

# **AFGHANISTAN**

## **ANNUAL REPORT 2011**

### **PROTECTION OF CIVILIANS IN ARMED CONFLICT**

#### **Executive Summary and Recommendations**



**United Nations Assistance  
Mission in Afghanistan**



**UN Office of the High  
Commissioner for Human Rights**

**Kabul, Afghanistan  
February 2012**



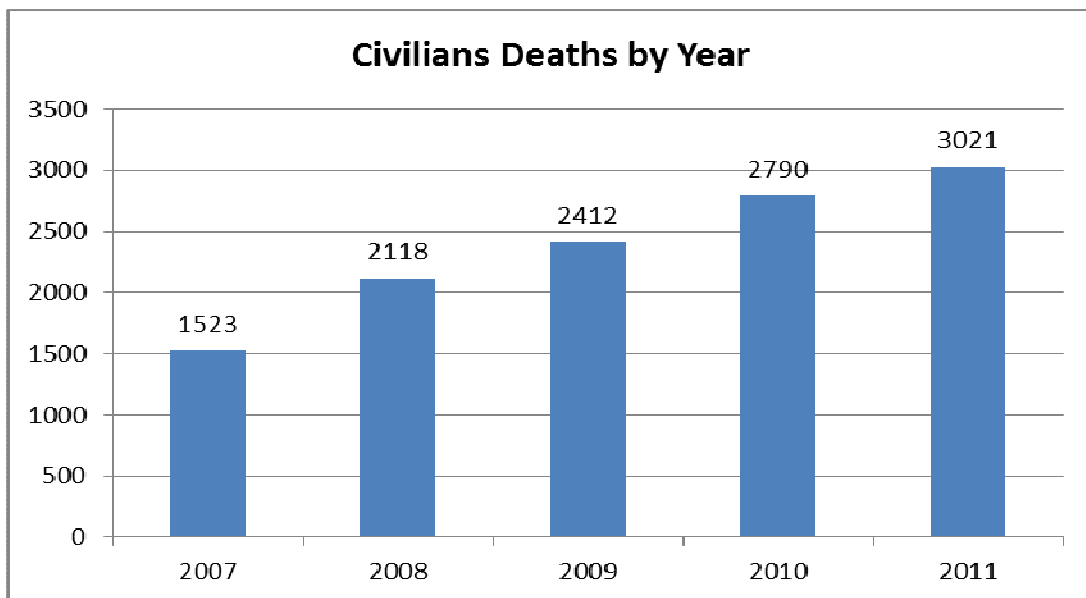
## Executive Summary

*I heard the explosion at around 11.45 in the morning. A few minutes later my wife called my mobile phone. She was very upset and difficult to understand. She told me that my 14-year old son had been buying ice at the scene when the detonation occurred. She told me she could see his blood on the road but did not know where he was. I went to the hospital. After some time searching among the injured and the dead I found his body. A piece of shrapnel had gone through his head. I passed out and was taken home by friends. My son is dead and his loss is killing me and my wife. He was the only son I had.*

—Father of a victim of an IED attack in the Dasht-i-Shor area of Mazar-i-Sharif, Balkh province, 20 July 2011<sup>1</sup>

A decade after it began, the armed conflict in Afghanistan again incurred a greater human cost in 2011 than in previous years. The United Nations Assistance Mission in Afghanistan (UNAMA) documented 3,021 civilian deaths in 2011, an increase of eight percent over 2010 (2,790 civilian deaths) and a 25 percent increase from 2009 (2,412 civilian deaths).<sup>2</sup>

In 2012, UNAMA re-asserts the imperative for all parties to the conflict – Anti-Government Elements, and Afghan national and international military forces – to increase their commitment and efforts to protect civilians, and to comply fully with their legal obligations to minimize loss of life and injury among civilians.

