AFGHANISTAN

PROTECTION OF CIVILIANS IN ARMED CONFLICT

ANNUAL REPORT 2020

UNAMA
UNITED NATIONS ASSISTANCE MISSION IN AFGHANISTAN

UNITED NATIONS HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

FEBRUARY 2021
KABUL, AFGHANISTAN

This report and all Afghanistan Protection of Civilians in Armed Conflict Reports referenced herein are available on the UNAMA website at: http://unama.unmissions.org/protection-of-civilians-reports

Front cover: Three months after the start of the Afghanistan Peace Negotiations between the Islamic Republic of Afghanistan and the Taliban, an Afghan boy makes his way home through broken glass after rockets hit a residential area in Kabul, Afghanistan on 12 December 2020. The Islamic State in Iraq and the Levant – Khorasan Province (ISIL-KP) claimed responsibility for the rocket attack which killed a civilian man and injured two others. ISIL-KP had also claimed responsibility for a rocket attack on Kabul less than a month earlier on 21 November that killed 10 civilians and injured 50 others.

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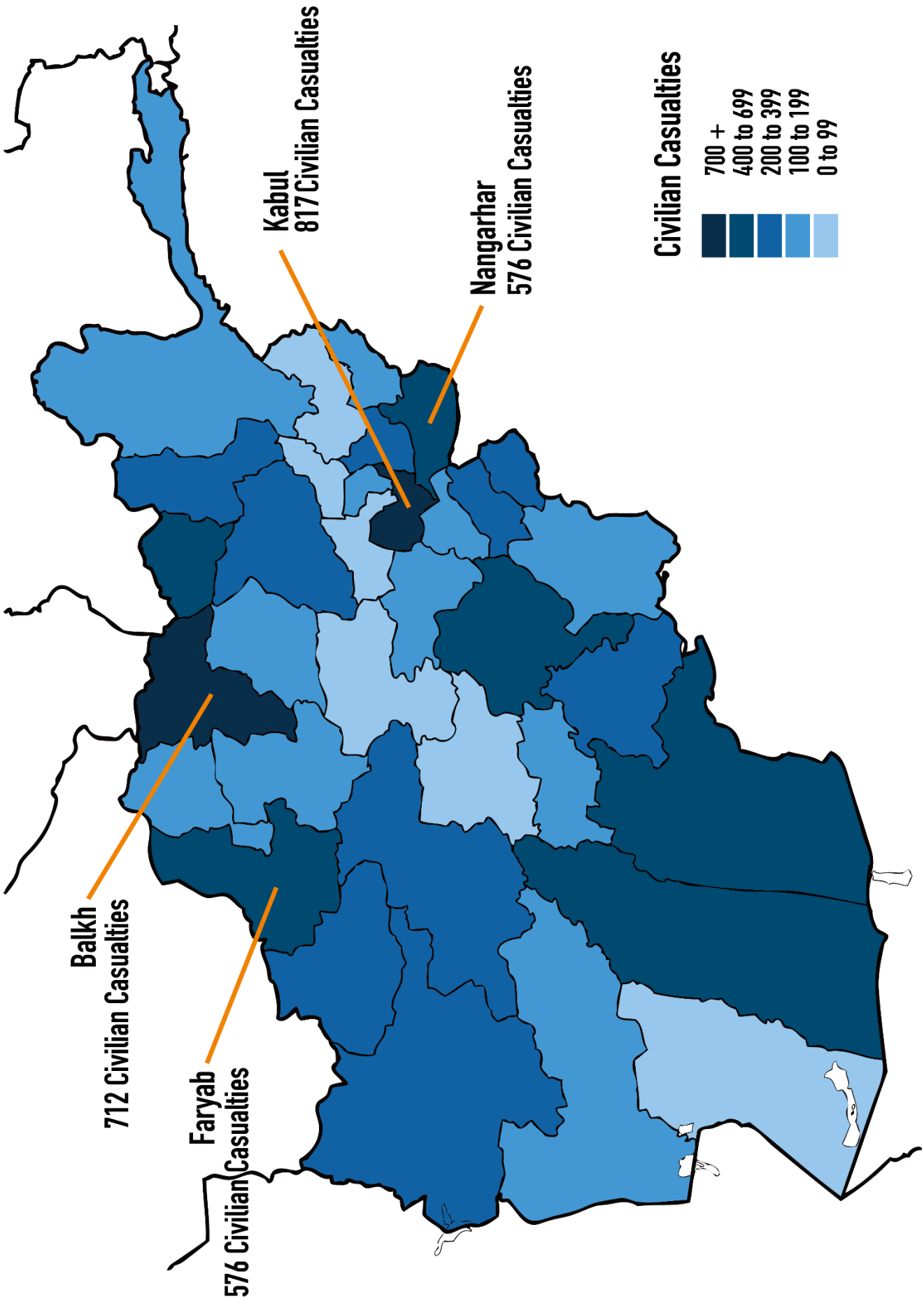

Kabul
817 Civilian Casualties
Nangarhar
576 Civilian Casualties
Balkh
712 Civilian Casualties
Faryab
576 Civilian Casualties
Civilian Casualties
700 +
400 to 699
200 to 399
100 to 199
0 to 99

"This report documents the terrible suffering endured by Afghan civilians in 2020, a year that could have moved Afghanistan closer towards peace. What we saw instead was a rise in civilian harm following the start of peace negotiations in September. The continued loss of so many lives from this decades-long conflict is devastating. I am deeply concerned about the impact on women and children, who made up 43 per cent of all civilian casualties in 2020. The United Nations has consistently called for a ceasefire as the best way to protect civilians from harm. I urge parties to use the negotiating table to end the conflict, not to squander another day and not to let more Afghans perish so senselessly."

Deborah Lyons,
UN Special Representative of the Secretary-General for Afghanistan
Kabul, Afghanistan
February 2021

"Afghanistan remains among the deadliest places in the world to be a civilian, with the United Nations documenting more than 3,000 civilian deaths as a result of armed conflict for the seventh consecutive year, including a shocking 13 per cent increase in the number of women killed. I am also particularly appalled by the high numbers of human rights defenders, journalists, and media workers killed since the commencement of peace negotiations in September. This report shows the acute, lasting needs of victims of the armed conflict and demonstrates how much remains to be done to meet those needs in a meaningful way. The violence that has brought so much pain and suffering to the Afghan population for decades must stop and steps towards reaching a lasting peace must continue."

Michelle Bachelet,
United Nations High Commissioner for Human Rights
Geneva, Switzerland
February 2021

Mandate

The 2020 Annual Report on the Protection of Civilians in Armed Conflict in Afghanistan was prepared by the Human Rights Service of the United Nations Assistance Mission in Afghanistan (UNAMA) and covers the period from 1 January to 31 December 2020.

The UNAMA Human Rights Service prepared this report pursuant to the UNAMA mandate under United Nations Security Council Resolution 2543 (2020) "to monitor the situation of civilians, to coordinate efforts to ensure their protection, [...] to promote accountability, [...] and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights."

Security Council Resolution 2543 (2020) recognizes the importance of ongoing monitoring and reporting to the Security Council on the situation of civilians in the armed conflict, particularly on civilian casualties.

UNAMA undertakes a range of activities aimed at minimizing the impact of the armed conflict on civilians including: independent and impartial monitoring of incidents involving loss of life or injury to civilians; advocacy to strengthen protection of civilians affected by the armed conflict; and initiatives to promote compliance among all parties to the conflict with international humanitarian law and international human rights law and the Constitution and laws of Afghanistan, including in particular respect for rights to life and physical integrity.

This report received technical input from the Office of the United Nations High Commissioner for Human Rights (OHCHR).

TABLE OF CONTENTS

METHODOLOGY

Since 2009, UNAMA has been systematically documenting civilian casualties attributed to parties to the conflict in Afghanistan using a consistent methodology, which has allowed for year-on-year trend analysis and reporting. Since 2012, the annual reports have been published jointly with OHCHR. UNAMA protection of civilians work is grounded in international human rights law and international humanitarian law, and its methodology is based on best practices and the advice and guidance of OHCHR.

Existence of civilian casualties does not necessarily mean a violation has been committed, although high numbers of casualties may be indicative of violations or reflect patterns of harm.

Verification and the standard of proof

For the purposes of its reports on the protection of civilians, UNAMA only includes verified civilian casualties.[1] Civilian casualties are recorded as 'verified' where, based on the totality of the information reviewed by UNAMA, it has determined that there is 'clear and convincing' evidence that civilians have been killed or injured. In order to meet this standard, UNAMA requires at least three different and independent types of sources, i.e. victim, witness, medical practitioner, local authorities, confirmation by a party to the conflict, community leader or other sources. Wherever possible, information is obtained from the primary accounts of victims and/or witnesses of the incident and through on-site fact-finding. These forms of fact-finding are not always possible, primarily due to security-related constraints affecting access. In such instances, UNAMA relies on a range of techniques to gain information through reliable networks using as wide a range of sources and information as possible, all of which are evaluated for credibility and reliability. These techniques include examination of digital evidence gathered at the scene of incidents such as still and video images as well as audio recordings; visits to hospitals and medical facilities; reports of the United Nations Department of Safety and Security and other United Nations entities; accounts by secondary sources; information gathered by non-governmental organizations and other third parties; and the parties to the conflict themselves. UNAMA proactively consults sources of different genders, as well as those belonging to minority racial, religious and ethnic groups, and marginalized sectors of society, to ensure a variety of opinions and reduce risk of any particular bias. Where UNAMA is not satisfied with the quantity or quality of information concerning civilian casualties, it will not consider it as verified. Unverified incidents are not included in this report. UNAMA does not claim that the statistics presented in this report are complete and acknowledges possible under-reporting of civilian casualties given limitations inherent in the operating environment, particularly considering the recent challenges posed by movement restrictions in place due to the COVID-19 pandemic.

Engagement with parties to the conflict

UNAMA shares information about verified incidents with parties to the conflict to ensure accuracy in its reporting and to help them better understand the impact of their operations on the civilian population so that they may address the harm they cause and implement measures to better protect civilians. If any party has information to help establish the facts around incidents involving civilian casualties that they were involved in, they are encouraged to share it. UNAMA assesses all information available to it for reliability and credibility in its verification of civilian casualties.

Protection of sources

When documenting incidents of civilian casualties, UNAMA takes care to protect vulnerable sources from any possible repercussions of providing information, including by meeting in safe locations, conducting interviews with women in accordance with prevailing social norms, and adjusting or halting fact-finding where it may endanger sources.

[1] UNAMA also documents and verifies incidents that result in civilian property damage.

Attribution of responsibility

As multiple parties are engaged in the conflict, UNAMA makes every effort to identify as precisely as possible the party responsible for a particular civilian casualty. However, this may not always be possible due to challenges associated with the operating environment. For instance, primary sources may not be able to clearly identify responsible parties or distinguish between diverse military actors and armed group members in each case, and there is often no claim of responsibility. In cases where UNAMA is unable to determine responsibility of a particular party, it attributes responsibility for each civilian casualty to either Pro-Government Forces or Anti-Government Elements, jointly to both groups, or as "perpetrator-undetermined". In cases of ground engagements between Pro-Government Forces and Anti-Government Elements in which a civilian casualty cannot be attributed to one party, UNAMA jointly attributes responsibility to both groups and records them as "Pro-Government Forces and Anti-Government Elements". Where deaths are caused by explosive remnants of war that cannot be conclusively attributed to a party or parties or where such remnants may be left behind from previous conflicts, cases are categorised as "perpetrator-undetermined".

Determination of the civilian status of victims

UNAMA defines civilians as persons who are not members of the armed forces or of an organized armed group. It does not document casualties where the civilian directly participated in hostilities at the time of death or injury, nor does it document the death or injury of individuals protected from attack who are not civilians under international humanitarian law, such as persons *hors de combat* or the medical and religious personnel of the armed forces.[2] UNAMA does not presume fighting-age males are either civilians or fighters. Rather, such claims are assessed and documented based upon the facts available in relation to each casualty. In some incidents, the civilian status of the reported victims cannot be conclusively established or is disputed. Where insufficient information is available, such casualties will not be included in the statistical reporting.

Differences in civilian casualty figures with parties to the conflict

UNAMA notes that its civilian casualty figures may differ from those compiled by the parties to the conflict. UNAMA has found that the parties to the conflict consistently report fewer civilian casualties resulting from their operations as compared to findings by UNAMA. The parties to the conflict differ from UNAMA in their information-gathering methodologies and, crucially, in their legal analysis as to the definition of civilian.

UNAMA applies a definition of civilian that reflects international humanitarian law. Civilians are defined as persons who are not members of the armed forces of the parties to the conflict. In the context of non-international armed conflicts, this includes members of State armed forces as well as members of organized armed groups of non-State parties to the conflict.[3] 'Members of organized armed groups' refers exclusively to the members of the armed or military wing of non-State parties, whereas individuals performing other types of activities and providing other forms of support for the non-State parties would not be considered members of organized armed groups.[4] Based on the interpretative guidance of the International Committee of the Red Cross on the notion of direct participation in hostilities under international humanitarian law, which has been followed by a number of United Nations human rights mechanisms and monitoring missions, "the decisive criterion for individual membership in an organized armed group is whether a person assumes a continuous function for the group involving his or her direct participation in hostilities."[4] Individuals who are supporting an armed opposition group – politically, financially or otherwise - but who do not have a continuous combat function in the organized armed group, are therefore not considered to be members of the armed group within the meaning of international humanitarian law. As civilians they are protected from attack, unless and for such time as they directly participate in the hostilities. [5]

[2] For more information, see Chapter on Legal Framework and the definition of civilians and 'civilian casualties' in Glossary.
[3] International Committee of the Red Cross (ICRC), Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law, May 2009, p. 32.
[4] Ibid. pp. 33-35.
[5] ICRC, Customary International Humanitarian Law Study, Rule 6.

