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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Treatment by the Taliban in Afghanistan of persons believed to be suspected spies for the government.

A report published by the *UN Assistance Mission in Afghanistan*, in a section headed "Assassinations and Executions", states:

"The different versions of the Taliban Code of Conduct have addressed the issue of 'spying.' The 2009 Code of Conduct appears to give more detailed information on how Taliban members should treat suspected spies. It prescribes the death penalty and requires the testimony of two witnesses or a confession when deciding on the sentence." (UN Assistance Mission in Afghanistan (UNAMA) (August 2010) *Afghanistan – Mid Year Report 2010: Protection of Civilians in Armed Conflict*, p.8)

The Introduction to a report from the *Afghanistan Independent Human Rights Commission* states:

"In a country suffering from high levels of poverty and unemployment, threats and murders of people labeled by insurgents as 'collaborators' and 'spies' is striking such fear into people that they abandon their jobs and sometimes leave their homes. In one story heard by AIHRC, insurgents executed eight day laborers who were traveling home for Eid after completing their work at an American base. It is often the poorest people of Afghanistan who are being threatened, kidnapped, and executed because they work on government or international construction or development projects." (Afghanistan Independent Human Rights Commission (AIHRC) (December 2008) *Insurgent Abuses against Afghan Civilians*, p.5)

In a section titled "Beheadings, Hangings, and Mutilation" this report states:

"In a different incident, reported in a DW-WORLD.DE Dari language news release, three people were hanged in southern Afghanistan by insurgents in February 2007. A policeman who was interviewed by reporters said one of the persons killed was a policeman who had surrendered to insurgents. According to the release, the people were accused for being spies for American and NATO forces. Taliban spokesman Yousaf Ahmadi confirmed the report." (ibid, p.26)

The most recent *UN High Commissioner for Refugees* eligibility guidelines document, in a section headed "Persons associated with or perceived as supporting the Government including Government officials and civil society members", states:

"Numerous reports indicate that persons suspected of 'spying' on behalf of the Afghan military or the international forces risk execution at the hands of

the armed anti-Government groups. In several cases these persons, including women and children, have been summarily executed by the insurgents. Reports also exist of Afghans being executed by the Taleban in Pakistan, for alleged spying activities.” (*UN High Commissioner for Refugees (July 2009) UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*, pp.21-22)

In a paragraph headed “Spying charges” a *BBC News* report on the killing of alleged spies by the Taliban states:

“The BBC’s M Ilyas Khan says that such killings before large crowds are unusual - but not unprecedented - in the tribal areas. An AFP correspondent who witnessed the executions said more than 5,000 people watched on open ground 10km (six miles) west of Khar, the main town in Bajaur. Local security officials say that the two condemned men were kidnapped two days ago by the Taleban. The AFP reporter said that the Taleban announced the spying charges against the men on megaphones. They alleged that their spying activities led to the US missile strikes in the Damadola area of Bajaur. The houses of two militant leaders were targeted on 14 May and 14 people were killed. ‘The men’s faces were covered and their hands were tied. One was slaughtered with a knife amid shouts of Allahu akbar (God is great), while the other was shot with a burst of fire from a Kalashnikov,’ the AFP correspondent said.” (*BBC News (27 June 2008) Pakistan Taleban ‘execute spies’*)

A *Washington Post* article states:

“In mid-December, fighters yanked a 60-year-old woman and her 7-year-old grandson off a bus in Deh Rawood. They interrogated the pair and, after finding a U.S. dollar bill in the boy’s pocket, accused the two of spying and executed them in front of the other passengers and bystanders, according to accounts by Afghan human rights groups, news services and Dutch officers.” (*Washington Post (26 February 2008) NATO Confronts Surprisingly Fierce Taliban*)

In a paragraph headed “National staff” an *IRIN News* report states:

“Several Afghans working for the UN told IRIN of their concerns for their personal security and vulnerability ‘We feel exposed to greater risks now. I hope the organization will seek ways to mitigate risks to national staff as well,’ said one UN Afghan staff member who preferred anonymity. Aleem Siddique, a UNAMA spokesman, sought to reassure UN national staff: ‘We are particularly concerned about the security of our national staff,’ he told IRIN, adding that the organization would enhance protection and security for all UN staff. Local aid workers have been killed, kidnapped and harassed more than international UN and NGO workers, according to figures from the Afghanistan NGO Safety Office (ANSO). In the first nine months of 2009, 18 Afghan NGO employees were killed and six wounded in security incidents, ANSO reported in October. ‘Afghan aid workers are wrongly labelled as spies and collaborators of foreign forces,’ said AREA’s Shah, adding that local staff faced greater risks in their homes and communities because of their identifiable association with NGOs and other international organizations.” (*IRIN News (9 November 2009) AFGHANISTAN: “We feel exposed to greater risks now” - local aid workers*)

