

Flygtningenævnets baggrundsmateriale

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Titel:	Legal Aid Board. Recent information relating to the treatment of Hazara people by other ethnicities and by the authorities. Is there discord between Hazaras and Pashtuns and do the authorities assist Hazara people or do they show preferential treatment to others?
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Recent information relating to the treatment of Hazara people by other ethnicities and by the authorities. Is there discord between Hazaras and Pashtuns and do the authorities assist Hazara people or do they show preferential treatment to others?

The most recent *UNHCR* eligibility guidelines document for asylum seekers from Afghanistan in a section headed, “Members of (Minority) Ethnic Groups”, refers to the Hazara as follows:

“Marginalized during the Taliban rule, the Hazara community continues to face some degree of discrimination, despite significant efforts by the Government to address historical ethnic tensions. Notwithstanding the comparatively stable security situations in provinces and districts where the Hazara constitute a majority or a substantial minority, such as Jaghatu, Jaghori and Malistan districts in Ghazni province, the security situation in the remainder of the province, including on access routes to and from these districts, has been worsening. Although not able to launch widespread operations in Jaghori, there are some reports of Taliban attacks in the district. Jaghori district is increasingly isolated given that some access routes to and from the district, including large stretches of the strategic Kabul-Kandahar road, are reportedly under Taliban control. There are regular reports of ambushes, robberies, kidnappings and killings by the Taliban and criminal groups along these roads. The Taliban have also intimidated, threatened and killed individuals, including Hazaras, suspected of working for, or being supportive of, the Government and the international military forces.” (UN High Commissioner for Refugees (17 December 2010) *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*, p.31)

The 2011 *US Department of State* country report on Afghanistan, in a section titled “National/Racial/Ethnic Minorities”, states:

“Social discrimination against Shia Hazaras continued along class, race, and religious lines. Ethnic Hazaras reported occasionally being asked to pay additional bribes at border crossings where Pashtuns were allowed to pass freely.” (US Department of State (8 April 2011) *2010 Human Rights Report: Afghanistan*)

This section of the report also states:

“Long-standing disputes between the Kuchis (nomads) and Hazaras escalated during the year. In April tensions with Kuchis flared in Baraki Barak, Logar Province. Villagers claimed that the Kuchis allowed their animals to graze too close to the settled areas. At least one person was killed in the fighting. On April 8 in Wardak Province, senior government officials negotiated a settlement of a 30-year-old land dispute between the Hazaras and the Kuchis, but on May 19, Hazaras and Kuchis fought over land disputes. On August 14 and 15, fighting broke out over land disputes between Hazaras and Kuchis in western Kabul, and several persons were killed.” (ibid)

A *Plus News Pakistan* article states:

"Ethnic Hazaras had migrated from Hazarajat in central highlands of Afghanistan more than 100 years ago to escape religious persecution of its rulers. They settled in Quetta as soldiers in the colonial army. They have been the target of religious violence since mid-1980s. But the attacks on them began to intensify in 2000, the year one of their top leaders, Sardar Nisar Ali Hazara, was gunned down in Quetta. Ever since, the extremists have targeted them repeatedly and with increasing severity. In May this year 14 ethnic Hazaras were killed in two separate gun-and-bomb attacks in Hazara Town. In June a Hazara policeman was shot down only two days before Olympian boxer Syed Abrar Hussain, who was also director general of the Pakistan Sports Board in Quetta, was shot dead near Ayub Stadium in the heart of the city. 'We have lost more than 500 people in sectarian attacks on our community (in the last 10 years or so). Every ethnic Hazara family has been affected, directly or indirectly, by the violence against them. Everybody has lost a relative or a friend or a neighbour,' says Mirza Azad of the Tanzeem Nasle-Nau Hazara. 'Our playgrounds are being raided, our homes and mosques are under fire and our religious processions are being attacked by religious extremists,' he says. 'The authorities have done nothing to protect us from them. Not a single case in which a Hazara was killed has been solved.'" (Plus News Pakistan (30 June 2011) *Murders of faith in a land of violence*)

A *Minority Rights Group International* report states:

"The ongoing instability and violence disproportionately affects minorities, with the beheading of 11 Hazaras in June 2010 in Uruzgan province, attributed by police to the Taliban, standing as a stark reminder of the challenge in re-building Afghanistan. There has also been a growth in tension between communities, typified by an incident in May in Behsud, where Hazaras and Kuchis clashed over land issues." (Minority Rights Group International (6 July 2011) *State of the World's Minorities and Indigenous Peoples 2011 – Afghanistan*)