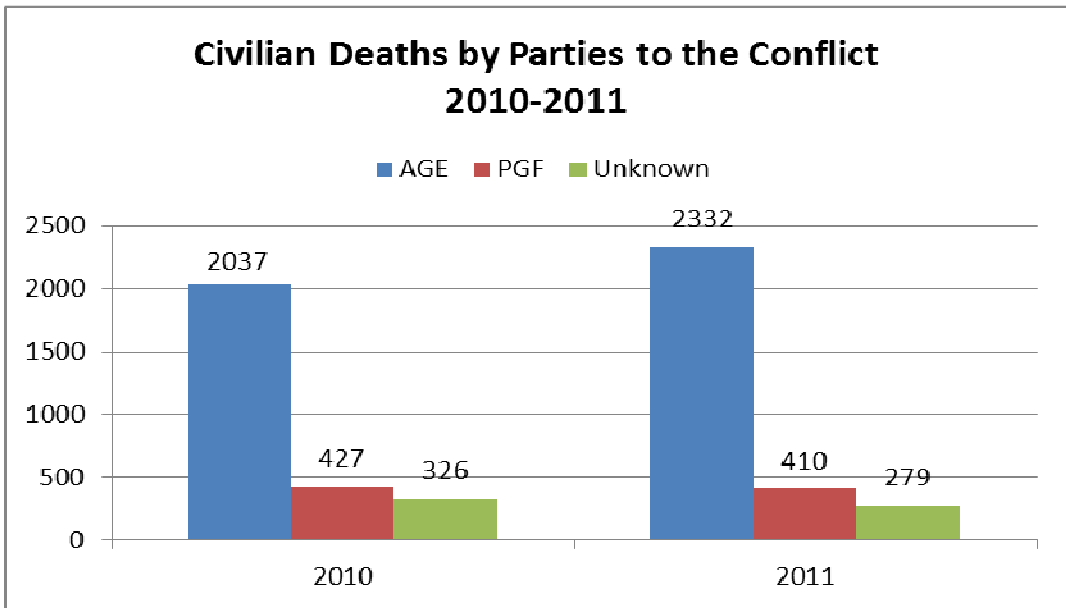


Anti-Government Elements caused 2,332 conflict-related deaths of Afghan civilians in 2011, up 14 percent from 2010. 77 percent of all conflict-related civilian deaths in 2011 were attributed to Anti-Government Elements.

<sup>1</sup>UNAMA interview with 55-year old father of a victim of an IED attack on 20 July 2011 in Mazar-i-Sharif, Balkh province that killed four civilians and injured 14 others.

<sup>2</sup> 2011 marked the fifth consecutive year in which UNAMA documented an increase in civilian casualties in Afghanistan. 11,864 civilians have been killed in the conflict since 2007.

410 civilian deaths resulted from the operations of Pro-Government Forces, down four percent from 2010.<sup>3</sup> 14 percent of all conflict-related civilian deaths were attributed to Pro-Government Forces in 2011. A further 279 civilian deaths, or nine percent of the total, could not be attributed to a particular party to the conflict.



The record loss of the lives of Afghan children, women and men resulted from changes in the tactics of Anti-Government Elements and changes in the effects of tactics of parties to the conflict. Anti-Government Elements used improvised explosive devices more frequently and more widely across the country, conducted deadlier suicide attacks yielding greater numbers of victims, and increased the unlawful and targeted killing of civilians. Civilian deaths from aerial attacks by Pro-Government Forces increased in 2011, in spite of a decrease in the number of aerial attacks and an overall decline in civilian deaths attributed to Pro-Government Forces.<sup>4</sup>

