khail Secondary School	An IED and an anti-personnel mine were found on a main road approximately 50 meters in front of the school. The police removed the device and the mine.
April 1, 2006	Helmand	Nad Ali	Sayed Abad village		Persons attempted to burn a local school. Villagers intervened and came under small arms fire, but successfully drove the persons away and saved the school.
April 3, 2006	Wardak	Chak	Sheikh Yasin village		Unknown persons set a school on fire.
April 4, 2006	Helmand	Baghran			Unknown persons set a school on fire.
April 6, 2006	Zabul	Mizan	Khomchina village		Unknown persons set a school on fire.
April 7, 2006	Khost	Ismail Khel			Insurgents fired twelve rocket propelled grenades at a school building. Six hit the building, partially damaging it; the rest missed and hit an open area.
April 11, 2006	Laghman	Mehtarlam city			Two rockets were fired towards Mehtarlam city. One landed on a school, damaging its windows.
April 12, 2006	Kunar	Bar Kunar	Istiqial village	Boys' high school	A group of unknown individuals broke into the village boys' school and set it on fire, burning it down completely and destroying all materials inside. The school served boys in three villages in the area. The attackers also attacked the village girls' school (see next entry).
April 12, 2006	Kunar	Bar Kunar	Shantaly village	Girls' school	The group above broke into the girls' school and set it on fire, burning it down completely and destroying all materials inside. The school served girls in three villages in the area.
April 13, 2006	Paktika	Nika			Unknown persons set a school on fire.
April 14, 2006	Kunar	Chigal			Unknown persons set two schools on fire.
April 16, 2006	Ghazni	Maqur	Sra Zranda area		Unknown persons set a school on fire, burning around 200 school books, including copies of the Koran. The attacker was reportedly in a Toyota Corolla vehicle and fled the scene after the incident.
April 18, 2006	Logar	Pulti Alam		Kochi School	There was a rocket attack on a school.
April 18, 2006	Nangarhar	Jalabad			An improvised explosive device was thrown into a teachers' home but was defused.
April 20, 2006	Paktia	Zurmat	Dowlat Khan		An improvised explosive device consisting of an anti-tank mine and a remote control device was detonated near the area's school.
April 21, 2006	Kandahar	Zhare Dasht		Haji Kabir School	An explosion took place near a schools' boundary wall, destroying the wall. It is believed that the detonation was as a result of a device earlier buried next to the wall.
April 22, 2006	Kandahar	Spin Boldak		Haji Malim School	An improvised explosive device detonated inside the school. Local security forces defused another device in the same school. No casualties were reported.
April 22 or 23, 2006	Kapisa	Alasay		Said Agha Shahid Co-educational High School	Unknown persons set a school on fire during the night. 500 boys and 200 girls attended in shifts. Human Rights Watch saw some boys attending class under a tree near the school on May 7, 2006.
April 24, 2006	Paktika	Yusuf Khol	Mosh Khil village	Ghazni Khoshal Baba Girls' Primary School	A tent school run by CARE and the government of Afghanistan was set on fire the day after the tents were set up.
April 24, 2006	Khost	Dowa Mandow			Unknown persons set a secondary school on fire.