UNAMA has found that the parties to the conflict apply a narrower definition of "civilian", both in policy and in practice, than what is reflected in international humanitarian law, which results in a wider segment of the population being subject to targeting as well as flawed implementation of the principles of precaution and proportionality. UNAMA has consistently raised concern about the definition of civilian applied by the Taliban[6] and is increasingly addressing similar concerns in its engagement with Pro-Government Forces. [7] These differences in definitions from the standards of international humanitarian law negatively affect the overall protective environment for civilians, and also contribute to lower civilian casualty figures reported by the parties to the conflict than documented by UNAMA.

Cooperation with the Afghanistan Independent Human Rights Commission

UNAMA coordinates and cooperates with the Afghanistan Independent Human Rights Commission (AIHRC), particularly with its Special Investigations Team, in conducting fact-finding on incidents and in analysing overall trends and patterns. Joint missions between UNAMA and AIHRC are conducted from time-to-time, particularly on high-profile incidents. In 2019, UNAMA and AIHRC conducted a joint mission to a Taliban-controlled area to conduct fact-finding on civilian casualties resulting from airstrikes by international military forces.[8]

[6] See UNAMA Protection of Civilians Annual Reports 2013 (p. 32) and 2014 (p. 74).
[7] See UNAMA Special Report on Airstrikes in Dasht-e-Archi district, Kunduz Province, 2 April 2018 (published May 2018); and UNAMA Special Report on Airstrikes on Alleged Drug-Processing Facilities (October 2019).
[8] Ibid.

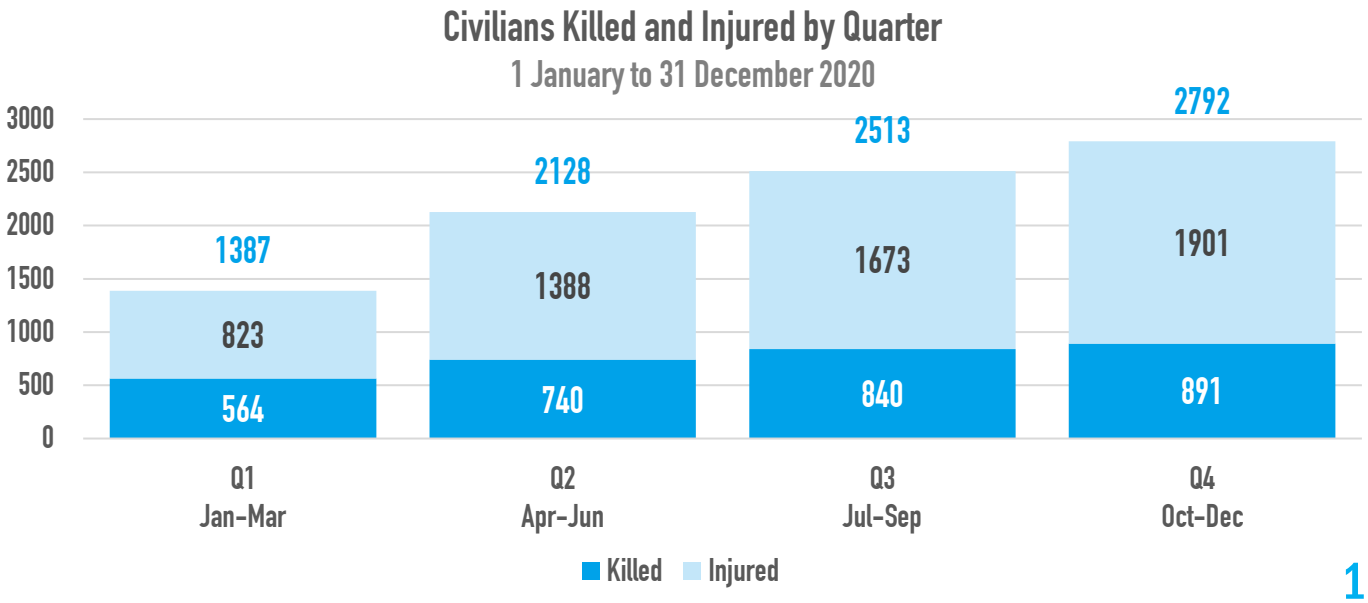
EXECUTIVE SUMMARY

After decades of conflict, millions of Afghans saw 2020 as a year promising a real prospect of peace. In February, the United States and the Taliban reached a bilateral agreement and in September, the Afghanistan Peace Negotiations formally commenced. Fighting continued throughout the year, but two temporary ceasefires during successive Eid holidays largely held, and there was a drop in the number of civilian casualties documented in the first nine months. In stark contrast, the last three months of the year marked an uncharacteristic rise in civilian casualties – a critical indicator of the nature of the conflict. The year ended with increased focus on levels of violence and diminishing hopes for lasting peace.

While reductions in the use of some tactics during the year ameliorated civilian harm significantly, this was contrasted by increases in civilian casualties from other tactics, resulting in continued high levels of civilian harm overall. Following the United States-Taliban agreement, UNAMA documented a reduction in civilian casualties from large scale attacks in urban centres by Anti-Government Elements, especially the Taliban, and from airstrikes by international military forces. However, this was partially offset by increases in civilian casualties from targeted killings by Anti-Government Elements, Taliban pressure-plate IEDs, and Afghan Air Force airstrikes, as well as a continuation of high levels of harm to civilians from ground engagements.

From 1 January to 31 December 2020, UNAMA documented 8,820 civilian casualties (3,035 killed and 5,785 injured), a 15 per cent reduction from the number of civilian casualties recorded in 2019 and the lowest number of civilian casualties since 2013. Although UNAMA welcomes the overall decline in civilian casualties, the rise in the last quarter of 2020 is of particular concern, especially as this corresponds with the formal commencement of the Afghanistan Peace Negotiations on 12 September 2020. This was the first time since it began systematic documentation in 2009 that UNAMA documented an increase in the number of civilian casualties recorded in the fourth quarter compared with the prior quarter. In addition, the last three months of 2020 marked a 45 per cent increase in civilian casualties in comparison to the same period in 2019, especially from the use of improvised explosive devices (IEDs) and targeted killings. Of further concern is the worrying increases in civilian harm from tactics which exacerbated the environment of fear and paralysed many parts of society.

The harm caused to civilians in 2020 is a continuation of the pain and suffering from armed conflict that people of Afghanistan have endured for decades. The anguish caused by the armed conflict continued to be widespread and felt in cities and rural areas by people of all ages, genders, ethnicities and social-economic backgrounds. Beyond the physical harm, the armed conflict continued to

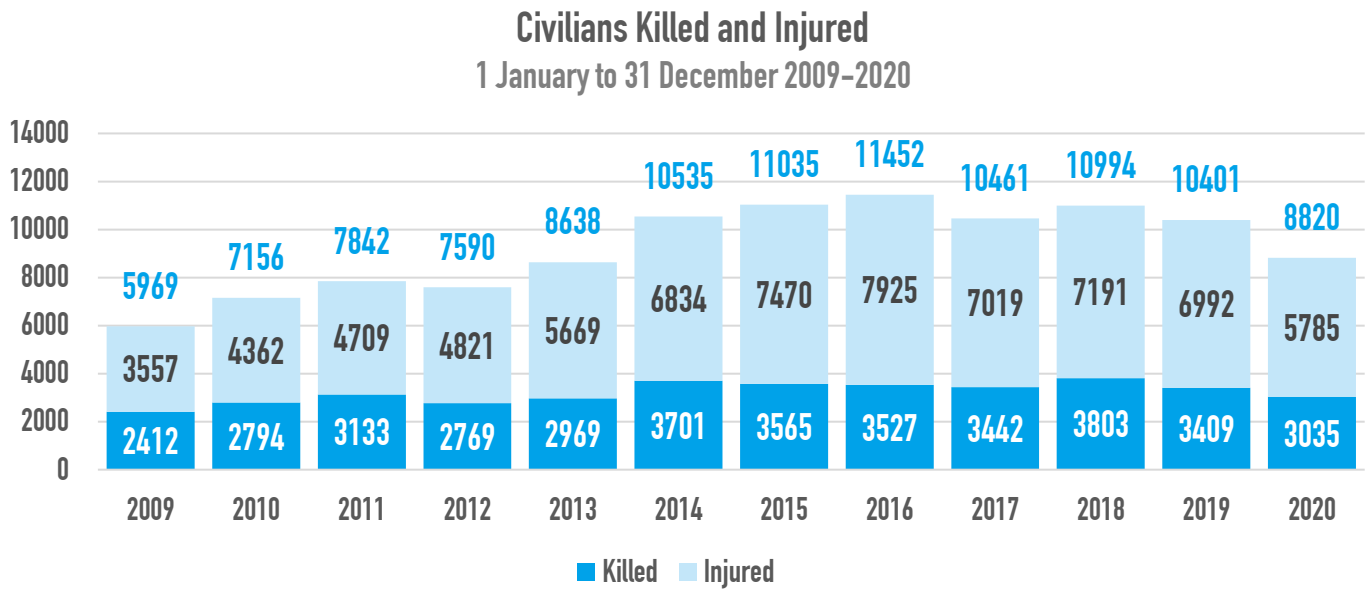


cause psychological trauma and poverty and left many civilians reliant on humanitarian aid and with limited access to education and justice. In 2020, the ongoing fighting also interfered with the necessary healthcare response to the COVID-19 pandemic.[9]

UNAMA reiterates that the best way to end the accumulating harm to civilians in Afghanistan is through a cessation of hostilities and a negotiated political settlement. The United Nations Secretary-General, Antonio Guterres, called for a global humanitarian ceasefire to fight the common enemy of COVID-19, to enable humanitarian assistance, and to save lives.[10] This was widely supported by people around the world,[11] Member States,[12] and the United Nations Security Council.[13] The international community also called for all parties to the Afghanistan conflict to agree to a ceasefire in order to create a more conducive environment for peace talks to succeed. While the Government of the Islamic Republic of Afghanistan repeatedly voiced its support for a ceasefire the Taliban consistently rejected all such appeals.

Throughout 2020, UNAMA documented fluctuations in the number of civilian casualties in parallel with evolving political events. The 'reduction in violence week' prior to the signing of the United States-Taliban agreement in Doha on 29 February 2020, demonstrated that parties to the conflict have the power to prevent and limit harm to civilians when they decide to do so. Then, from March, concerns grew about rising levels of violence,[14] as UNAMA documented an increasing number of civilian casualties and attacks on health care personnel and facilities early in the COVID-19 pandemic outbreak.[15] As the year continued, two temporary ceasefires during Eid al-Fitr (24-26 May) and Eid al-Adha (31 July-2 August) between Afghan national security forces and the Taliban greatly reduced the harm to civilians during those periods.

UNAMA reiterates that the only way to truly end the accumulating harm to civilians in Afghanistan is through a cessation of hostilities and a negotiated political settlement.



[9] See UNAMA Special Report: Attacks on Healthcare During the COVID-19 Pandemic (June 2020).
[10] See, video message of Secretary-General António Guterres on 23 March 2020, on https://www.un.org/en/globalceasefire
[11] See, https://secure.avaaz.org/campaign/en/global_ceasefire_loc/
[12] See, UN News, 170 signatories endorse UN ceasefire appeal during COVID crisis, on: https://news.un.org/en/story/2020/06/1066982
[13] See, United Nations Security Council Resolution 2532 (2020).
[14] See for example: https://unama.unmissions.org/unama-calls-parties-further-reduce-violence-and-work-towards-ceasefire; and https://eeas.europa.eu/headquarters/headquarters-homepage_en/76616/Afghanistan:%20Statement%20by%20the%20Spokesperson%20on%20the%20need%20for%20an%20immediate%20and%20permanent%20ceasefire.
[15] See UNAMA Special Report: Attacks on Healthcare During the COVID-19 Pandemic (June 2020).

On 12 September, negotiation teams representing the Islamic Republic of Afghanistan and the Taliban officially started the Afghanistan Peace Negotiations in Doha, Qatar. This, however, did not improve the situation for civilians. In the three months that followed, for the first time since it began systematic documentation in 2009, UNAMA documented an increase in the number of civilian casualties recorded in the fourth quarter of the year compared with the third quarter. In addition, this period marked a 45 per cent increase in civilian casualties in comparison to the same three months in 2019, especially from the use of IEDs and targeted killings.[16] In October, civilian casualties were the highest of any month in 2020, and in November UNAMA documented the highest number of civilian casualties of any November since it started systematic documentation in 2009.[17] In December, the population was confronted with a streak of targeted killings, referred to by many as "assassinations", of civilians, including media workers, civil society activists and members of the judiciary and the civilian government administration, as well as civilian family members of combatants.[18]

Anti-Government Elements continued to cause the majority of civilian casualties, amounting to 62 per cent of all civilian casualties in 2020. While UNAMA attributed fewer civilian casualties to the Islamic State in Iraq and the Levant – Khorasan Province (ISIL-KP) and the Taliban, the number of civilian casualties caused by undetermined Anti-Government Elements (those which UNAMA could not attribute to a specific Anti-Government Element group) more than doubled in comparison to the year prior.

Pro-Government Forces caused a quarter of civilians killed and injured (25 per cent) in 2020. The number of civilian casualties attributed to international military forces decreased significantly, with practically all occurring in the first two months, and almost none for the remainder of the year after the United States and the Taliban reached their agreement on 29 February. At the same time, 2020 saw the highest number of civilian casualties attributed to the Afghan National Army, including the Afghan Air Force, since UNAMA started systematic documentation of civilian casualties in 2009, mainly because of increased civilian casualties from airstrikes and ground engagements.