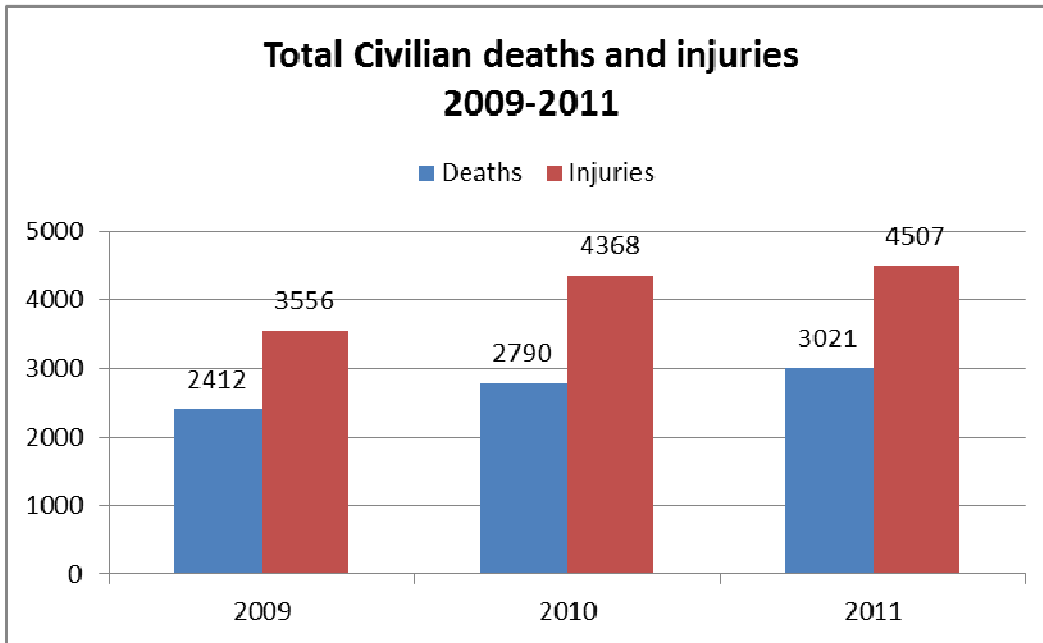
At the same time, the geographic distribution of civilian casualties shifted significantly particularly in the second half of 2011. As the armed conflict lessened in severity in the south and intensified in provinces in the southeast, east and north of the country, rising numbers of Afghan civilians in these areas were killed and injured, accounting for an increasing proportion of all civilian casualties nationally.<sup>5</sup> For example, in the second half of 2011, ground engagement between Anti-Government Elements and Pro-Government Forces caused 289 civilian deaths, a decline of 33 percent compared to the same period in 2010. Deaths from this

<sup>3</sup> Pro-Government Forces include the Afghan National Security Forces and international military forces operating in Afghanistan.

<sup>4</sup>Close air support missions (CAS) with weapons conducted by fixed and rotary-wing aircraft in Afghanistan numbered 1,675 that included 4,896 sorties with weapons releases in 2011 down from 1,816 CAS missions entailing 5,101 sorties with weapons releases in 2010. See US Air Forces Central Public Affairs News Release, 'Combined Forces Air Component Commander 2008 – 2011 Statistics', 2 January 2012.

<sup>5</sup> The United Nations Department of Safety and Security (UNDSS) in Afghanistan recorded an 18 percent increase in security incidents in 2011 compared to 2010. 22,903 incidents were reported compared with 19,403 in 2010 and 11,524 in 2009. The southern and southeastern regions accounted for 64 percent of all incidents (32 per cent each). The average monthly growth rate of incidents was highest in these regions each recording a 38 per cent growth compared to 2010. However, the southern region recorded a steep decrease after September 2011 with incident levels remaining low throughout December in line with military operations of Pro-Government Forces that focused on the southeastern and eastern regions since September.

tactic decreased in all regions except the eastern region where 72 civilians died in ground combat, up 29 percent from 2010.



### ***Anti-Government Elements and Protection of Civilians***

The tactics of Anti-Government Elements subjected Afghan civilians to death and injury with increasingly lethal results in 2011. Improvised explosive devices (IEDs) were the single largest killer of Afghan children, women and men in 2011, taking the lives of 967 civilians, or nearly one in three (32 percent) of all civilians killed in the conflict. IEDs caused 41 percent of civilian deaths linked to Anti-Government Elements.<sup>6</sup>

During 2011, Anti-Government Elements increased their use of victim-activated pressure plate IEDs that function as anti-personnel landmines detonated by any person, including children, stepping on or any vehicle driving over them. These IEDs cannot discriminate between a military and civilian target and as such are illegal prohibited weapons. Although the Taliban banned the use of anti-personnel landmines in 1998 denouncing such weapons as un-Islamic and anti-human, Anti-Government Elements used these anti-personnel landmine-like IEDs in 2011 with devastating impacts on civilians. UNAMA again urges the Taliban and other Anti-Government Elements to prohibit their members from using pressure-plate IEDs which killed and injured the most Afghan civilians in 2011.