Date	Province	District	Village/City	School	Description
April 28, 2006	Sari Pul	Sayyad	Englishka village	Boys' secondary school	Unknown persons burned three school tents.
April 28, 2006	Khost	Sayed KhieI			Unknown persons set a school on fire.
April 29, 2006	Sari Pul	Sari Pul	Gul Tepa village	co-educational secondary school	One classroom tent was burned by unknown armed perpetrators. Four men were arrested.
April 29, 2006	Sari Pul	Sayyad		primary school	Unknown persons set a school in the district on fire.
April 29, 2006	Paktia	Laja Manja			Anti-government elements attacked the district commissioner's office and a school was damaged.
April 30, 2006	Ghazni	Muqur			A school in the area was set on fire and completely destroyed.
May 1, 2006	Laghman	Mihntarlam		Armul Girls' Primary School	A group of unknown individuals set a school on fire. The library, administrative block, and classrooms were damaged.
May 1, 2006	Khost	Bak			Unknown persons set a school in the area on fire.
May 2, 2006	Logar	Kherwar, Pul-i-jala		Boys' school (madrassa)	Unknown persons set a boys' school on fire at night.
May 4, 2006	Bagdhis	Bala Murghab			Unknown persons set fire to four tents in the compound of a school, but the main building was not damaged. Two gun shots were heard during the incident.
May 6, 2006	Balkh	Nahre Shahi	Shahrak-e-Afghanian village	Boys' secondary school	Unknown persons burned a boys' secondary school.
May 9, 2006	Logar	Charikh		Quala-e Now Shahr High School	Unknown individuals set a school on fire, and police seized a hand grenade attached with wires to a mortar round, found in a bag inside the school.
May 9, 2006	Kapisa	Nijrab	Pachghan valley	Abdul Rashid Shahid Middle School	Unknown men set fire to a school, gutting the administration room, the library, two tents, and 600 textbooks, according to an Education Department official. The men also spread pamphlets warning parents to stop sending their children to school.
May 9, 2006	Kapisa	Nijrab		Abdul Hadi Shahid	Unknown persons set fire to a school tent but local people prevented the fire from spreading. The perpetrators also spread pamphlets warning parents to stop sending their children to school.
May 10, 2006	Kunar	Bar Kunar			Police discovered and defused an improvised explosive device placed near a school.
May 10, 2006	Balkh				Unknown persons burned down two rooms of a school.
May 10, 2006	Wardak	Saydabad	Doh Ab village	Girls' school	Unknown armed men fired four rocket propelled grenade rockets at a girls' school during the night. No casualties were reported, but the building was damaged. The school was run by an NGO in a private house.
May 13, 2006	Parwan	Bagram		Youz Bashi High School	A rocket was fired at the school, damaging the walls and building.
May 15, 2006	Paktika	Mata Khan			Unknown persons set a school on fire.
May 16, 2006	Balkh			Boys' high school	A boys' high school was set on fire by three unknown perpetrators, described by district authorities as "Taliban." No casualties or injuries were reported, although the school guards were tied up. Five classrooms were burned.
May 19, 2006	Kandahar	Dand	Chaplani village		Unknown persons set a school on fire.
May 28, 2006	Ghazni	Jaghatu	Khogianai area		Unknown persons set a school on fire.
May 29, 2006	Balkh	Nahr-e-Shahi	Kampirak village	primary co-educational school	A primary boys' and girls' school was set on fire by unknown perpetrators.

Date	Province	District	Village/City	School	Description
May 30, 2006	Balkh	Nahr-e-Shahi	Gambirak area	Aria Middle School	Unknown gunmen poured petrol on a school and lit a fire but local residents extinguished the fire and only a few chairs were burned.
May 30, 2006	Helmand	Nad Ali	Group Shash		Unknown persons set fire to a middle school and left handwritten pamphlets at the gates of other schools warning teachers not to come to school.
June 1, 2006	Faryab	Shirin Tagab	Islam Qalha village	Girls' school	Unknown persons set fire to a girls' school.
June 1, 2006	Faryab	Shirin Tagab	Koh-i-Sayad area	Boys' middle school	Unknown persons set fire to a school library, burning documents, stationary, and textbooks.
June 5, 2006	Kabul	Kabul city, district 10	Qali Fatullah area, near Madina Market		A girl was arrested by the police while trying to enter her school carrying gasoline with plans to set fire to the school.
June 6, 2006	Herat	Shindand			An improvised explosive device or a hand grenade exploded in a classroom after class hours. The classroom suffered minor damage.
June 7, 2006	Herat	Farsi district	Piazak village		Unknown number of men attacked a school. The attackers set fire to the tents and school materials. No casualties were reported. AGEs believed to be behind the incident.
June 7, 2006	Kunduz	Khan Abad	Zardkamar village	co-educational school	A girls' and boys' school was set on fire by six armed perpetrators and was slightly damaged.
June 8, 2006	Balkh	Chahar Bolak		Qazi Farouq Primary School	Unknown armed persons set fire to a primary school, damaging five classrooms and the library. No arrest has been made.
June 8, 2006	Balkh	Chahar Bolok	Arzan	Shaheed Ghulam Farooq Middle School	Unknown armed men set the school on fire, reducing the classrooms and equipment to ashes. About 400 students were studying in the school.
June 10, 2006	Uruzgan	Khas Uruzgan	Wardag village	Wardag Kat Primary School	"Taliban" reportedly set a school on fire, causing extensive damage to the buildings' interior and roof. While the school was burning, small arms fire was fired into the village and into a nearby village.
June 10, 2006	Herat	Khushke Kuhna District		Deh Zoori School	Unknown men set fire to a number of classrooms. The school watchman later managed to control the fire with the assistance of the locals.
June 10, 2006	Sari Pul	Sari Pul	Boghawi Afghanistan village		Unknown armed perpetrators burned a primary school made of tents.
June 20, 2006	Wardak	Saydabad	Onkhai Kheil village	Girls' school	A group of unknown armed men attacked and burned all furniture in a private girls' school. The building totally collapsed.
June 20, 2006	Farah	Gulistan		Girls' school	Unknown gunmen set a girls' school on fire. Some tents in the compound were burned in the incident, but the main building received no damages.
June 20, 2006	Wardak	Saydabad	Onkhai Kheil village		A group of unknown armed men attacked and burned all furniture in a private girls' school. The building totally collapsed.
June 22, 2006	Paktya	Gardez	Habib Qala area	primary school	An IED detonated inside a primary school building (Habib Qala area), 3/4 Km east of an ANA compound in a Gardez suburb. The explosion caused the complete destruction to the school building.
June 24, 2006	Paktika				A school that had just been built by a US-led civilian and military team was damaged by a bomb blast.
June 27, 2006	Kandahar	Kandahar City, District 5	Mullah Alam Akhund Kalai area	Malalai School, Girls' school	A group of insurgents approached a girls' school and intended to set it on fire. Guards fired several shots at the assailants, who then withdrew.