A *Reuters* report states:

"The bodies of 11 men, their heads cut off and placed next to them, have been found in a violent southern province of Afghanistan, a senior police official said on Friday. A police patrol discovered the bodies on Thursday in the Khas Uruzgan district of Uruzgan province, north of the Taliban stronghold of Kandahar, said police official Mohammad Gulab Wardak. 'This was the work of the Taliban. They beheaded these men because they were ethnic Hazaras and Shi'ite Muslims,' he said." (Reuters (25 June 2010) *Police find 11 beheaded bodies in Afghan south*)

A paper by *Denise Phillips*, a PhD candidate at the University of New England, in a section titled "'Durable security': Growing insurgency, night letters and violent land disputes", states:

"These failures of security are directly affecting Hazara-populated regions within Ghazni, Uruzgan and Maidan Wardak provinces. Ghazni's general security has been worsening, with the assassination of a former governor in 2006 and 23 South Koreans being held hostage by the Taliban in 2007. Analysts deemed Ghazni to be 'among the most volatile provinces in southern Afghanistan'. In June 2010, the Afghanistan Analysts Network in Kabul reported that the Taliban have distributed 'night letters', a method of intimidation, to districts within Ghazni province. The night

letters warn that the main road out of Jaghori which links to Kabul is now closed and 'not to prevent the [Taliban's] entry into this area'. Many now fear that insurgents will penetrate central Afghanistan and fear a repeat of the Taliban's road blockade of essential supplies in the late 1990s. Located in Ghazni province, Jaghori is the former home of many Hazara refugees in Australia. Disturbingly, just 11 weeks after the government's suspension, the decapitated corpses of 11 Hazara males were discovered in the Khas Oruzgan district of Oruzgan province on 25 June 2010. Police official Mohammed Gulab Wardak reported they were killed by the Taliban 'because they were ethnic Hazaras and Shiite Muslims'." (Phillips, Denise (August 2010) *Hazaras' Persecution Worsens: Will the New Government show Leadership by lifting the Suspension on Afghani Asylum Claims?* Australian Policy and History, p.5)

This section of the paper also states:

"Turning now to Maidan Wardak, the UNCHR notes that ethnic minorities may experience persecution in 'regard to land and property' and 'by local powerholders'. Land disputes between Hazaras and Kuchis often erupt each summer but have worsened in the last few years since Kuchis have begun arriving in the Behsud and Daimirdad districts in Maidan Wardak province, heavily armed for conflict. Kuchis believe the decrees issued under Rahid Rahman entitle them to access, while many Hazaras have never accepted the loss of full rights over their land. As a result, Hazaras have been killed and their homes burnt. In 2008, approximately 60 000 people were displaced, and a May 2010 report estimated that 1800 families recently had been displaced, 68 homes burnt, and 28 schools closed, leaving 10 000 students without school facilities. As nomads, the Kuchi also are a minority group, but belong to the dominant Pashtun group. The Afghanistan Analysts Network suspects that the Taliban may be exploiting this century-old feud to incite and support attacks by their fellow Pashtuns, the Kuchi, against Hazaras." (ibid, pp.5-6)

A position paper by *William Maley*, a professor at the Australian National University, in a section titled "The position of Hazaras in Afghanistan" (paragraph 9), states:

"In a number of recent decisions, there appears to have been a tendency to see violence and displacement experienced by Hazaras (most recently reported from Wardak province, adjacent to Kabul, in May 2010) as simply a consequence of land disputes between settled Hazaras and Pushtun nomads (kuchis) that do not give rise to a well-founded fear of being persecuted for a Convention reason. In my view, this reflects an overly-simplistic reading of complex social relations. There is no doubt that land disputes abound in Afghanistan...However, latent tensions over issues such as land are tailor-made for oppositional groups that seek to build support by assisting one party or another, and there is every reason to suspect a Taliban role in fuelling such tensions. Here, the position of Hazaras as an overwhelmingly Shiite non-Pushtun minority makes them an easy target for overwhelmingly-Pushtun Taliban seeking to rebuild support from Sunni Pushtun groups such as the kuchis." (Maley, William (28 June 2010) *On the Position of the Hazara Minority in Afghanistan*)

In paragraph 11 this paper states:

"Hazara fears at present are gravely aggravated by the widespread claims from both Western political figures and President Karzai that some kind of reconciliation with the Taliban is required. These range from the widely-publicised statement of the then British Foreign Secretary, David Miliband, that 'Dialogue provides an alternative to fight or flight' (David Miliband, 'How to Win the War in Afghanistan', New York Review of Books, 29 April 2010), to President Karzai's oft-repeated description of the

Taliban as 'brothers'. With the terms of such 'reconciliation' still unclear, there is a risk that one outcome of current political processes (should they amount to anything) could be a 'spheres of influence' agreement that would concede local dominion to the Taliban in some provinces. The situation for Hazaras in such provinces could easily be dire, and certainly a fear of being persecuted would not be ill-founded." (ibid)

An *Agence France Presse* report states:

"Ten years on, the central province of Bamiyan is one of the most peaceful in war-torn Afghanistan and for that reason is expected to be among the first to come under the control of Afghan security forces. But Hazaras like Ibrahim fear that when NATO troops withdraw, the way will be open for the rebels they call 'animals' to return. As Shia Muslims, the Hazaras, who make up much of the population of central Afghanistan, were a prime target for the mainly Sunni Taliban. The Taliban famously blew up Bamiyan's historic Buddha statues, but they also destroyed what little sense of security the Hazaras, who occupy the bottom rung of Afghan society, used to enjoy. From the victims shot so many times their heads were left pulverised to the tribal elders who were cut to shreds with knives, accounts of Taliban brutality abound in this province, around 130 kilometres (80 miles) west of Kabul. In the minds of Bamiyan's residents, the threat of the militants' return is ever-present." (Agence France Presse (14 May 2011) *Afghanistan's oppressed Hazaras dread Taliban return*)

A *Sydney Morning Herald* article states:

"The Afghan refugee Ataullah Naseri says two schools were burnt down last week in his village in Ghazni province and a principal was killed. Panicked, he rang his family and was told the Taliban was again in control of Qarabagh, the mixed Hazara and Pashtun district he fled in 2001. 'The government had some kind of checkpoint and security - they are all gone. It is extremely concerning,' Mr Naseri, 28, an ethnic Hazara living in Brisbane, said." (Sydney Morning Herald (6 July 2010) *Sending Hazaras back to Afghanistan 'extremely dangerous'*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Agence France Presse (14 May 2011) *Afghanistan's oppressed Hazaras dread Taliban return*

<http://www.lexisnexis.com>

(Accessed 16 August 2011)

Maley, William (28 June 2010) *On the Position of the Hazara Minority in Afghanistan*

<http://ataullahnaseri.wordpress.com/2010/06/28/on-the-position-of-the-hazara-minority-in-afghanistan/>

(Accessed 15 August 2011)

Minority Rights Group International (6 July 2011) *State of the World's Minorities and Indigenous Peoples 2011 – Afghanistan*

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e16d380a>

(Accessed 15 August 2011)

Phillips, Denise (August 2010) *Hazaras' Persecution Worsens: Will the New Government show Leadership by lifting the Suspension on Afghani Asylum Claims?* Australian Policy and History

<http://www.aph.org.au/files/pdfs/hazarasPersecution.pdf>

(Accessed 15 August 2011)

Plus News Pakistan (30 June 2011) *Murders of faith in a land of violence*

<http://www.lexisnexis.com>

(Accessed 16 August 2011)

Reuters (25 June 2010) *Police find 11 beheaded bodies in Afghan south*

<http://www.reuters.com/article/2010/06/25/us-afghanistan-beheading-idUSTRE65O2ML20100625>

(Accessed 15 August 2011)

Sydney Morning Herald (6 July 2010) *Sending Hazaras back to Afghanistan 'extremely dangerous'*

<http://www.smh.com.au/national/sending-hazaras-back-to-afghanistan-extremely-dangerous-20100705-zxp6.html>

(Accessed 15 August 2011)

UN High Commissioner for Refugees (17 December 2010) *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*

<http://www.unhcr.org/refworld/pdfid/4d0b55c92.pdf>

(Accessed 15 August 2011)

US Department of State (8 April 2011) *2010 Human Rights Report: Afghanistan*

<http://www.state.gov/g/drl/rls/hrrpt/2010/sca/154477.htm>

(Accessed 15 August 2011)

Sources Consulted:

ACCORD

Electronic Immigration Network

European Country of Origin Information Network

Google

Immigration and Refugee Board of Canada

International Crisis Group

Lexis Nexis

Refugee Documentation Centre Query Database

Refugee Review Tribunal

UK Home Office

UNHCR Refworld

US Department of State