The civilian death toll from suicide attacks in Afghanistan rose dramatically in 2011. In total, 431 civilians were killed in suicide attacks, an increase of 80 percent over 2010. Suicide attacks accounted for 14 percent of all civilian deaths, and 18 percent of civilian deaths attributed to Anti-Government Elements. While the number of suicide attacks did not increase over 2010, the nature of these attacks changed, becoming more complex, sometimes involving multiple suicide bombers, and designed to yield greater numbers of dead and injured civilians.

Targeted killings of civilians by Anti-Government Elements persisted in 2011, exceeding the high rate recorded in 2010. UNAMA documented 495 targeted killings across the country, up three

<sup>6</sup> The United Nations Department of Safety and Security (UNDSS) recorded an average of 23 IEDs detonated or discovered every day in 2011, twice the daily average in 2010.

percent from 2010. Provincial and district governors, local government officials and workers, provincial and peace council members and local community and tribal elders were deliberately targeted.

In 2011, the Taliban released several public statements on issues related to protection of civilians.<sup>7</sup> UNAMA welcomes any public pronouncement of Taliban policy on reducing civilian casualties but asserts that such rules are only meaningful if implemented on the ground. Despite the Taliban's improved messaging on protection of civilians in 2011, UNAMA did not document improved compliance with international humanitarian law by the Taliban or a reduction in civilian casualties caused by them. The Taliban continued to directly target civilians and use indiscriminate weapons such as pressure-plate IEDs.

UNAMA calls on the Taliban's leadership to incorporate rules of engagement aimed at civilian protection – as expressed in several Taliban statements in 2011 – into its Code of Conduct (*Layha*), bring provisions on reducing civilian casualties into line with international humanitarian law and ensure such rules are implemented fully by all Taliban fighters with sanctions for non-compliance.

### ***Pro-Government Forces and Protection of Civilians***

Among the tactics of Pro-Government Forces, aerial attacks caused the greatest number of Afghan civilian deaths in 2011.<sup>8</sup> In total, 187 civilian deaths were attributed to aerial attacks, an increase of nine percent over 2010.

The number of civilian deaths during night search operations by Pro-Government Forces dropped to 63 in 2011, down 22 percent from 2010.<sup>9</sup>

Between July and December 2011, UNAMA documented 41 civilians killed by operations and actions of the Afghan National Security Forces. This represents a 192 percent increase in civilian deaths attributed to these forces compared to the last six months of 2010. UNAMA recorded minimal increases or decreases in civilian casualties caused directly by Afghan National Security Forces in transitioned areas.

UNAMA calls on all national and international military forces to take further measures to prevent incidental loss of civilian life and injury in the planning and implementation of all military operations.

---

<sup>7</sup>Statement of the Leadership Council of the Taliban regarding the Inception of the Spring Operations," 30 April 2011, paragraph 4; Message of the Taliban's leader on the occasion of *Eid-ul Fitr*, 28 August 2011, and Message of the Taliban's leader on the Occasion of *Eid- al-Adha*, 5 November 2011. [http://www.shahamatenglish.com/index.php?option=com\\_content&view=article&id=6780:statement-of-the-leadership-council-of-the-islamic-emirate-regarding-the-inception-of-the-spring-ope&catid=4:statements&Itemid=4](http://www.shahamatenglish.com/index.php?option=com_content&view=article&id=6780:statement-of-the-leadership-council-of-the-islamic-emirate-regarding-the-inception-of-the-spring-ope&catid=4:statements&Itemid=4).