UNAMA documented a record number of women killed in 2020, as women deaths increased by 13 per cent; women and children together comprised 43 per cent of all civilian casualties

UNAMA remains concerned about the detrimental impact of the conflict on women and children, who together made up 43 per cent of all civilian casualties in 2020, including 1,146 women casualties (390 killed and 756 injured – 13 per cent of all civilian casualties) and 2,619 child casualties (760 killed and 1,859 injured – 30 per cent of all civilian casualties). Of concern, 2020 marked the highest number of women killed recorded in a single year since UNAMA began systematic documentation in 2009, as the number of women killed increased by 13 per cent in 2020.

[16] From 1 October to 31 December 2020, UNAMA documented 2,792 civilian casualties (891 killed and 1,901 injured) a 45 per cent increase of civilian casualties in comparison to 1,931 (726 killed and 1,205 injured) in the same period in 2019; UNAMA also documented a 69 per cent increase of civilian casualties from non-suicide IEDs and a 62 per cent increase in civilian casualties from targeted killings in comparison to the same period in 2019.

[17] In October 2020, UNAMA documented 1,257 civilian casualties (400 killed and 857 injured) and in November 2020, UNAMA documented 965 civilian casualties (302 killed and 663 injured).

[18] UNAMA notes that such attacks continued into January 2021 as this report was being drafted. While it falls outside of the reporting period, in late January and early February 2021, accusations and denials of responsibility, especially for some of the most recent incidents, were made publicly by various actors. The Government has reported that persons arrested in connection to some of these attacks have links to Anti-Government Elements, including the Taliban. On 31 January 2021, 15 diplomatic missions in Kabul condemned the continuation of assassinations, kidnappings, and destruction of vital infrastructure, stressing that the Taliban bears responsibility for the majority of this targeted violence (statement available at https://af.usembassy.gov/statement-on-continuation-of-assassinations-kidnappings-and-destruction-of-vital-infrastructure/ , last accessed 11 February 2021). On 1 February, the Taliban denied their involvement (statement at https://alemarahenglish.net/?p=42271, last accessed 11 February 2021). On 15 February, UNAMA released a report on Killing of Human Rights Defenders, Journalists, and Media Workers in Afghanistan, covering also such incidents which have not been reported in the protection of civilians framework due to the inability of UNAMA to establish their conflict nexus.

UNAMA also notes with concern that in 2020, Pro-Government Forces were responsible for more child deaths than Anti-Government Elements.[19]

Women and children continued to suffer harm from conflict-related sexual violence, including rape and *bacha bazi*.[20] Although these acts are criminalised, limited access to justice and a culture of silence, shame, and victim-blaming continued to pose significant challenges to accountability efforts.

UNAMA continued to document the recruitment and use of children by parties to the conflict, mainly the Taliban. UNAMA also continued to verify incidents in which the Afghan national security forces and pro-government armed groups were responsible for the recruitment and use of children, although notable progress has been made by the Ministry of Interior to halt and prevent underage recruitment and use through the Child Protection Units in Afghan National Police recruitment centres. UNAMA is also concerned that an increase in unemployment and poverty due to the COVID-19 pandemic have made children more vulnerable to recruitment and use by parties to the conflict, especially because they are forced to seek employment to support their families.[21]

UNAMA documented an increase in the number of attacks on hospitals and related personnel by parties to the conflict in 2020, especially in the second and fourth quarters of the year. UNAMA repeatedly emphasised the importance of protecting healthcare facilities and workers, especially in the context of the COVID-19 pandemic. These attacks exacerbated the already significant barriers to providing adequate health care for people in Afghanistan. One of the most atrocious attacks of 2020 was the 12 May attack on a maternity ward in PD13 of Kabul city, when several armed men forced their way into the hospital, deliberately moving towards the maternity ward, shooting at civilians and throwing hand grenades. The attack caused 46 civilian casualties (23 killed and 23 injured), many of them were mothers who had just given birth. The responsible party behind this attack remains undetermined.

Interviews with victims identified how little was done by parties to the conflict to acknowledge the harm, and to protect their rights in the aftermath of civilian casualty incidents.

The enjoyment of the right of children to education continued to be compromised by the armed conflict in 2020, especially due to attacks on schools and teachers. This was mainly due to direct attacks by Anti-Government Elements, including the destruction of schools through arson and IEDs, and targeted killings of teachers.

Through more than 130 interviews with victims in 2020, UNAMA documented the grave impact of the conflict on the social, economic, and cultural rights of victims. Many victims interviewed were displaced, were unable to participate in cultural or religious activities, and had financial difficulties due to the loss of a family breadwinner and because of healthcare expenses. These consequences were especially detrimental for the many victims who struggled with physical disabilities and psychological trauma.

In addition, the victims that UNAMA interviewed demonstrated how little was done to provide them with effective reparations, to acknowledge the harm done, and to protect their rights in the aftermath of civilian casualty incidents. Only in exceptional circumstances did the responsible party to the conflict reach out to a victim to recognise harm done or to apologise. Victims were often not aware of whether investigations were being conducted into the incident that caused harm, and few victims received compensation. Many victims indicated, however, that non-recurrence of such incidents is of major importance and expressed their desire for peace.

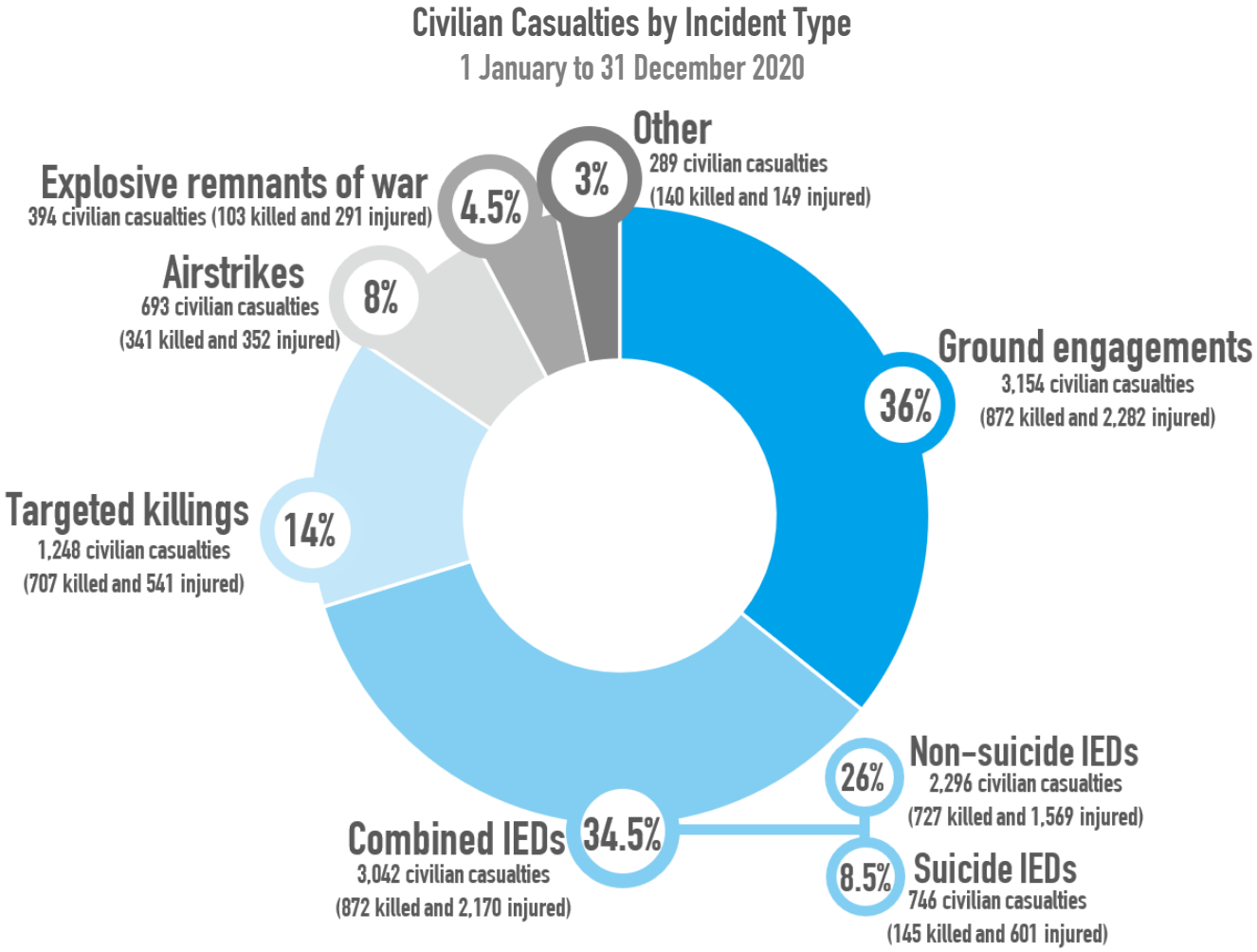
[19] In 2020, UNAMA attributed 337 child deaths to Pro-Government Forces and 281 child deaths to Anti-Government Elements.
[20] *Bacha bazi* is a harmful practice whereby boys are exploited by wealthy or powerful men for entertainment, particularly for dancing and sexual activities; it is criminalized in the revised Penal Code, which came into effect in February 2018.
[21] See, UNICEF, Humanitarian Action for Children, Global COVID-19 chapeau (December 2020).

Incident Types Causing Most Harm to Civilians

The 15 per cent decrease in the total number of civilian casualties in 2020 was primarily driven by fewer civilian casualties from Anti-Government Element suicide attacks (including complex attacks), international military airstrikes, and search operations by Pro-Government Forces. At the same time, UNAMA documented an increased number of civilian casualties attributed to Anti-Government Elements from non-suicide IEDs and targeted killings, including so-called "assassinations" of civilians. UNAMA also documented a rise in civilian casualties attributed to the Afghan National Army from ground engagements and from Afghan Air Force airstrikes.

In 2020, for the first time since 2016, ground engagements were the incident type causing the most civilian casualties, responsible for 36 per cent of the total.[22] From 1 January to 31 December 2020, ground engagements caused 3,154 civilian casualties (872 killed and 2,282 injured) – a slight increase compared with 2019, mainly driven by an increase in civilians killed.[23] Civilian casualties from ground engagements occurred mainly through the use of indirect fire, including from artillery shells, mortars and rockets in populated areas.

The use of both suicide and non-suicide IEDs by Anti-Government Elements caused more than a third of all civilian casualties, amounting to 3,042 civilian casualties (872 killed and 2,170 injured). This marked a 30 per cent decrease in the number of civilian casualties from these devices in comparison to 2019, mainly



[22] From 2017 to 2019, IEDs (the combined use of suicide and non-suicide IEDs) were the leading cause of civilian casualties.
[23] In 2019, UNAMA documented 3,061 civilian casualties (766 killed and 2,295 injured) from ground engagements.

caused by a 64 per cent drop in civilian casualties from suicide attacks, including complex attacks. Non-suicide IEDs caused 26 per cent of all civilian casualties in 2020. The number of civilians killed by non-suicide IEDs increased by 43 per cent in 2020 in comparison to 2019, while the number of injured civilians decreased by 10 per cent.

Both suicide attacks and non-suicide vehicle-borne IEDs (often referred to as "truck bombs" or "car bombs") caused many civilian casualties in populated areas, often due to the wide-area effects of their powerful explosions. These devices were also directed against civilians and civilian objects, which is prohibited under international law. Even when directed at legitimate military objectives in populated areas, these methods can have an indiscriminate effect, making such use a serious violation of international humanitarian law which may amount to war crimes.

Amongst non-suicide IEDs, of most concern was the use of pressure plate IEDs, which caused 35 per cent more civilian casualties than in 2019, with the Taliban responsible for almost all incidents. UNAMA once again calls on the Taliban to ban the use of pressure-plate IEDs and recalls previous commitments the Taliban made in this respect. These devices, as used in Afghanistan, are victim-operated and inherently indiscriminate, and function as anti-personnel landmines. The use of such weapons violates international human rights law and international humanitarian law.

Targeted killings, including so-called "assassinations" of civilians, caused 1,248 civilian casualties (707 killed and 541 injured) in 2020, marking a 45 per cent increase in the number of civilian casualties from these attacks compared with 2019. This included the deliberate killing of civilians, including media workers, civil society activists and members of the judiciary and the civilian government administration, as well as civilian family members of combatants.[24] UNAMA attributed 94 per cent of these civilian casualties to Anti-Government Elements. Of these, 761 civilian casualties (459 killed and 302 injured) were from targeted killings attributed to the Taliban, a 22 per cent increase from 2019.[25]

Civilian casualties attributed to Anti-Government Elements from non-suicide IEDs and targeted killings, including so-called "assassinations", of civilians, increased, as did civilian casualties from Afghan National Army ground engagements and Afghan Air Force airstrikes.

Civilian casualties from airstrikes decreased by 34 per cent in 2020, in comparison to the year prior, amounting to 693 civilian casualties (341 killed and 352 injured). As international military forces limited their air operations after the United States – Taliban agreement, civilian casualties caused by their airstrikes decreased by 85 per cent. In contrast, the Afghan Air Force increased its air operations and caused 76 per cent of all airstrike civilian casualties in 2020. UNAMA documented a 126 per cent increase of civilian casualties caused by Afghan Air Force airstrikes, the highest number of civilian casualties UNAMA has attributed to these airstrikes since it started systematic documentation in 2009.

