

**Flygtningenævnets baggrundsmateriale**

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| <b>Bilagsnr.:</b>               | <b>847</b>                                                                                                                  |
| Land:                           | Afghanistan                                                                                                                 |
| Kilde:                          | United Nations Assistance Mission in Afghanistan                                                                            |
| Titel:                          | Protection of Civilians in Armed Conflict: Election-Related Attacks and Abuses during the Initial Voter Registration Period |
| Udgivet:                        | 10. maj 2018                                                                                                                |
| Optaget på baggrundsmaterialet: | 31. august 2018                                                                                                             |



## **PROTECTION OF CIVILIANS IN ARMED CONFLICT: Election-Related Attacks and Abuses during the Initial Voter Registration Period**

### **OVERVIEW**

#### **Summary**

Since voter registration for the upcoming parliamentary elections began on 14 April, UNAMA has verified 23 election-related security incidents resulting in 271 civilian casualties (86 deaths and 185 injured), the majority of whom were women and children,<sup>1</sup> and the abduction of 26 civilians. The vast majority of civilian casualties occurred on 22 April 2018, when a suicide attacker detonated his improvised explosive device (IED) amongst a crowd outside a national identity card (*tazkira*) distribution centre in Kabul city, resulting in 198 civilian casualties (60 deaths and 138 injured).

Of concern, approximately 75 per cent, or 17 of the 23 election-related security incidents, occurred at schools or mosques used for election-related purposes. Two incidents at schools concerned the abduction of six civilians, one involved setting fire inside a school, one involved an IED detonated in a school, and one IED detonated at a mosque, while the remaining incidents at schools and mosques involved threats, intimidation and harassment.

UNAMA is following up on reports from around the country of Anti-Government Elements warning citizens not to register to vote in the upcoming elections as well as allegations that they have fined citizens and/or confiscated *tazkiras* of those who have registered. In some areas, the Taliban have reportedly threatened election-related staff with death or cutting off their fingers if they continue their work on the elections, and teachers have been warned that their schools will be targeted if they are used for voter registration purposes, resulting in school closures.

UNAMA is seriously concerned by the disturbing uptick in election-related violence targeting civilians and civilian sites at this early stage in the elections process, as well as cases of abductions and threats, voter intimidation, and harassment. UNAMA calls upon Anti-Government Elements to immediately cease targeting of election-related sites and civilians involved in the elections process, including those who wish to register to vote, and to refrain from threatening and intimidating civilians in an attempt to disrupt the elections process. UNAMA emphasizes that all Afghans have a right to participate in political processes, which requires the promotion and protection of the rights to freedom of movement, expression, association, and peaceful assembly.

UNAMA urges the Government of Afghanistan to enhance efforts to protect election-related sites, particularly schools, health facilities and mosques that have been designated as voter registration and polling centres, to reduce the potential risk of harm to civilians and ensure that access to basic services, including education for children and healthcare for all persons, is not impacted. UNAMA urges the parties to take immediate measures to avoid a repeat of the violence and insecurity witnessed throughout the 2014 presidential election period.

#### **Background**

The emerging trend of election-related violence and intimidation targeting civilians and civilian sites mirrors the disturbing pattern that was seen during the presidential election in 2014. In 2014, Anti-Government

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<sup>1</sup> In the 23 incidents, UNAMA documented 27 women killed and 70 injured; 13 children killed and 29 injured.

Elements, and to a much lesser extent some candidates and state security forces, sought to disrupt both rounds of the presidential election by threatening and directly targeting civilians involved in the electoral process, namely voters, candidates, employees of the Independent Election Commission and police officers providing security to polling centres.<sup>2</sup> In 2014, approximately half of all verified incidents of attacks against schools and school personnel resulted from the direct targeting of schools used as polling centres for the presidential elections.<sup>3</sup>

For the 2018 parliamentary elections, which are planned for October, many of the election processes (from registration to polling) are scheduled to be conducted in schools, health facilities and places of worship, all of which are highly vulnerable sites where civilians have been previously been targeted by Anti-Government Elements. Approximately 60% of the more than 7,000 sites designated by the Independent Electoral Commission as voter registration and polling sites are schools, with activities taking place inside school buildings during classroom hours. In previous election cycles, these sites were primarily used as polling centres only on election day; the use of these same facilities for activities taking place over a number of months, such as voter registration, creates a greater security risk, especially in vulnerable communities. In addition to these sites, *tazkira* distribution centres are vulnerable to election-related attacks as a *tazkira* is required before one is eligible to register to vote.