<sup>8</sup> 'Aerial attacks' encompasses attacks or air strikes from military aircraft, including munitions dropped or fired from airplanes, helicopters and drones.

<sup>9</sup> Accurate data on numbers of night search operations or "night raids" and civilian casualties is difficult to obtain as such information is generally classified. Data on the total numbers of night operations carried out by a range of Afghan and international military forces, special forces, special operations forces and other government agencies and any civilian casualties resulting from all such operations is not publicly available. Given both limitations associated with the operating environment and limited access to information, UNAMA may be under-reporting the number of civilian casualties from night search operations.

## ***Impact of the Armed Conflict on Women and Children***

In 2011, women and children again increasingly bore the brunt of the armed conflict. The number of Afghan women and children killed in 2011 increased from 2010, particularly in the second half of the year. UNAMA documented the deaths of 166 women and 306 children, representing 30 percent of all civilian deaths between July and December 2011. Compared with the same span in 2010, the number of women killed grew by 29 percent and the number of children killed by 51 percent in the last half of 2011.

Improvised explosive devices remained the leading cause of conflict-related deaths of women and children. In the second half of 2011, 112 children (36 percent of all child deaths for the period) were killed by IEDs up 45 percent from the last half of 2010. IEDs caused the deaths of 69 women (41 percent of all female deaths in the second half of 2011) up 30 percent compared with the last half of 2010. Suicide attacks killed five women and 30 children from July to December 2011, more than twice the number of deaths from this tactic compared to the same period in 2010.

Aerial attacks by Pro-Government Forces caused the deaths of more women and children than in 2010, particularly in the second half of 2011. Between July and December 2011, the number of women and children killed by air attacks tripled (66 deaths including 45 children and 21 women) compared with in the same period in 2010. In the last half of 2011, aerial attacks caused 14 percent of the total number of deaths of women and children.

## ***Geographic Shift in the Conflict***

As the year progressed, the conflict gathered intensity outside those southern provinces where fighting has historically been concentrated and worsened in several provinces in the southeastern and eastern regions. In the last half of 2011, although Kandahar and Helmand remained the provinces with the highest number of civilian deaths with 290 civilians killed; this number is a 39 percent decrease compared to the same period in 2010.

In contrast, the southeastern provinces of Khost, Paktika and Ghazni and eastern provinces of Kunar and Nangarhar saw a combined total of 446 deaths, a 34 percent increase compared with the same period in 2010. Between July and December 2011, civilian deaths in the central region jumped from 128 to 230, an 80 percent increase from the previous year. This rise was prominent in Kabul province, where civilian deaths increased from 23 in the last half of 2010 to 71 in 2011. 67 of the 71 civilian deaths in Kabul during this period occurred as a result of six suicide attacks.

Although targeted killings by AGEs decreased in the southern, central and northeastern regions in 2011, country-wide such killings rose by six percent, with huge increases in the western region (255 percent), the southeastern region (114 percent) and the eastern region (107 percent). This shift was particularly evident in the second half of the year.

In 2011, UNAMA documented 54 Afghan civilian casualties (18 killed and 36 injured) as a result of shelling from counter-insurgency operations carried out by Pakistani military forces in the Federally Administered Tribal Areas (FATA) bordering Kunar, Nangarhar and Nuristan provinces in Afghanistan.<sup>10</sup> The shelling also displaced hundreds of families in Kunar and Nangarhar provinces and destroyed civilian property including homes and livestock.