In 2020, explosive remnants of war caused 394 civilian casualties (103 killed and 291 injured), 24 per cent fewer casualties than in the year prior. This unexploded or abandoned ordnance remained extremely harmful to children in particular, who comprised 80 per cent of all civilian casualties from this incident type. Explosive remnants of war also caused harm to civilians during the "reduction in violence week" at the end of February and during the two Eid ceasefires, demonstrating their lasting harm even when there is not active fighting. In order to protect children from harm, the identifying, mapping and defusing of unexploded and abandoned ordnance must be a priority.

[24] These figures include both targeting of civilians and civilians incidentally impacted from targeting of other individuals. See Glossary.
[25] In 2019, UNAMA attributed 626 civilian casualties (388 killed and 238 injured) from targeted killings to the Taliban.

Attribution of Civilian Casualties to Parties to the Conflict

From 1 January to 31 December 2020, UNAMA attributed 62 per cent of all civilian casualties to Anti-Government Elements, with 45 per cent attributed to the Taliban, eight per cent to ISIL-KP, and nine per cent to undetermined Anti-Government Elements.

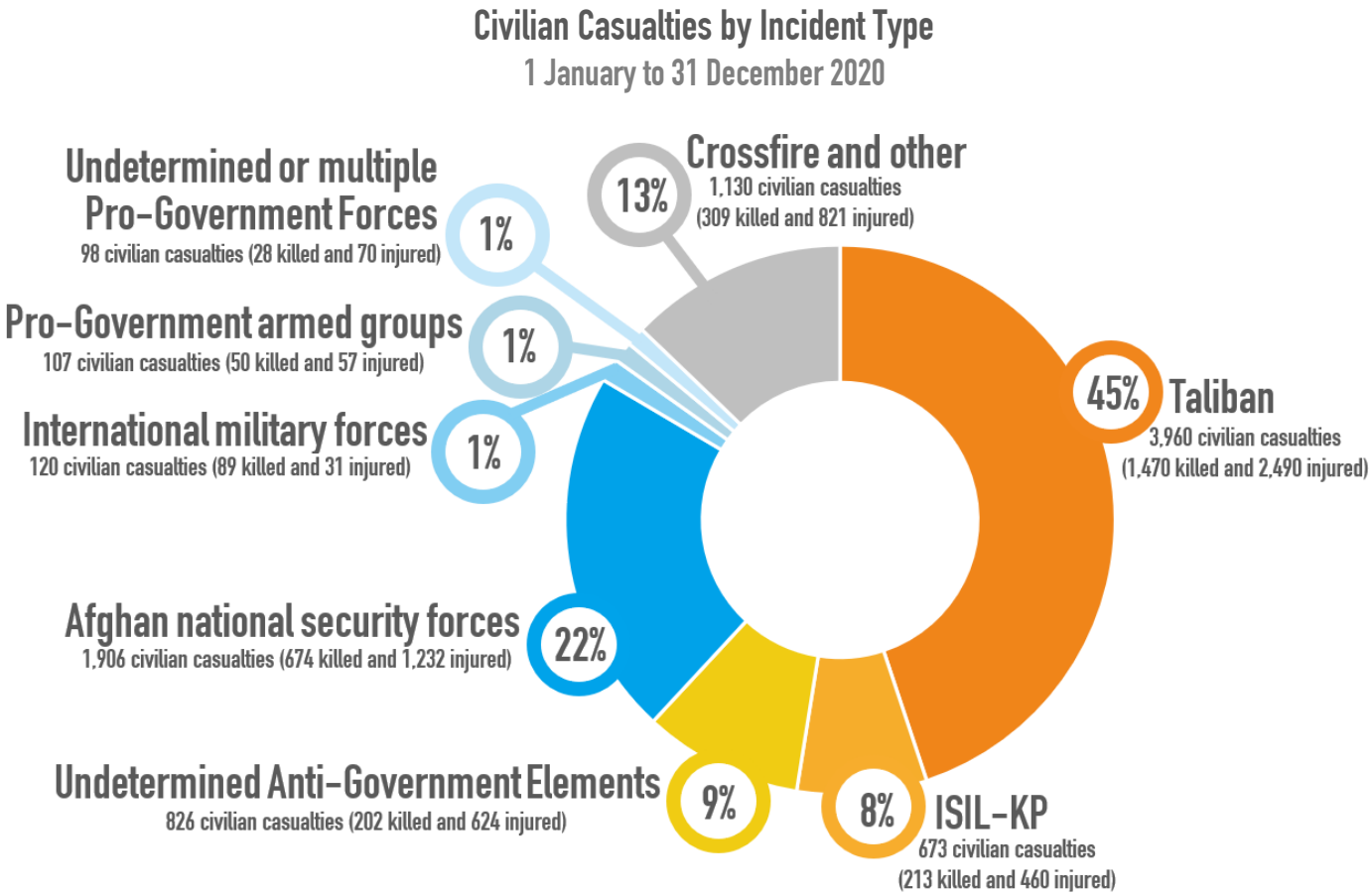
Pro-Government Forces caused 25 per cent of civilian casualties in 2020. UNAMA attributed 22 per cent of civilian casualties to Afghan national security forces and one per cent each to international military forces, pro-government armed groups, and undetermined or multiple Pro-Government Forces, respectively.

Nine per cent of civilian casualties were caused by ground engagements between Anti-Government Elements and Pro-Government Forces that could not be attributed to a specific party. Cross-border incidents attributed to Pakistani Military Forces caused less than two per cent of civilian casualties. The remaining two per cent of civilian casualties could not be attributed to any party and consisted mostly of civilian casualties from explosive remnants of war.

Anti-Government Elements

In 2020, Anti-Government Elements were responsible for 5,459 civilian casualties (1,885 killed and 3,574 injured), 15 per cent fewer civilian casualties than the year prior. The decrease in civilian casualties in comparison to 2019 was mainly due to fewer civilian casualties from suicide attacks.

UNAMA attributed 3,960 civilian casualties (1,470 killed and 2,490 injured) to the Taliban in 2020. This marked an overall decrease of 19 per cent from 2019, comprising a 31 per cent decrease in civilians injured, partially offset by a worrying 13 per cent increase in civilians killed. In 2020, the Taliban was responsible for an increase of 43 per cent in the number of civilians killed by non-suicide IEDs, especially though the use of victim-activated pressure-plate IEDs and vehicle-borne non-suicide IEDs, compared with 2019. The number of civilian casualties from targeted killings in 2020 attributed to the Taliban increased by 22 per cent



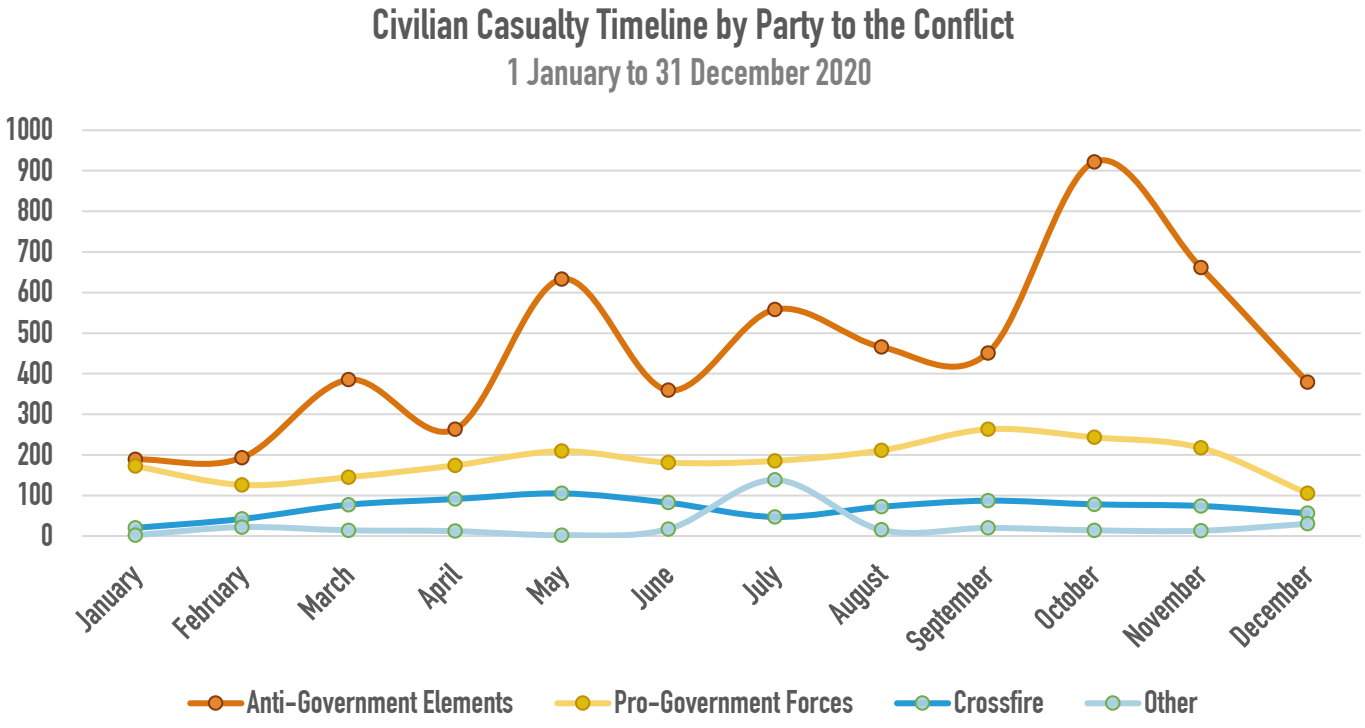
UNAMA documented a worrying 13 per cent increase in civilians killed by the Taliban, contrasted by a 31 per cent decrease in civilians injured

from the year prior. Conversely, in 2020, UNAMA attributed 79 per cent fewer civilian casualties to the Taliban from the use of suicide attacks, including complex attacks. Civilian casualties from ground engagements caused by the Taliban also decreased by 10 per cent in 2020 in comparison to the year prior, mainly due to the dearth of the 2019 civilian casualties that had been attributed to the Taliban for election-related violence.[26]

For the second year in a row, UNAMA continued to document a decrease in the number of civilian casualties attributed to ISIL-KP. In 2020, UNAMA attributed 673 civilian casualties (213 killed and 460 injured) to ISIL-KP, a 45 per cent decrease in comparison to 2019. The vast majority of ISIL-KP civilian casualties were caused by mass-casualty suicide attacks and mass-shootings in Kabul and Jalalabad.

Throughout 2020, UNAMA documented an increase in civilian casualty incidents caused by Anti-Government Elements that it could not attribute to either the Taliban or ISIL-KP, recorded as undetermined Anti-Government Elements. This coincides with fewer recorded claims of responsibility by the Taliban and ISIL-KP. From 1 January to 31 December 2020, UNAMA attributed 826 civilian casualties (202 killed and 624 injured) to these undetermined Anti-Government Elements, a 158 per cent increase in comparison to 2019.

Of particular concern, in 2020, UNAMA continued to document attacks by Anti-Government Elements that deliberately targeted civilians, through the use of various incident types, such as assassinations, suicide and non-suicide IEDs, abductions, as well as cruel, inhuman or degrading punishment under the guise of enforcing decisions of their parallel justice structures. These attacks deliberately targeting civilians included attacks against members of the judiciary, healthcare workers and facilities, aid workers, human rights defenders, journalists and civilians working for the civilian government administration. UNAMA also continued to



[26] In 2019, UNAMA attributed 391 civilian casualties (70 killed and 321 injured) from election-related violence to the Taliban.

document attacks by ISIL-KP against religious minorities, especially the Shi'a Muslim population, most of whom also belong to the Hazara ethnic group; the Sikh religious minority; and the Sufi Muslim religious minority.

Pro-Government Forces

From 1 January to 31 December 2020, Pro-Government Forces were responsible for 2,231 civilian casualties (841 killed and 1,390 injured), a decrease of 24 per cent in comparison to the year prior. This decrease was mainly caused by the near dearth of civilian casualties from international military forces airstrikes and Pro-Government Forces search operations after the signing of the United States – Taliban agreement on 29 February.

From 1 January to 31 December 2020, Afghan national security forces caused 1,906 civilian casualties (674 killed and 1,232 injured), a 13 per cent increase in comparison to 2019 and their highest level of civilian casualties recorded since 2016. The number of civilian casualties attributed to the Afghan National Army (including the Afghan Air Force) in 2020 was the highest since UNAMA started its systematic documentation of civilian casualties in 2009. Other branches of the Afghan national security forces caused fewer civilian casualties, including the National Directorate of Security Special Forces, whose search operations caused far fewer civilian casualties after the signing of the United States – Taliban agreement.

UNAMA attributed 120 civilian casualties (89 killed and 31 injured) to international military forces, a decrease of 85 per cent and the lowest number of civilian casualties since UNAMA started its systematic documentation in 2009. In the first two months of 2020,

2020 saw the highest number of civilian casualties attributed to the Afghan National Army (including the Afghan Air Force) since UNAMA started its systematic documentation of civilian casualties in 2009, accounting for 18 per cent of all civilian casualties this year.

international military forces airstrikes caused a similar number of civilian casualties as in 2019. Thereafter, following the signing of the of the United States – Taliban agreement, civilian casualties from international military forces airstrikes all but ceased.

In 2020, Pro-Government Armed Groups caused 107 civilian casualties (50 killed and 57 injured), a 42 per cent decrease in civilian casualties in comparison to 2019. Fewer civilian casualties attributed to the Khost Protection Force and the Paktika-based "Shaheen Forces" drove this decrease in civilian casualties.