Date	Province	District	Village/City	School	Description
June 28, 2006	Herat		Herat City		A fire started in Inqalab High School. Reportedly, some tents in the compound were burned in the incident.
July 1, 2006	Samangan	Khuram wa Sarbagh		high school	Unknown persons set a school on fire.
July 2, 2006	Balkh	Khulm		Mahsti Girls' high school	Mahsti Female High School was burned by four unknown men masking their faces. As the result, one classroom and three doors were burned.
July 5, 2006	Herat	Shindand	Aziz Abad Village		An IED exploded inside a school after hours. The explosion shattered the windows of the classrooms. There were no casualties.
July 12, 2006	Kunduz	Chahar Dara	Khusk Tapa village	co-educational school	Unknown armed perpetrators set on fire two classrooms of a boys' and girls' school.
July 16, 2006	Nuristan		Saret area		Insurgents set a girls' school on fire.
July 17, 2006	Paktika				Suspected Taliban militants blew up a high school in Paktika province after warning guards to leave the building.
July 18, 2006	Helmand	Nawa and Garmser			Insurgents, while withdrawing from a village, destroyed a school, a clinic, and a police station.
July 22, 2006	Nangarhar	Deh Bala		Deh Bala Primary School	Police seized four 82mm mortar rounds from the school's compound.
July 24, 2006	Paktya	Gardez		Tera school area	The police defused one rocket which was ready to fire in the direction of Tera School area of Gardez. The rocket was attached to a timed launching device.
July 25, 2006	Balkh	Chemtal	Chemtal village	Secondary male school	A secondary male school was attacked by a group of unknown armed perpetrators in Chemtal village. According to a police report, the group's intention was to target and likely burn the school, but they encountered resistance from the school's armed security guard. It was the second attempt to target this school in the area. This school had previously been targeted with an IED in 2005.
July 25, 2006	Kunduz	Chardara	Gasab village	Molawe Abdul Fatah School	An explosion occurred on the main road in the vicinity of the school.
July 30, 2006	Badghis	Jawand	Char Taq Village	Girls' school	Two RPG rockets were fired and landed in an open area near a girl school.
August 2, 2006	Panjshir	Bazarak			An explosive device detonated inside a school during the night. The walls were damaged and windows were broken.
August 3, 2006	Faryab	Khowaja Namosa sub-district		Girls' school	Five unknown men entered a girls' school and tied up the school guard. The perpetrators subsequently burned a number of books from the library.
August 5, 2006	Paktya	Sayed Karam		Sayed Karam High School	Insurgents attacked the school with small arms fire. Guards returned fire and the insurgents fled the area.
August 6, 2006	Paktya	Gardez		Dara High School	Local people spotted an IED in the school. Police secured the site and authorities defused the device.
August 8, 2006	Wardak	Jeghatu	Mullah Village		Unknown persons wearing masks entered a tented school and set it on fire.
August 12, 2006	Khost	Bak			Insurgents threw a grenade into the residence of a schoolteacher in the above-mentioned district.
August 26, 2006	Daykundi	Nili	Sewak and Shiber village		A local man holding a hand-grenade entered a school building. He threatened the school teachers to close the school. (The man was arrested three days later.)