## EMERGING TRENDS OF ELECTION-RELATED SECURITY INCIDENTS

### Election-related attacks and abductions

Within the first three weeks of the voter registration period, UNAMA has verified 23 election-related security incidents in total, of which 10 were attacks resulting in 271 civilian casualties (86 deaths and 185 injured), three were incidents of abduction resulting in 26 civilians abducted, and 10 involved threats, harassment, or intimidation. Women and children comprised 51 per cent of these casualties.<sup>4</sup>

UNAMA documented attacks on *tazkira* distribution centres and voter registration sites as well as election-related personnel, including elections workers and Afghan National Police officers dedicated to providing security to election-related sites, through the use of IEDs, suicide attacks and targeted killings.

The incidents affected 11 schools and six mosques that were being used for election-related activities, resulting in damage to three of the schools and one mosque. In one incident on 17 April, Taliban set a fire inside a school used as a voter registration site in Chagcharan district, Ghor province and abducted four civilians including two voter registration staff and two police.<sup>5</sup> Taliban released the abductees two days later following mediation by elders. In Khost city on 6 May, an IED placed in a mosque during afternoon prayers detonated, impacting civilians gathered to register to vote and those worshipping in the mosque, resulting in the death of 17 civilians and injury of 35 more. No group claimed responsibility.

The deadliest single election-related attack documented by UNAMA to date occurred on 22 April 2018 in Kabul city when a suicide attacker detonated a body-borne IED amongst a large crowd of civilian men, women and children gathered outside a *tazkira* distribution centre located in Dasht-e-Barchi neighbourhood of Kabul city, resulting in 198 civilian casualties (60 deaths and 138 injured). While this centre was not located at a school or mosque, a voter registration site is located at one of the four schools within the immediate vicinity of the *tazkira* distribution centre. At the time of the attack, approximately 150 persons had reportedly gathered outside, waiting to enter the centre and receive their documents. The blast tore through the crowd of civilians gathered in the street and severely impacted a nearby shop as well as the persons inside. Victims and witnesses described, and photographs corroborated, horrific scenes in the

<sup>2</sup> In 2014, the vast majority of incidents (91%) directly targeted such civilians. See A/HRC/28/48 (2015), para. 13; see also Afghanistan Midyear Report on Protection of Civilians in Armed Conflict 2014, pp. 62 – 65.

<sup>3</sup> See A/HRC/28/48 (2015), para. 22.

<sup>4</sup> In the 23 incidents UNAMA documented 27 women killed and 70 injured; 13 children killed and 29 injured.

<sup>5</sup> Taliban claimed responsibility for the attack on its English Website, available at <https://alemarah-english.com/?p=27793>, last accessed 2 May 2018.

aftermath of the incident, with bodies and parts of bodies littering the ground. The blast also damaged many vehicles and nearby buildings, with windows blown out on adjacent buildings. Islamic State-Khorasan Province (ISKP) claimed responsibility via the Amaq News Agency using anti-Shi'a rhetoric (the attack took place in a predominately Shi'a neighbourhood) and emphasising the targeting of an 'electoral centre'.<sup>6</sup>

In another incident, on May 3 in Mardyan district, Jawzjan province, Taliban abducted and threatened 20 elections staff members with death if they continued their work on the elections or engaged in any elections activities in the future. The same day, 17 of them were released after influential community members provided a guarantee they would not work on elections, while three of them remain in Taliban custody.

### **Acts of threats, harassment and intimidation**

Of the 23 election-related security incidents verified by UNAMA, 10 consisted of threats, harassment and intimidation not involving casualties or abductions. Anti-Government Element groups threatened, harassed and intimidated election-related personnel, teachers and potential voters, including allegations of confiscation of *tazkiras* and/or fines imposed for possession of voter registration stickers.<sup>7</sup>

On 27 April in Dara-I-Suf-Payin district, Samangan province, during Friday prayers, the Taliban Shadow District Governor threatened to chop off the fingers of any member of the community who had a voter registration card, worked for the International Elections Commission, or participated in the upcoming parliamentary elections. Similarly, on 23 April, in Alishang district, Laghman province, Taliban called hundreds of tribal elders from the area, condemned election process and told them not to register their *tazkira* with the Independent Electoral Commission, warning that in future Taliban will check *tazkiras*, and if anyone has registered it for the election, they will face to strong consequences. The community members voiced their disagreement, noting this is a national process, and requested Taliban not to disturb it.

School teachers have also been at risk of threats, intimidation and harassment concerning the elections. On 2 May in Sharana district, Paktika Province, Taliban warned school teachers in the district that they will target the schools used for elections purposes if they were not shut down. As a result, all eight schools were closed. While one of the high schools was initially planning to stay open, none of the parents would let their children attend classes due to the heightened risk.