In a section headed "Assassinations, Threats and Intimidation" the *UN Assistance Mission in Afghanistan* annual report on the events of 2009 states:

"Persons were most often assassinated or executed due to AGE suspicions that the targeted individuals had acted as informants or 'spies' for the GoA or IM forces; for working with the IM forces as interpreters, truck drivers or security guards at military bases; for actively supporting the Government; or for belonging to the ANSF. The majority of assassinations took place in the south, southeast and central regions of Afghanistan." (UN Assistance Mission in Afghanistan (UNAMA) (January 2010) *Afghanistan – Annual Report On Protection Of Civilians In Armed Conflict, 2009*, p.12)

This section of the report also states:

"Reprisals can be swift and harsh. UNAMA HR has documented numerous cases where civilians were abducted and killed for their apparent support for, or association with, the Government and its allies or, most commonly, for allegedly being 'spies'. Adults and children in the south, southeast, east and central regions of the country were more frequently subjected to such tactics. For example, on 12 July, an individual suspected of spying for the government and IM forces was publicly hanged in Chak District in Wardak Province. On 9 November, a local daily wage labourer, working for IM forces, was allegedly abducted and killed by AGEs in Nari District, Kunar Province; he was said to have provided information to IM forces that resulted in some insurgents being killed during a previous operation. On 15 November, five males were abducted by a group linked to a local Taliban commander in Khaki Safed District of Farah Province. Two of them were beheaded for being affiliated with the Government. The remaining three were released." (ibid, pp.12-13)

The anti-capital punishment association *Hands Off Cain* reports the hanging of a 7-year-old boy by the Taliban as follows

"Taliban militants in Afghanistan executed a seven-year-old boy on suspicion of spying for the US-allied government, according to local reports. The child was tried and publically hanged in the village of Heratiyan, in Sangin, Helmand province, said Dawoud Ahmadi, the provincial governor's spokesman. Afghan officials said the boy was accused of spying for US and Nato forces and hanged from a tree." (Hands Off Cain (8 June 2010) Afghanistan: Taleban Hang 7-Year-Old Boy To Punish Family)

A *New York Daily News* article on this incident states:

"The execution happened Tuesday in the embattled Helmand province, said Dawoud Ahmadi, a spokesman for the provincial governor. 'The innocent boy was not a spy, but he may have informed the police or soldiers about planted explosives,' Ahmadi told Central Asia Today. 'If this is true, it is an absolutely horrific crime,' added British Prime Minister David Cameron, while on a stop in Kabul. 'I think it says more about the Taliban than any book, than any article, than any speech could ever say.' The victim was reportedly the grandson of a tribal elder. The Taliban has targeted tribal leaders who have supported the Karzai government or took part in U.S. directed reconstruction programs. Hanging is a favorite Taliban terror method for getting rid of

enemies - and sending a message to other would-be opponents. Nor is this the first time the Taliban has killed kids. Three years ago, they strung up a 70-year-old woman and a child in the Musa Qala district on trumped up spying charges, Ahmadi said." (New York Daily News (10 June 2010) *Taliban hang 7-year-old boy accused of being a spy, suicide bomber kills 40 at Afghanistan wedding*)

A Xinhua General News Service report states:

"Taliban, in efforts to terrify government servicemen, have executed three civilians in Herat province, west of Afghanistan, police said Saturday. 'The rebels sprayed bullets and killed three innocent brothers on charge of spying for the government in Gazara district on Friday,' Ikramudin Yawar, senior police officer in west Afghanistan, told Xinhua. He added that the victims were innocent civilians and did not work for the government." (Xinhua General News Service (26 September 2009) *Taliban execute 3 civilians in W. Afghanistan*)

A Press Trust of India on the recent "executions" of alleged spies by the Taliban in Pakistan states:

"Taliban militants today publicly executed three men they had accused of spying for the US in the lawless North Waziristan tribal region of northwest Pakistan, officials said. The tribesmen, who were blindfolded and had their hands tied behind their backs, were shot dead one by one by a militant wearing a black mask on a road near Miranshah, the main town of the restive North Waziristan Agency. Before shooting the three men, militants asked local residents to 'come and witness the fate of US spies', witnesses said." (Press Trust of India (7 November 2010) *Taliban publicly execute three 'US spies'*)

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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.

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