Date	Province	District	Village/City	School	Description
August 28, 2006	Takhar	Rostaq	Rostaq district center	Naswan-e-Shahr-e-Kona Girls High School	A group of armed men entered a girls' high school to destroy the school building with IEDs. The perpetrators tied up the school guard and put six IEDs on the ground in the corridor of the school and connected them with wires, and installed a timer device to explode at 0600hrs. They also collected papers and put them on fire with petrol. Their intention appeared to be to set up a fire to lure people and police inside the school at the same time the IEDs were to detonate. The IEDs were defused by police.
August 28, 2006	Paktya	Zurmat	Shahi Kot		Insurgents broke doors, windows, and office equipment at a school.
August 30, 2006	Kunar	Bar Kunar		primary school (tent)	Unknown armed men torched a tent used as a primary school; the tent was located inside a mosque compound.
August 30, 2006	Balkh		Balkh District center	Fairid-e-Balkhi	A female high school was attacked with a hand-grenade.
September 3, 2006	Balkh	Charbolak district	Lendai village	Lendai school	Unknown armed perpetrators tried to burn the school. Locals put out the fire.
September 4, 2006	Paktya	Sayed Karam		Kundar Khel School	Some unknown gunmen fired small arms at s school.
September 5, 2006	Helmand	Nadali	Zore Abad area		A group of unknown persons set a school on fire. The school was reportedly destroyed, including all the furniture, books and other equipment.
September 9, 2006	Khost	Zurmat	Sahak/Shamalzai village		Insurgents burned down four school tents.
September 16, 2006	Baghlan	Baghlan-e-Jadid	district center		An IED was discovered placed under a bridge on a secondary road, leading to the Baghlan-e-Jadid Male High School. The school was to be officially inaugurated in coming days. The IED was detonated by police at the scene.
September 18, 2006	Balkh	Chemtal	Arab Mazari village	Arab Mazari primary boys' school	A motorcyclist, carrying two armed passengers, entered a primary boys' school and asked about a particular student. When the perpetrators confirmed that the student was not present, they threw one hand-grenade into a classroom (through the window) and escaped. As the result of the explosion, the classroom sustained small damages but no casualties or injuries were reported.
September 20, 2006	Nangarhar	Khogyani, Wazir		Girls' school	The insurgents attacked a girls' school with RPGs.
September 20, 2006	Nangarhar	Khogyani, Wazir		Girls' school	An IED detonated inside a girls' school in the above-mentioned area.
September 20, 2006	Kunar	Dangam	District Headquarters		Insurgents fired nine missiles towards the district center. One of the rockets hit the district school and resulted in considerable damage to a classroom. No casualties were reported.
September 24, 2006	Bamyan	Kahmard	Chahar Taaq Village		Unknown individuals stole four school tents during the night.
September 25, 2006	Kabul	Bagrami			Three school tents were burned by unknown men during the night. All three tents and their chairs and tables were completely burned.
September 30, 2006	Balkh	Charbolak	District center		Unknown persons fired three rocket propelled grenades at a high school. The school building sustained damages, but no casualties or injuries were reported.
October 3, 2006	Logar	Puli Alam			Unknown men tried to burn a school, but were scared away by locals.
October 4, 2006	Balkh	Charbolak	Spinkai village	Spinkai male and female primary school	A primary school was burned by unknown perpetrators.