---

<sup>10</sup> UNAMA excluded in its total number of civilian casualties for 2011 those deaths and injuries of Afghan civilians caused by shelling from Pakistan. Pakistan's Ambassador to Afghanistan, Mr. Sadeq was reported to have told Afghanistan's foreign minister *"I told them that the Pakistani forces targeted militants from the*

## ***Afghan Local Police and Protection of Civilians***

With the start of transition in 2011, Afghan and international military forces relied increasingly on the Afghan Local Police (ALP) to fill gaps in securing rural and remote areas of the country.<sup>11</sup> ALP units have been formed in specific districts where the Afghan National Police or Afghan National Army were not present in sufficient numbers to adequately secure local communities and comprise individuals recruited locally to provide security within a limited geographic area. Costing considerably less to train and maintain than Afghan National Police or Afghan National Army recruits, the ALP numbers 11,066 in 57 districts with the Ministry of Interior authorized to recruit up to 30,000 in 99 districts.<sup>12</sup> According to the International Security Assistance Force in Afghanistan (ISAF), the ALP provides an “enduring physical security presence that operates with local support and national approval and oversight,” is a “key piece in the comprehensive joint Afghan-ISAF counter-insurgency effort”, and “part of the wider Afghan-ISAF security network.”<sup>13</sup>

Throughout 2011, UNAMA received mixed reports on the performance of the ALP and their impact on civilian protection. At year’s end, most interlocutors reported improved security in areas where the ALP operated. Concerns persisted however regarding recruitment of known human rights abusers into the ALP in some areas and inadequate vetting, training, command and control, accountability and oversight.<sup>14</sup> UNAMA documented inappropriate influence by local power brokers in the recruitment and conduct of ALP members in some areas, ALP commanders imposing illegal taxes on some communities in Paktika and Kunduz provinces, and forced recruitment of local residents including children in some districts in Paktika, Farah and Uruzgan provinces. UNAMA received reports of murder, rape, violence and intimidation by ALP forces in Kunduz, Baghlan and Sari-Pul provinces and displacement of civilians in Uruzgan and Sari-Pul provinces caused by ALP abuses.

To improve the conduct, accountability and oversight of the ALP, in December 2011 ISAF stated it would work with the Ministry of Interior to train ALP members on practical methods to prevent human rights violations, define force jurisdiction, position a senior ANP officer in ISAF to ensure Afghan involvement in oversight and accountability, and develop local response, reporting and policy procedures for misconduct by ALP members. UNAMA welcomes these measures and

---

*Tehreek-e-Taliban Pakistan (TTP), not Afghan civilians. However, the loss of life and property is regrettable”. See Express Tribune at <http://tribune.com.pk/story/261277/cross-border-shelling-kabul-delivers-rebuke-to-pakistan-envoy/>.*

<sup>11</sup> In August 2010, ISAF and the Ministry of Interior established the Afghan Local Police as a mechanism in the Ministry of Interior to support unstable districts, protect remote rural areas, deter infiltration of Anti-Government Elements and create an environment for improved governance and development. According to ISAF, the goal of the ALP which operates under the Village Stability Operations Program (VSO) (that embeds US Special Operations Forces USSOF teams in key villages and rural areas to mobilize communities against Anti-Government Elements), is community mobilization through simultaneous focus by USSOF teams and support forces on security improvements with governance and development. The ALP is funded by the US Government through the Afghan Security Forces Fund for all 30,000 members through 2015. ISAF states that currently up to four million Afghans reside in areas partially protected by VSO US Special Operations Forces/ALP sites.

<sup>12</sup> ALP units are required to operate within local ANP command structures with district level units reporting directly to the district ANP commander under the supervision of the provincial chief of police. ALP members receive a 21-day training course supplemented by US Special Operations Forces’ mentoring of ALP units with eventual handover of mentoring functions to Afghan National Security Forces. ALP units also receive logistics support from US Special Operations Forces.

<sup>13</sup> UNAMA meetings with Deputy DCOS Operations HQ ISAF and staff, Kabul, January 2012.

this report's findings support the need for their prompt and full implementation before the ALP programme is expanded.<sup>15</sup>

### ***Impact of the Armed Conflict on Afghans***

As 2011 unfolded, ordinary Afghan people experienced growing intrusion into and disruption of their daily lives by the armed conflict in their country. Conflict and insecurity displaced 185,632 Afghans in 2011, an increase of 45 percent from 2010.<sup>16</sup>

Thousands more Afghans lost their livelihoods and property, were denied access to justice, had their right to freedom of movement restricted or taken away, and had their access to food, health care and education compromised. The unremitting toll of civilian casualties coupled with pervasive intimidation affected many civilians directly, and many more indirectly, by fueling uncertainty, tension and fear.