### **IMPACT OF ELECTION-RELATED SECURITY INCIDENTS ON HUMAN RIGHTS**

The growing insecurity from increasing election-related attacks and incidents of voter intimidation and harassment has a direct and immediate impact on the ability of all Afghans to exercise a number of important human rights and fundamental freedoms. International human rights law provides that every citizen has the right, without discrimination and without unreasonable restrictions, to take part in public affairs, to vote, and to be elected to government. In addition, critical to an effective elections process is the right of all persons – voters, candidates and their supporters, and election-related staff – to be free from fear and intimidation at all stages, from voter and candidate registration through to voting and finally the post-election period.

The recent attacks against *tazkira* distribution centres and voter registration sites combined with threats and harassment for registering to vote has negatively impacted the ability of all Afghans to safely and freely access these sites, which is a pre-requisite for being able to participate in the elections process. The insecurity has limited freedom of movement, which exacerbates existing cultural restrictions that often severely curtail the ability of women to exercise their political rights, and attacks targeting minority Shi'a Muslims may affect their ability and willingness to vote, reinforcing their feelings of disenfranchisement.

<sup>6</sup> ISKP claim of responsibility available at: <https://ent.siteintelgroup.com/Statements/is-khorasan-province-claims-100-casualties-in-suicide-bombing-at-voter-registration-center-in-kabul.html>, last accessed 2 May 2018.

<sup>7</sup> The 10 incidents of threats, harassment and intimidation do not include the abduction cases mentioned above.

Considering the likelihood of election-related attacks continuing over the coming months leading up to elections day, UNAMA is concerned about their longer-term effect on freedoms of expression, association and peaceful assembly. Heightened insecurity related to elections activities will hinder the ability of candidates and their supporters to engage in campaigning, participate in political rallies or peaceful protests, and attend other gatherings related to the elections. It also creates additional obstacles for women to exercise their rights to take part in the political and public life of the country.

Additionally, UNAMA is concerned about the direct and indirect impact of the election-related attacks on children's access to education. Schools designated as voter registration and polling centres are at great risk of being attacked, which could result in the closure of schools or disruption of regular education services due to damage to the buildings. UNAMA also notes the chilling effect that the attacks have already had on the willingness of families to send their children to schools, with girls likely to be particularly affected.

## CONCLUSION

UNAMA is alarmed by the escalation of election-related violence since the beginning of the voter registration period. The mission condemns in the strongest terms all attacks targeting election-related facilities and individuals involved in the elections process, which violates the prohibition under international law on attacks intentionally targeting civilian objects and persons. Along with abductions and incidents of harassment, threats and intimidation, these election-related incidents serve to hamper the exercise of fundamental human rights and freedoms, including children's access to education, and pose a significant threat to the elections process. UNAMA notes with grave concern that such incidents may be expected to increase as the elections process continues, and urges all parties to the conflict to take immediate measures to prevent any harm to civilians and civilian sites to avoid a repeat of the violence witnessed throughout the 2014 presidential election period.

## RECOMMENDATIONS

### Anti-Government Elements

Anti-Government Elements must immediately cease attacks directed at election-related facilities, including *tazkira* distribution centres, voter registration and polling centres. Special attention should be paid to ensure that schools, health facilities and places of worship used in the elections process remain protected from attack and that Afghan citizens are able to enjoy their basic rights to education, health, and religious freedom without disruption or interference.

Anti-Government Elements must immediately cease attacks as well as threats, harassment and acts of intimidation against elections personnel, including staff and security officials in charge of elections sites, as well as Afghan citizens exercising their right to participate in political processes. Anti-Government Elements are reminded to that all Afghans have a right to participate in the upcoming 2018 parliamentary elections, free from intimidation and fear.

### Government of Afghanistan

The Government of Afghanistan, particularly Afghan national security forces, and the Independent Electoral Commission must ensure that adequate security measures are in place to ensure the safety of Afghans exercising their rights and election-related facilities and personnel throughout the entirety of the electoral process.

Considering the widespread use of schools, and to a lesser extent health facilities and mosques, as voter registration and polling centres, the Government should put immediate mitigation measures in place to reduce the potential risk of harm to civilians and ensure access to basic services is not disrupted. Mitigation measures may include reviewing the setup of centres assessed as high risk, especially those located inside healthcare facilities, considering, *inter alia*, using tents outside the buildings.

The Government should take measures to address issues faced by Afghans living in insecure areas who are threatened and intimidated due to participation in the electoral process.