Date	Province	District	Village/City	School	Description
October 7, 2006	Nangarhar	Sherzad	Hashemkhel village		Police based in the district discovered and defused an IED placed close to a high school.
October 9, 2006	Nangarhar	Khogyani	Khwaran Village	Girls' primary school	Unknown persons burned a girls' primary school.
October 10, 2006	Nangarhar	Khogyani	Wazir	Wazir Girls' School	An IED constructed from a mine detonated prematurely on a secondary road leading to Wazir Girls' School. The school was set on fire in 2005 and had also suffered a previous IED strike.
October 13, 2006	Logar	Mohammad Agha	Kalnagar area, Galai Sayedan	Girls' school	Unknown men placed several mines in a government girls' school. Several mines exploded and the remaining ones were defused in the morning. As a result of the explosion the school's windows and doors were damaged.
October 13, 2006	Logar	Charikh	Pingram		Unknown individuals placed an IED inside a private house used as a government girls' school. When the bomb detonated, the house was totally destroyed.
October 15, 2006	Nimroz	Zaranj City		Girls' high school	Police located an IED attached to a motorbike parked outside a girls' high school. The police conducted a controlled explosion of the device. No casualty was reported.
October 21, 2006	Balkh	Charbolak	Timorak Village	Badayee Balkhi High School	A high school was attacked with two RPGs, which impacted near the school building.
October 21, 2006	Paktika	Gomal		Alizai Middle School	Unknown gunmen set a school on fire. The school was gutted and books, volumes of hadith (holy sayings), and tafser (interpretation of the Koran) were burned.
October 22, 2006	Balkh	Balkh	Bocka Village	Secondary School	A group of armed men tried to burn a secondary school in Bocka village. As the result, the administration room was burned down.
October 31, 2006	Logar	Azra	Mantal Kalay	Girls' school	Unknown individuals set a girls' school on fire during the night time.
November 5, 2006	Herat	Kushk-i-Rabat Sangi	Sangbor Village	Co-ed School	Eight unknown men set a school on fire. Locals managed to put out the fire. The teachers office was completely burned.
November 13, 2006	Paktika	Urgun	Chankolay Village		An IED was found in a school. A coalition team was informed and defused the device.
November 16, 2006	Badakhshan	Jurm	Souch Village		A primary school was burned by unknown persons in the area.
November 21, 2006	Logar	Baraki Barak	Zoghrom Khil Village		A government co-educational primary school was set on fire by unknown persons. Local residents succeeded in extinguishing the fire. As the result only one classroom was damaged.
November 25, 2006	Balkh	District 9	Mazar-e-Sharif city	Qazi Hamidudin school, Nahrishahi	Two tents in an outdoor co-ed high school were destroyed in an arson attack.
December 14, 2006	Kabul City	District 7			District police reported that they discovered an IED attached to a bicycle and left on the roadside near a Kabul technical school. The IED was safely defused by an EOD team.

# The Human Cost

## The Consequences of Insurgent Attacks in Afghanistan

Over the last two years, the Taliban, Hezb-e Islami, and other Afghan insurgent groups have carried out hundreds of armed attacks on military targets and civilians in Afghanistan, including bombings, shootings, arson attacks and kidnappings. These attacks have caused hundreds of deaths and injuries to civilians, and have had a profound impact on Afghan civilian life.

This report, based on accounts provided by witnesses, victims, and victims' relatives, and a review of available records and reports, describes insurgent attacks and their consequences. Attacks have killed mothers, fathers, husbands, wives, parents, and children, and left behind widows, widowers, and orphans. They have left lasting physical and psychological scars on victims and eyewitnesses, and caused much pain and suffering to surviving family members.

Many insurgent attacks have also been in violation of international humanitarian law—the laws of war. Many attacks in the last year were directly targeted at civilians or were launched without regard for civilian life. Even insurgent attacks intended for military targets frequently killed more civilians than combatants.

All parties to the current conflict in Afghanistan—government, international forces, and insurgents—have the duty to protect civilians from the effects of the armed conflict. This report details the costs of insurgents' failure to meet that obligation.

*A relative mourns over the body of a civilian killed in a suicide attack north of Kabul, Afghanistan, Tuesday, May 2, 2006. The attacker detonated a bomb-rigged car near a coalition military convoy north of Kabul, killing himself and a bystander but causing no coalition casualties. Most suicide bombing attacks on military targets in Afghanistan in 2006 killed more civilians than combatants.*

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