UNAMA also remains concerned about the continuation of incidents in which Afghan national security forces and pro-government armed groups intentionally harmed civilians, including incidents which amounted to summary executions.

RECOMMENDATIONS

UNAMA reiterates that a cessation of hostilities and a negotiated political settlement to end the conflict is the best way to protect civilians. As the fighting has continued amidst the beginning of the Afghanistan Peace Negotiations and the outbreak of the COVID-19 pandemic, UNAMA offers the following recommendations to the parties to the conflict to support their efforts to protect civilians, prevent and mitigate civilian harm, and uphold their obligations under international humanitarian law and international human rights law:

All Anti-Government Elements

- Cease the indiscriminate and disproportionate use of all IEDs, particularly in populated areas;
- Cease the use of indirect fire (mortars, rockets and grenades) in populated areas;
- Immediately cease the deliberate targeting of civilians, provide immediate and clear instructions to all combatants concerning the protected status of civilians, including members of the civilian government administration, members of the judiciary, journalists, schoolteachers, first responders, aid workers and human rights defenders, including the Afghanistan Independent Human Rights Commission so that it may continue to carry out its work unimpeded and unharmed;
- Cease all threats and attacks against media, and any other acts impacting freedom of the press and freedom of expression;
- Continue to take measures to implement directives prohibiting the recruitment and use of children and ensure accountability for those commanders who recruit and use children;
- Cease all attacks and threats against health care facilities and health care workers, including polio vaccinators and campaigners; and provide unimpeded access to medical and humanitarian workers, especially those that work in relation to the COVID-19 pandemic;
- Cease all attacks and threats against schools and education personnel, and ensure that children's access to education is not impeded by military operations;
- Immediately cease any act of cruel, inhuman or degrading treatment or punishment on individuals.

The Taliban

In addition to the recommendations listed for all Anti-Government Elements:

- Ensure that all directives and orders comply with international humanitarian law, particularly the principles of precaution, distinction and proportionality and hold accountable those conducting indiscriminate attacks or attacks deliberately targeting civilians and civilian objects. Apply a definition of 'civilian' that is consistent with international humanitarian law; enforce statements by Taliban leadership that prohibit attacks against civilians and in civilian-populated areas; implement directives ordering Taliban members to prevent and avoid civilian casualties; and publicize Taliban civilian protection policies;
- Immediately stop using victim-operated IEDs such as pressure-plate IEDs, which function as improvised anti-personnel mines, and uphold previous commitments made concerning the banning of anti-personnel mines;
- Cease all actions which place civilians at risk, especially co-location of military objectives and civilians;
- Ensure access for humanitarian deminers in territory under their effective control;
- Strengthen the work of the Commission for the Prevention of Civilian Casualties and Complaints, including the relationship of its leaders with organizations doing work on civilian casualties and increase its focus towards preventing civilian casualties, in addition to investigating incidents, including through training for fighters on international humanitarian law.

All Pro-Government Forces

- Conduct a timely and comprehensive review of target verification procedures and precautionary measures, including pattern of life assessments, particularly in the context of airstrike operations, with a view to evaluating their effectiveness and producing recommendations for improvement;
- Strengthen post-operation reviews and investigations following allegations of civilian casualties with a view to identifying broader patterns of harm, improving operational practice, and ensuring accountability; prioritize the finalization of the improved Government civilian casualty review mechanism and ensure it has adequate resources to function properly;
- Increase transparency of investigations into civilian casualty incidents and communicate results to civilian victims and their relatives; ensure adequate, effective, and prompt reparations are provided for harm suffered; prioritize implementation of the revised Government system for provision of victim assistance in order to promptly clear the backlog of pending applications and address new claims from victims; and consider additional non-monetary forms of redress, such as apologies and acknowledgement of harm, to restore trust amongst affected communities.

Government of Afghanistan

In addition to the recommendations listed for all Pro-Government Forces:

- Bring the National Directorate Special Forces, which appear to fall outside of the official Governmental chain of command and to be coordinated with foreign actors, under full control of the National Directorate of Security; immediately disband and disarm all pro-Government armed groups, including the Khost Protection Force and Shaheen Forces, or formally incorporate their members into the Afghan national security forces following a robust vetting procedure;
- Develop and improve tactical directives, rules of engagement and other procedures that uphold international humanitarian law and international human rights obligations, increase the protection of civilians, transparency and accountability; and investigate all allegations of human rights abuses and international humanitarian law violations with a view to ensuring accountability;
- Cease the use of indirect fire (artillery shells, mortars, rockets and grenades) and other explosive weapons with wide area effects, including air-delivered munitions, in populated areas; continue to develop and improve tactical directives, rules of engagement and other procedures in relation to the use of armed aircraft;
- Increase efforts to protect religious leaders, as well as religious minorities, such as the Shi'a Muslim and Sikh religious minority population from sectarian-motivated attacks, human rights defenders and media personnel, including through the enhancement of existing protection and security measures, strengthening preventative mechanisms, and ensuring better coordination and communication with affected communities;
- Continue to strengthen the capacity of the Afghan national security forces to effectively conduct counter-IED operations, including IED exploitation, and ensure that the Government dedicates all necessary resources to ensure the full implementation of the national counter-IED strategy;
- Strengthen age assessment and vetting procedures, and expand the functions of the Child Protection Units in the Afghan National Police to incorporate proactive monitoring at check posts to prevent and stop incidents of use of children in combat and non-combat roles by members of the Afghan national security forces;
- Put in place mechanisms for re-integration of children formerly associated with parties to the conflict, including those detained on national security related charges and children rejected through the Afghan National Police Child Protection Units;
- Enforce the provisions in the revised Penal Code concerning *bacha bazi* and ensure accountability for crimes of sexual violence against children, including through adopting in Parliament the Law on the Protection of Child Rights of 2019, which criminalizes child recruitment, the use of children and the practice of *bacha bazi*, and by establishing effective investigation and disciplinary mechanisms for commanding and recruitment officers found responsible for child recruitment and use, as well as strengthening psychosocial support for survivors of sexual violence.

International Military Forces

In addition to the recommendations listed for all Pro-Government Forces:

- Continue to fund the Civilian Casualty Mitigation Team to enable it to conduct in-depth and timely assessments of civilian casualty incidents, and to expand the functions of the team to allow for engagement in lessons learned exercises.
- Thoroughly review and strengthen current tactical protocols to prevent civilian casualties, particularly in the context of airstrikes carried out in support of forces on the ground who come under attack and strikes carried out on structures in any context.
- Continue to conduct post-operation reviews and investigations, and ensure transparency following allegations of civilian casualties from airstrikes and other operations, with a view to identifying broader patterns of harm, improving operational practice and promoting accountability, and ensuring adequate, effective and prompt reparations are provided for harm suffered.
- Strengthen efforts to review incidents of civilian casualties with Afghan counterparts where they result from partnered operations; provide further training and assistance to Afghan national security forces in conducting effective battle damage assessments; and increase engagements with affected communities, including through Afghan partners, on incidents in which civilian casualties have occurred.
- Continue to support the Government of Afghanistan in implementing the National Policy on Civilian Casualty Prevention through the continued provision of training, resources and related support to the Afghan national security forces at the policy, operational and tactical levels, in particular to put in place mitigation measures to prevent harm to civilians from indirect fire, explosive weapons with wide area effects and armed aircraft.

United States Forces – Afghanistan (USFOR-A)

In addition to the recommendations listed for all international military forces:

- Review and revise targeting policies towards individuals who are neither directly participating in hostilities nor performing a continuous combat function for an armed group to bring them in line with international humanitarian law.

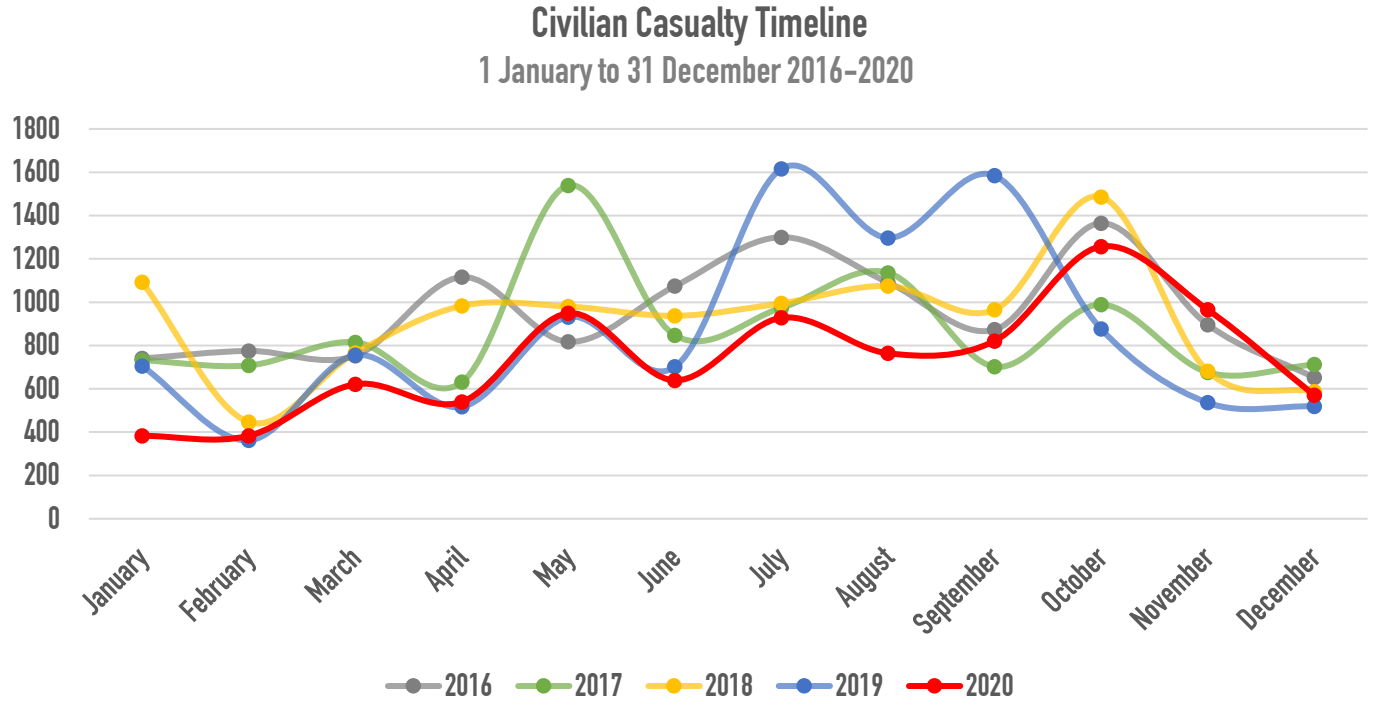
I. POLITICAL AND SECURITY DYNAMICS AFFECTING CIVILIAN PROTECTION

The armed conflict in Afghanistan raged on in 2020 against the backdrop of a global pandemic and peace negotiations. SARS-CoV-2, the virus causing COVID-19, which brought the rest of the world to a standstill from early 2020, unfortunately did not have any such impact on the armed conflict in Afghanistan. It further strained already scarce resources so desperately needed by the civilian population as they continued to suffer from the effects of decades of war. In contrast, expressions by parties to the conflict of their desire to find a political settlement to end the fighting and the commencement of related discussions provided moments of optimism for a weary population.

In Afghanistan, 2020 can best be described as a roller-coaster of a year as civilians were impacted in widely varying ways by the significant shifts in the security and political situations throughout. The year began with glimmers of hope as the United States and the Taliban continued their talks, agreed for the last week in February to be a 'reduction in violence week', and then signed an agreement in Doha on 29 February 2020. The agreement included provisions that the Taliban would not allow Afghan soil to be used to threaten the US or its allies, plans for conditions-based US troop withdrawals, and plans for the start of intra-Afghan peace negotiations which would include discussions on a comprehensive and permanent ceasefire.

After the February "reduction in violence week" provided further evidence that the best protection for civilians is to stop the fighting, civilian harm began to rise again in March,[27] including the start of a worrying trend of attacks impacting the already strained healthcare system as the COVID-19 pandemic took hold. UNAMA raised concerns about this in June 2020 in a special report.[28]

Then, for several months, as plans for the start of intra-Afghan peace negotiations began to progress, including finalization of plans for the release of thousands of



[27] In March 2020, UNAMA documented 621 civilian casualties (236 killed and 385 injured) in comparison to fewer than 400 civilian casualties per month in January and February 2020.
[28] See UNAMA Special Report: Attacks on Healthcare during the COVID-19 Pandemic, June 2020

On 12 September, the Afghanistan Peace Negotiations officially commenced in Doha, Qatar, with delegations from the Islamic Republic of Afghanistan (left) and the Taliban (right) present. Photo © Reuters / Ibraheem Al Omari

prisoners, many civilians experienced respite. Far fewer were harmed by tactics such as suicide attacks by anti-government elements and airstrikes by international military forces, providing some cause for hope of moving in the direction towards a brighter future. Two temporary ceasefires for Eid al-Fitr and Eid al-Adha on 24-26 May and 31 July-2 August, respectively,[29] provided further evidence of the ability of the parties to prevent harm to civilians when they so choose.

On 12 September 2020, after both sides considered that the requisite conditions had been met, including prisoner releases being carried out, negotiating teams representing the Islamic Republic of Afghanistan and the Taliban formally commenced the Afghanistan Peace Negotiations in Doha. Initial discussions focused on reaching agreement on the rules of procedure. As these discussions moved forward, a bleaker picture began to emerge, as civilians suffered increasingly at the hands of the parties to the armed conflict, resulting in hundreds of civilians killed and injured in October and November, mainly through the use of IEDs by Anti-Government Elements.[30] Many were claimed by ISIL-KP, which had lost much of the territory under its control in the East of Afghanistan and shifted its focus to conducting high-impact attacks in Kabul and other cities, with spikes in such attacks in the final months of 2020.