Tracking the geographic shifts in the conflict, communities in conflict-affected and remote regions became even more vulnerable through the proliferation of pro- and anti-Government armed groups, roads increasingly blocked by checkpoints or lined with IEDs, restricted humanitarian assistance and increased harassment and intimidation by parties to the conflict.

At the beginning of 2012, proposals and ideas that could contribute toward peace negotiations occurred. UNAMA urges that any such negotiations place the highest priority on protection of civilians in the ongoing armed conflict and in any outcome that leads to resolution of the conflict, with an emphasis on concrete and effective measures to reduce civilian deaths and injuries.

UNAMA stresses at this potentially critical juncture that, to the Afghan people, the credibility and value of a negotiation process and progress toward peace will be measured by reduced civilian casualties and improved security particularly in conflict-affected areas.

## **Recommendations**

UNAMA makes the following recommendations to improve civilian protection.

### **Anti-Government Elements**

- Comply with international humanitarian law, uphold the principles of distinction, proportionality and precautionary measures, and protect the right to life.
- Stop using victim-activated pressure-plate IEDs, prohibit members from using them and publicly commit to banning the use of these indiscriminate and illegal weapons.
- Stop targeting civilians and carrying out indiscriminate and deliberate suicide attacks that harm civilians including women and children, withdraw orders that permit attacks and killings of civilians and use the definition of 'civilian' consistent with obligations under international humanitarian law.
- Stop attacking places of worship such as mosques which are protected places under international humanitarian law.

---

<sup>15</sup> HQ US Forces-Afghanistan, Memorandum for Record, Findings and Recommendations (AR 15-6-Credibility Assessment of Allegations of Human Rights Violations in a Human Rights Watch Report), 6 December 2011.

<sup>16</sup> United Nations High Commissioner for Refugees Afghanistan, Statistical Summary on Conflict-Induced Internal Displacement for 2011.

- Enforce codes of conduct and directives that instruct members to prevent civilian casualties and hold accountable those members who kill and injure civilians.

### **Government of Afghanistan**

- Create a civilian casualty team in the Afghan National Army similar to the ISAF Civilian Casualty Mitigation Team to ensure accurate, professional and timely investigation and documentation of all incidents of civilian casualties caused by ANSF to improve civilian protection, accountability, remedial measures and compensation.
- Ensure all troops are trained adequately in escalation of force tactics, techniques, and procedures in particular on alternatives to lethal force. Implement public service announcements to increase awareness by Afghan civilians of proper checkpoint and convoy procedures.
- Train all Afghan security forces (ANA, ANP, ANBP, ALP, ANCOP and others) in all elements of international humanitarian and human rights law and ensure such training is mandatory and integrated into all Afghan National Security Forces' training programmes.
- Improve recruitment, vetting, oversight and accountability mechanisms for the Afghan Local Police to prevent and respond to reported human rights abuses and criminality by the Afghan Local Police and other local defence forces under the Government's control.

### **International Military Forces**

- Further review procedures and directives aimed at preventing incidental loss of civilian life and injury and damage to civilian objects in the planning and implementation of all military operations, in particular aerial attacks.
- Implement fully the "Night Operations Tactical Directive" of 1 December 2011 to operationalize Commander ISAF's intent to prevent civilian casualties, minimize disruption to Afghan civilians and protect their property, share the maximum information possible with local leadership and civilians before, during and after night operations, and encourage Afghan National Security Forces to lead such operations.
- Promote transparency, accountability, improved compensation procedures and better relations with affected Afghan civilians and communities through the prompt and public release of all Joint Incident Assessment Team (JIAT) findings on incidents involving civilian casualties.
- With the Government of Afghanistan, promptly implement measures to improve the conduct, oversight, accountability and field-level monitoring and mentoring of the Afghan Local Police, and disband all local defence forces operating outside the Government of Afghanistan's control.