From early October, fighting between Taliban and Afghan national security forces for control of territory in Helmand and Kandahar displaced thousands of families, and the population was jolted in Kabul by a barrage of indiscriminate rocket fire landing across the city on two occasions and large-scale attacks against education institutions, and the first mass-casualty incident occurred in the otherwise relatively peaceful haven of Bamyan city.[31] Adding to this were worrying increases in the number of civilian casualties caused by the Taliban throughout the year from targeted killings and pressure plate IEDs. In addition, the Afghan National Army was causing increasing levels of civilian casualties during ground engagements and aerial

[29] From 24 to 26 May 2020, UNAMA documented 49 civilian casualties (27 killed and 22 injured) and from 31 July to 2 August 2020, UNAMA documented 97 civilian casualties (39 killed and 58 injured), including the 2 July complex attack on Jalalabad prison that was claimed by ISIL-KP and caused 59 civilian casualties (28 killed and 31 injured) and pressure-plate IEDs and explosive remnants war, which were possibly left before the start of the ceasefires, and caused 17 civilian casualties (10 killed and seven injured).
[30] UNAMA recorded a 63% increase in civilian casualties from IEDs from 1 October to 30 November 2020 compared with the same two months in 2019.
[31] This was the first mass casualty attack recorded by UNAMA in Bamyan province since it began systematic documentation in 2009.

attacks, even as airstrikes by international military forces and search operations by National Directorate of Security Special Forces all but ceased to cause civilian casualties after 29 February. The cumulative impact of all this prompted many to call on the parties to reduce violence as they continued their discussions in Doha, and to prioritize discussions of a humanitarian ceasefire. While the Islamic Republic negotiating team indicated that this should be something that is tackled early in the agenda, the Taliban had not yet, by the time of publication of this report, formally indicated at what point they would be ready to discuss a ceasefire.

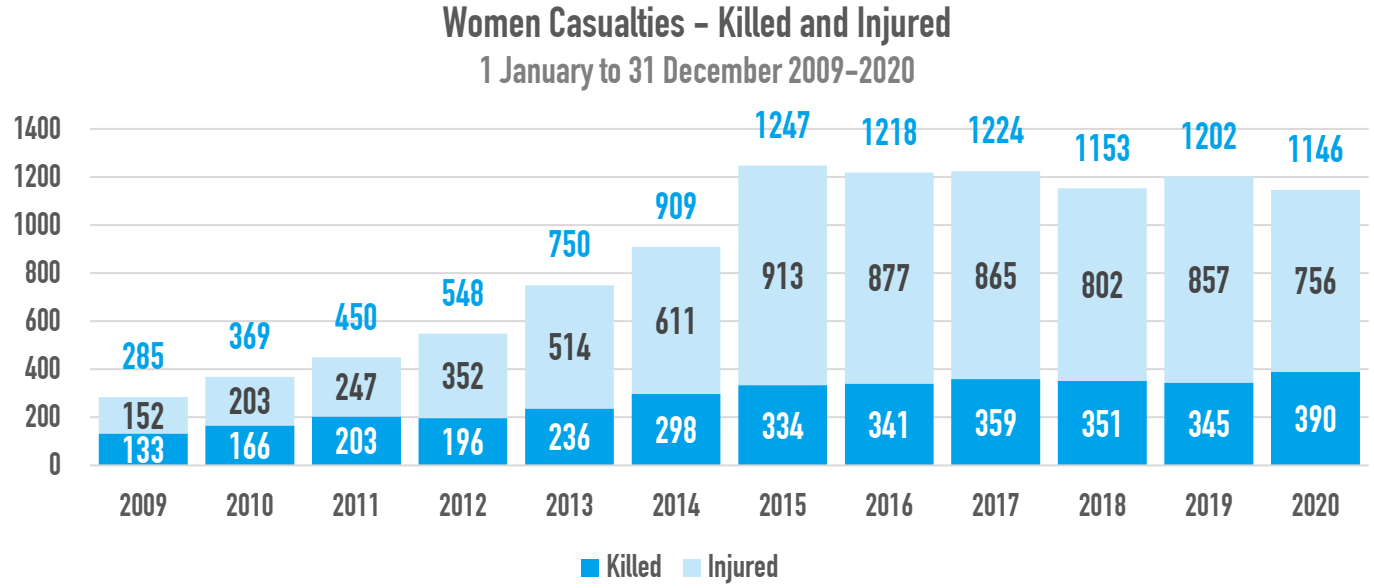
Even in the midst of a streak of targeted killings, referred to by many as "assassinations", of civilians who occupied prominent roles in the media and civil society, the end of the year brought further hope that parties' expressions of the desire to reach a peaceful settlement had been genuine. An agreement was reached between the Taliban and Islamic Republic of Afghanistan negotiating teams in Doha on rules of procedure in late November and an exchange of proposed draft agendas occurred in early December, after which the talks paused for a three-week consultation period with their respective leaderships and were due to resume on 6 January 2021.

II. WOMEN AND ARMED CONFLICT

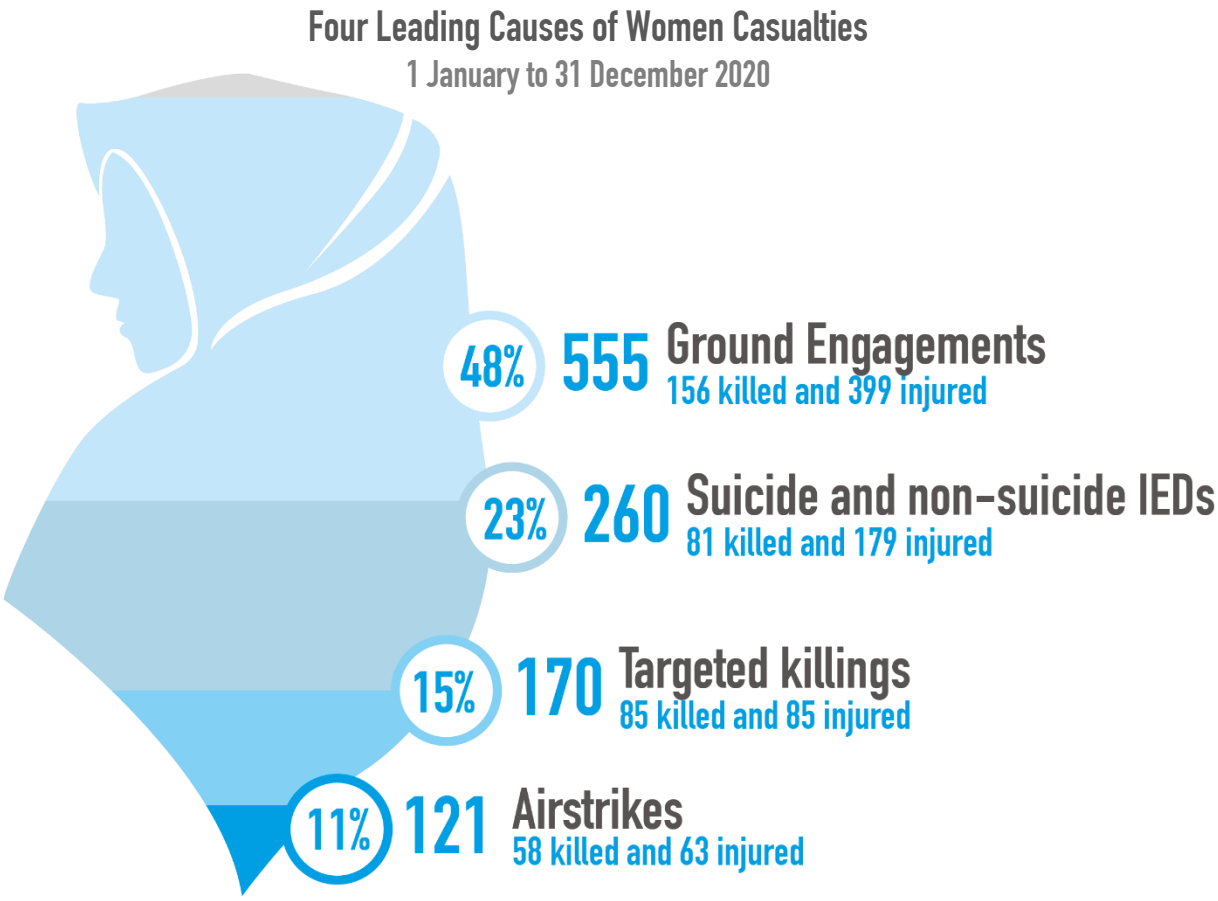
> *The Taliban attacked Afghan national security forces and the Afghan National Army fired mortars towards the Taliban. One mortar shell impacted my house* [...] *The mortar killed my four-year old son and injured me and my daughter.* [...] *I shouted and shouted. The neighbors informed my husband. He came and took us to the hospital. The shrapnel hit my thigh, leg and chest. During the few days that I was in the hospital, it was difficult for me to breathe* [...] *To be honest, even if they give me the whole world full of money, it would not equal my son.*
>
> --Female victim of an Afghan National Army mortar during ground engagement with the Taliban
> UNAMA telephone interview with victim on 29 June 2020

Women continued to be gravely harmed by the armed conflict in a multitude of ways in 2020, including through death, injury, and sexual violence. Women also bore the brunt of the broader effects of the armed conflict which negatively impacted their enjoyment of a wide range of human rights, including freedom of movement and access to education, healthcare, and justice, and the right not to be discriminated against on the basis of sex or gender. In 2020, women casualties represented 13 per cent of all civilian casualties, amounting to 1,146 women[32] casualties (390 killed and 756 injured), an overall decrease of five per cent in comparison to 2019.[33] Of concern, 2020 marked the highest number of women killed recorded in a single year since UNAMA began systematic documentation in 2009, as the number of women killed increased by 13 per cent in 2020, mainly from targeted killings and non-suicide IEDs, while the number of women injured decreased by 12 per cent in comparison to 2019.

Anti-Government Elements caused half of all women casualties in 2020, amounting to 569 women casualties (194 killed and 375 injured). The Taliban was



[32] Women casualties refers to adult females, aged 18 and above. See Children and Armed Conflict chapter for casualties to females below the age of 18.
[33] In 2019, UNAMA documented 1,202 women casualties (345 killed and 857 injured).



responsible for 34 per cent, ISIL-KP for nine per cent and undetermined Anti-Government Elements for six per cent each.[34] In 2020, UNAMA attributed 14 per cent fewer women casualties to Anti-Government Elements, mainly because of significant decreases in women casualties from suicide attacks.[35]

In 2020, Pro-Government Forces were responsible for 391 women casualties (140 killed and 251 injured), representing 34 per cent of all women casualties. UNAMA attributed 31 per cent of women casualties to Afghan national security forces, mainly the Afghan National Army.[36] International military forces, pro-government armed groups, and undetermined or multiple Pro-Government Forces were each responsible for one per cent of women casualties.[37] While women casualties attributed to international military forces decreased by 84 per cent in 2020 as compared with 2019, the Afghan National Army was responsible for a concerning 43 per cent increase in women casualties,[38] mainly due to a 140 per cent increase in women casualties caused by Afghan Air Force airstrikes in comparison to 2019.[39]

The remaining 16 per cent of women casualties were caused by crossfire between Pro-Government Forces and Anti-Government Elements, cross-border fire, and explosive remnants of war.[40]

Ground engagements remained the leading cause of women casualties, causing nearly half of the women killed and injured. In 2020, women casualties from

[34] In 2020, UNAMA attributed 390 women casualties (136 killed and 254 injured) to the Taliban, 105 women casualties (29 killed and 76 injured) to ISIL-KP and 74 women casualties (29 killed and 45 injured) to undetermined Anti-Government Elements.
[35] In 2019, UNAMA attributed 658 women casualties (148 killed and 510 injured) to Anti-Government Elements.
[36] In 2020, UNAMA attributed 357 women casualties (119 killed and 238 injured) to Afghanistan national security forces. The Afghan National Army was responsible for 300 civilian casualties (103 killed and 197 injured).
[37] In 2020, UNAMA attributed 14 women casualties (12 killed and two injured) to international military forces, seven women casualties (two killed and five injured) to pro-government armed groups and 13 (seven killed and six injured) to undetermined or multiple Pro-Government Forces.
[38] In 2019, UNAMA attributed 210 women casualties (73 killed and 137 injured) to the Afghan National Army and 87 women casualties (56 killed and 31 injured) to international military forces.
[39] In 2020, UNAMA documented 101 women casualties (43 killed and 58 injured) from Afghan Air Force airstrikes in comparison to 42 women casualties (17 killed and 25 injured) in 2019.
[40] In 2020, UNAMA attributed 149 women casualties (47 killed and 102 injured) to crossfire between Pro-Government Forces and Anti-Government Elements; 24 women casualties (six killed and 18 injured) to Pakistan Military Forces; and 13 women casualties (three killed and 10 injured) from undetermined actors related to explosive remnants of war.

Afghan women express their desire for peace with placards in Herat city on 21 September, as they rally to support the Afghanistan Peace Negotiations between the Islamic Republic of Afghanistan and the Taliban that started on 12 September. Photo © EPA-EFE / Jalil Rezayee

ground engagements remained at a similar level to 2019.[41] Women were especially harmed by the use of indirect fire during ground engagements, including from the use of artillery shells, mortars, and rockets, which caused more than one out of three women casualties.[42]

Suicide and non-suicide IEDs were responsible for 23 per cent of women casualties,[43] and the women casualties from these tactics reduced by 40 per cent compared with the number recorded in 2019.[44] Of particular concern, however, is that the number of women casualties from Taliban pressure-plate IEDs increased by 59 per cent.[45]

The third leading cause of women casualties was targeted killings, for which the number of women casualties more than tripled in comparison to 2019, constituting 15 per cent of overall women casualties.[46] This incident type includes the mass shooting by undetermined Anti-Government Elements at a maternity ward in Kabul on 12 May in which 19 women were killed and 12 others injured, and the ISIL-KP-claimed attack on Kabul University on 2 November in which 10 women were killed and 20 others injured. In addition, women were killed by Anti-Government Elements, mostly the Taliban, for supporting or working for the Government of Afghanistan, including female police officers with civilian status, or for being related to a member of the Afghan national security forces.

UNAMA also continued to document incidents of

[41] In 2020, UNAMA documented 555 women casualties (156 killed and 399 injured) from ground engagements. In 2019, UNAMA documented 524 women casualties (142 killed and 382 injured) from ground engagements.
[42] In 2020, UNAMA documented 420 women casualties (115 killed and 305 injured) from indirect fire during ground engagement.
[43] In 2020, UNAMA documented 260 women casualties (81 killed and 179 injured) from suicide and non-suicide IEDs.
[44] In 2019, UNAMA documented 432 women casualties (74 killed and 358 injured) from suicide and non-suicide IEDs.
[45] In 2020, UNAMA documented 108 women casualties (57 killed and 51 injured) from Taliban pressure-plate IEDs in comparison to 68 women casualties (36 killed and 32 injured) in 2019.
[46] In 2020, UNAMA documented 170 women casualties (85 killed and 85 injured) from targeted killings in comparison to 46 women casualties (27 killed and 19 injured) in 2019. These figures include both direct targeting and women impacted incidentally when other individuals were targeted.

deliberate killing and acts of cruel, inhuman, or degrading treatment or punishments of women by the Taliban, frequently under the guise of enforcing decisions of their parallel justice structures. Such incidents were often in reaction to the purported transgression of moral or gender norms, such as extramarital relations. For example, the Taliban shot and killed a 28-year-old woman in front of her three children in her house in the north of Afghanistan on the accusation of having relationships outside of marriage. In another case, the head of the Taliban's so-called vice and virtue department in a district of a northern province beat two women in their twenties with a cable in a bazaar for being outside their homes without a mahram (male guardian). One of the women was on her way to seek healthcare.

Women were also subjected to conflict-related sexual violence in 2020. UNAMA verified four cases of rape of women by parties to the conflict and attributed these incidents to the Taliban.[47] UNAMA received information about other incidents of conflict-related sexual violence which could not be verified due to insecurity and protection concerns for the survivors.[48] The Taliban stated that they were conducting an investigation into one of these incidents, and further stated that there are no "perpetrators of such un-Islamic acts in the ranks" of the Taliban.[49]

These numbers are unlikely to reflect the true scale of conflict-related sexual violence in Afghanistan. Deeply conservative gender norms, stigma, and a lack of survivor-centred services contribute to likely underreporting. Women's access to justice for these crimes also remains tenuous, with the justice sector offering only limited redress for the violence many Afghan women experience.[50]

The number of women killed increased by 13 per cent to a record high in 2020, mainly from targeted killings and non-suicide IEDs.

More broadly, the conflict harms women and affects their enjoyment of a myriad of rights in less quantifiable respects. For instance, the conflict and associated insecurity severely limits women's freedom of movement, which in turn undermines their already-limited access to education, healthcare, and the labour market. Patriarchal norms are an exacerbating factor. As men are typically the primary breadwinner in the family, when men are killed or injured, the socio-economic survival and security of women may be severely threatened. Female internally displaced persons and returnees often face particular vulnerabilities and risks.[51]

[47] UNAMA also verified five cases of rape of girls, see Chapter III Children and Armed Conflict, subchapter C. Sexual Violence against Children of this report.
[48] For more information, see, e.g. Report of the United Nations Secretary General, *Conflict-Related Sexual Violence*, S/2020/487, 03 June 2020.
[49] Letter from the Taliban to UNAMA of 25 October 2020, on file with the UNAMA Human Rights Service.
[50] See UNAMA/OHCHR, In Search of Justice for Crimes of Violence Against Women and Girls (December 2020) and Afghanistan Humanitarian Needs Overview (December 2020), United Nations Office for the Coordination of Humanitarian Affairs (OCHA).
[51] See the Afghanistan Humanitarian Needs Overview (December 2020), United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

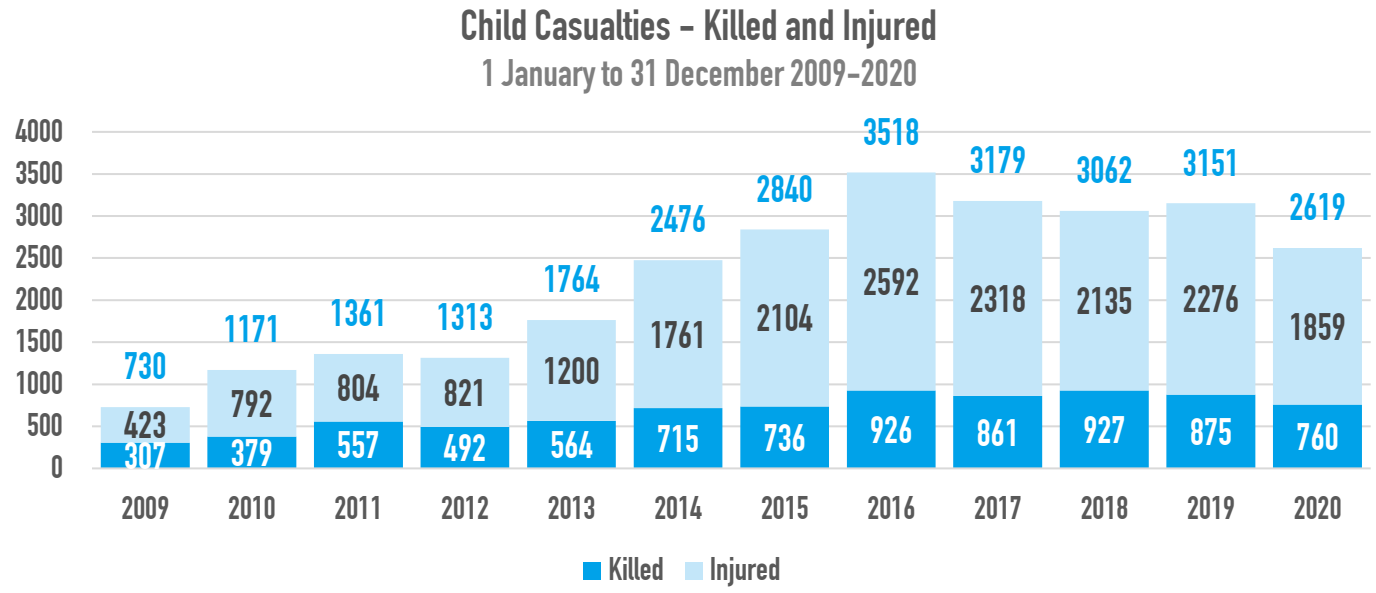
III. CHILDREN AND ARMED CONFLICT

> ***There was crying and clamor of the children. They screamed 'please help us.' I then saw my son and four other children were wounded. They were all in critical condition. I took my son. There was blood all over his body. I took water and washed his wounds. His stomach, heart and lungs were wounded by the explosion. We would have liked to transfer him to the district hospital, but he died after a few minutes. When he died, he was looking towards me, straight into my eyes, but unable to speak.***
>
> -- Father of a boy killed by an explosive remnant of war
>
> UNAMA telephone interview with father of victim on 14 September 2020

The conflict in Afghanistan continues to take the lives of children, and the country is one of the deadliest places in the world to be a child. Children suffer protracted and extreme risk of harm, including killing and maiming from ground engagements, non-suicide IEDs, unexploded ordnance/explosive remnants of war and landmines, aerial attacks and abductions. Children have also continued to be subjected to recruitment and use in combat and support roles by parties to the conflict, and sexual exploitation and violence, including *bacha bazi*. Additionally, children are denied access to education and healthcare because of both direct attacks and fighting causing incidental damage to schools, hospitals, and their personnel. Both Pro-Government forces and Anti-Government Elements are listed in the annex to the Secretary-General's Annual Report on Children and Armed Conflict for grave violations against children.[52]

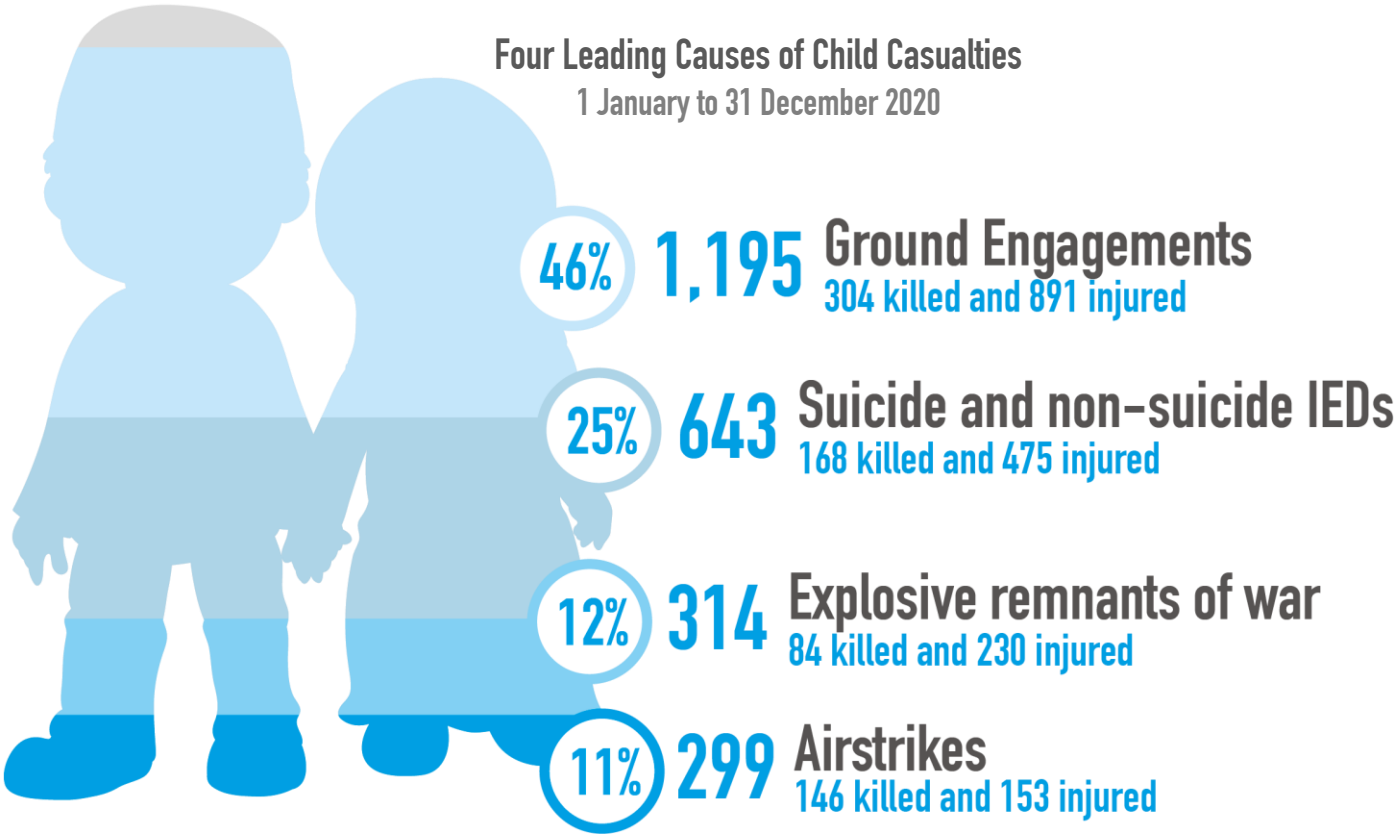
Children comprised 30 per cent of all civilian casualties in 2020, the same percentage as in 2019. Between 1 January and 31 December 2020, UNAMA documented 2,619 child casualties (760 killed, 1,859 injured), a 17 per cent decrease in comparison to 2019.[53] Girls comprised 32 per cent of all child casualties whereas boys constituted 68 per cent.

Despite a 28 per cent decrease in child casualties attributed to Anti-Government Elements in comparison to 2019, the number of child casualties caused by these



[52] The Taliban has been listed for recruitment and use, killing and maiming, attacks on schools and/or hospitals, and abductions; ISIL-KP have been listed for recruitment and use and killing and maiming; and the Afghan National Police and Afghan Local Police have been listed for recruitment and use.

[53] In 2019, UNAMA documented 3,151 child casualties (875 killed and 2,276 injured).



groups remained concerning.[54] In 2020, Anti-Government Elements caused 42 per cent of all child casualties in 2020, amounting to 1,098 child casualties (281 killed, 817 injured). The Taliban was responsible for 36 per cent, ISIL-KP for two per cent and undetermined Anti-Government Elements for four per cent.[55]

In 2020, Pro-Government forces caused 37 per cent of all child casualties - 962 child casualties (337 killed, 625 injured), a seven per cent decrease from the previous year.[56] Afghan national security forces caused 32 per cent of all child casualties, followed by international military forces (two per cent) and pro-government armed groups (one per cent).[57] In addition, UNAMA attributed two per cent of child casualties to undetermined or multiple Pro-Government Forces.[58]

The remaining 21 per cent of child casualties were caused by crossfire between Pro-Government Forces and Anti-Government Elements, explosive remnants of war that could not be attributed to a specific party of the conflict, and cross-border fire.[59]

The leading cause of child casualties in 2020 remained ground engagements between Anti-Government Elements and Pro-Government forces, which caused 46 per cent of all child casualties. These ground engagements caused a total of 1,195 child casualties (304 killed, 891 injured), representing a two per cent decrease from 2019.[60] The vast majority of these casualties resulted from indirect fire.[61]

Non-suicide IED attacks by Anti-Government Elements were the second leading cause of child casualties in

[54] In 2019, UNAMA attributed 1,535 civilian casualties (321 killed and 1,214 injured) to Anti-Government Elements.
[55] In 2020, UNAMA attributed 940 child casualties (262 killed and 678 injured) to the Taliban, 43 child casualties (six killed and 37 injured) to ISIL-KP and 115 child casualties (13 killed and 102 injured) to undetermined Anti-Government Elements.
[56] In 2019, UNAMA attributed 1,033 civilian casualties (409 killed and 624 injured) to Pro-Government Forces.
[57] In 2020, UNAMA attributed 849 child casualties (279 and 570 injured) to Afghan national security force, 46 child casualties (36 killed and 10 injured) to international military forces, 23 child casualties (nine killed and 14 injured) to pro-government armed groups.
[58] In 2020, UNAMA attributed 44 child casualties (13 killed and 31 injured) to undetermined or multiple Pro-Government Forces
[59] In 2020, UNAMA documented 404 child casualties (100 killed and 304 injured) from crossfire between Pro-Government Forces and Anti-Government Elements; 108 child casualties (31 killed and 70 injured) from undetermined actors related to explosive remnants of war; and 47 child casualties (11 killed and 36 injured) to Pakistani military forces.
[60] In 2019, UNAMA documented 1,215 child casualties (271 killed and 944 injured) from ground engagements.
[61] In 2020, UNAMA documented 914 child casualties (223 killed and 691 injured) from the use of indirect fire during ground engagements.

2020, constituting 517 child casualties (150 killed, 367 injured), a 10 per cent decrease from the previous year.[62]

The third leading cause of child casualties in 2020 was explosive remnants of war. In 2020, UNAMA recorded 314 child casualties (84 killed, 230 injured) from explosive remnants of war. While this represents a 22 per cent decrease in the number of casualties from 2019, children continued to suffer disproportionately from explosive remnants of war, comprising 80 per cent of all civilian casualties from these dangerous devices.[63] Children frequently find explosive remnants of war and think they are toys or scraps of metal, attempting to play with or sell them until they detonate, killing and injuring themselves, and those nearby. Children who survive encounters with explosive remnants of war live with enduring detrimental impact on their quality of life due to loss of limbs, eyesight, other serious injuries, and psychological trauma.

Airstrikes by the Afghan Air Force and international military forces were the fourth leading cause of death and injury to children, resulting in 299 child casualties (146 killed, 153 injured), a 12 per cent decrease as compared to 2019.[64] A total of 238 child casualties (103 killed, 135 injured) were attributed to airstrikes from the Afghan Air Force. International military forces airstrikes resulted in 44 child casualties (36 killed, eight injured), 89 per cent of which occurred in January and February 2020.[65] The remainder of child casualties from aerial attacks were attributed to undetermined Pro-Government Forces.

UNAMA also verified 19 incidents of abduction of children involving 55 children, 18 of which were attributed to the Taliban and one to a pro-government armed group. For example, on 8 October in Lash-e-Juwain district, Farah province, the Taliban abducted a boy and his two adult sisters who were on their way to visit their sick father and took them to an unknown location. One day later, their dead bodies were found. On 6 July, in Sar-e-Pul province, the Taliban abducted a young man and a pregnant girl on accusation of having an illegal affair. The pregnant girl was released the same day; however, the next day she was tortured and killed by her family members as they believed she brought shame upon the entire family.

Children continued to suffer disproportionately from explosive remnants of war, comprising 80 per cent of all civilian casualties from these dangerous devices.

Policy and Accountability Developments Related to Child Protection

On 24 November 2020, the Ministry of Interior launched its Child Protection Policy in compliance with the Afghan Government's Action Plan for the Prevention of Underage Recruitment and Use and the annexes on killing and maiming and sexual violence against children. UNAMA provided the Ministry of Interior with technical guidance and support while drafting the policy. The policy includes provisions on protection of children from recruitment and use and sexual violence, including *bacha bazi.*

UNAMA continued its advocacy efforts for a prompt, independent and impartial investigation into the allegations of sexual abuse of boys in schools in Logar province, which emerged in late 2019. As a result of a series of advocacy efforts, the Attorney General's Office established a committee tasked to investigate the allegations. UNAMA continued to support the committee with technical advice and guidance on child-friendly approaches, and to advocate for the mandate of the committee to be expanded to cover other provinces. So far, the committee identified 21 suspects and arrested a number of them. Some convicted perpetrators have been sentenced to 5-22 years of imprisonment for their crimes[66] (none of the perpetrators are linked to

[62] In 2019, UNAMA documented 575 child casualties (147 killed and 428 injured) from non-suicide IEDs.
[63] In 2019, UNAMA documented 403 child casualties (113 killed and 290 injured) from explosive remnants of war.
[64] In 2019, UNAMA documented 341 child casualties (211 killed and 130 injured) from airstrikes.
[65] From 1 January to 29 February 2020, UNAMA attributed 39 child casualties (32 killed and 7 injured) to airstrikes from international military forces.
[66] This information was reported by the Attorney General's Office. UNAMA has yet to independently verify the details of arrests and sentences in these cases.

education or parties to the conflict). While the COVID-19 pandemic has resulted in school closures and movement restrictions, slowing the work of the committee, the Attorney General's Office nonetheless continues its investigations.

CHILD CASUALTIES FROM EXPLOSION IN GELAN DISTRICT, GHAZNI PROVINCE, 18 DECEMBER 2020

On 18 December 2020, at approximately 13:30 hours, an explosion occurred near a rickshaw in the Aghu Jan area of Gelan district, Ghazni province. The blast killed one 18-year-old man and 11 children (six boys and five girls), ranging in age from a five-year-old girl to a 16-year-old boy. UNAMA also documented injuries to a salesman who was the driver of the rickshaw and 11 other children (six girls and five boys) all between the age of six and 11 years old.

Immediately after the explosion, two narratives about the events were spread. Information from the local community indicated that the rickshaw was driven by a shopkeeper who travels around villages to sell and buy items from residents. Children had reportedly approached the shopkeeper with an explosive remnant of war that they wanted to sell to him as scrap metal. The shopkeeper reportedly refused to buy the ordnance and an argument ensued between him and the children which led to the detonation of the explosive remnant of war. The Afghanistan national security forces, on the contrary, stated that the child casualties were caused by the explosion of the rickshaw itself,[67] and that the rickshaw was carrying explosives from the Taliban to target them. NATO Resolute Support condemned the "indiscriminate killing" of children.[68]

Through its spokesperson, the Taliban stated that the incident occurred due to unexploded ordnance and expressed condolences as well as caution to stay away from such devices.[69]

This incident highlights that parties to the conflict can, and must, do more to protect children from the harm that the armed conflict in Afghanistan causes, be it from explosive remnants of war, IEDs, or other incident types.

Parties to the conflict must urgently take steps to prevent child casualties. These can include enhancing cooperation with demining efforts and agreeing on priority areas for clearance of unexploded and abandoned ordnance, as well as cessation of the use of explosives with wide area effects, such as indirect fire weapons, and, for Anti-Government Elements, IEDs in populated areas. As part of the nascent peace discussions between the Taliban and the Islamic Republic of Afghanistan, it is critical that that these and other measures, aimed at ensuring protection of the civilian population, including children, be prioritised.

A. Recruitment and Use of Children by Parties to the Armed Conflict

Throughout 2020, the Taliban, Afghan national security forces, and pro-government armed groups continued to recruit children. Anti-Government elements recruited and used children for both combat and service functions. While Afghan national security forces have made progress overall in preventing child recruitment and use, the use of children by Afghan National Police for service and sexual purposes, and to a lesser extent Afghan National Army-Territorial Force and Afghan Local Police[70] use of children for combat functions, remains of grave concern.

Between 1 January and 31 December 2020, UNAMA verified the recruitment and use of 196 boys, with the

[67] See, https://twitter.com/TariqArian3/status/1339881527392481280?s=20.
[68] See, https://twitter.com/NATOscr/status/1340288198921101315?s=20.
[69] See, https://twitter.com/Zabehulah_M33/status/1339961361368006658?s=20.
[70] After funding of the Afghan Local Police ended on 30 September 2020, the Afghan Local Police was formally abolished with most of its members designated to transfer to the Afghan National Army - Territorial Force or the Afghan National Police.

There are insufficient mechanisms for addressing the needs of children formerly associated with armed forces or groups. Without adequate follow-up, these children remain vulnerable to further recruitment and use.

majority of cases occurring in the north and northeastern regions of the country. It attributed the recruitment and use of 172 boys to the Taliban, eight jointly to Afghan Local Police and pro-government armed groups, seven to pro-government armed groups, five to the Afghan National Police, and four to Afghan National Army-Territorial Force. It is important to note that cases of child recruitment and use are widely under-reported in Afghanistan given the sensitivities involved and concerns for the safety of the children. UNAMA has received unverified allegations from various interlocutors alleging the recruitment and use of hundreds more children by parties to the conflict, but due to the aforementioned challenges and protection concerns, it has so far been unable to verify most of them.

One example of the grave harm to children stemming from recruitment and use occurred in February 2020, in the northeast region, when three children hired by the Taliban attempted to commit a suicide attack against a target at an engagement party. On the way, one of the children accidentally detonated his IED, killing him and injuring the two other children.

Notable progress has been made by the Ministry of Interior to halt and prevent underage recruitment and use through the Child Protection Units in the Afghan National Police recruitment centres. Through these mechanisms, 187 underage applicants (all boys) were prevented from enlisting in the ranks of the Afghan National Police in 2020. UNAMA continues to receive, however, unverified reports of children used in combat and support roles by Afghan Local Police, Afghan National Police, and Afghan national security forces generally, such as boys working as bodyguards and drivers for generals and working at checkpoints. In some instances, children were and are also allegedly subjected to sexual violence, including *bacha bazi*.

Challenges remain regarding the continued use of children at police checkpoints and the absence of measures for the protection, reintegration, and support of children formerly associated with armed forces or groups. Further, the advent of the COVID-19 pandemic seems to have increased vulnerability of children to recruitment and use. Various non-governmental organisations, international organizations, and interlocutors have confirmed to UNAMA an increase in general unemployment and poverty due to the pandemic, which may be linked to the rise in recruitment and use of children; many children are forced to seek employment in order to support their families, and in doing so attempt to join the ranks of parties to the conflict. UNAMA calls upon the Government to fully implement its commitments under the 2011 Action Plan to end recruitment and use of children in Afghan national security forces. UNAMA notes that there are insufficient response mechanisms for addressing the needs of children formerly associated with armed forces or groups, those released from detention, and those screened out by the police and armed forces during the recruitment process due to their age. Without adequate follow-up, these children remain vulnerable to further recruitment and use. The lack of accountability for the perpetrators of grave violations against children, notably related to sexual violence, is also of concern.

The Law on Protection of Child Rights (Child Act) was enacted through a legislative decree in March 2019, yet attempts to pass the Child Act through Parliament (this should have occurred within 30 days of the Presidential Decree – as required under Afghan Law) have not been successful due to disagreement on the definition of a child in the text as a person who has not completed the age of 18. The Child Act constituted one of the priorities of the 2014 Road Map to Compliance, which detailed measures to fully implement the 2011 Action Plan to end recruitment and use of children in Afghan national security forces. The Child Act also includes provisions prohibiting *bacha bazi* and the recruitment and use of children, in line with the 2018 revised Penal Code. UNAMA calls upon the Government to adopt the Child Act in Parliament and to establish effective investigation and disciplinary mechanisms for commanding and recruitment officers found responsible for child recruitment and use.

Despite endorsement of the Paris Principles by the Government of Afghanistan, children are still detained for alleged association or for actual association with armed groups. UNAMA urges the Government of Afghanistan to consider children recruited by armed groups foremost as victims; consider decentralizing jurisdictions in cases of children charged with security or terrorism-related offences so that they may remain closer to their families and be tried near their areas of origin; and ensure full protection of the rights of children detained on such charges in line with national and international juvenile justice standards.

B. Conflict-Related Sexual Violence Against Children

Sexual violence against children, despite its severe nature, is rarely reported and inadequately addressed in Afghanistan. In 2020, boys and girls continued to be subjected to sexual violence at the hands of parties to the conflict in horrific acts, including rape and *bacha bazi*.[71]

Between 1 January and 31 December 2020, UNAMA verified 10 cases of rape and sexual violence perpetrated against nine boys and five girls: three cases by the Afghan National Police, two by the Taliban, one by Afghan Local Police, one by Afghan National Army, one by Afghan National Army-Territorial Force, one by civilians, and one by a pro-government armed group. Notably, seven out of 10 incidents verified were perpetrated by Afghan national security forces. These figures, however, do not reflect the extent of the problem given the difficulties that victims and witnesses face in reporting as well as the challenges UNAMA encounters in verifying these cases due to the extreme sensitivities involved and concerns for victim and witness protection. In these cases, there is a "culture of silence" and stigmatization in which shame is placed on the victims rather than the perpetrators. Victims feel unable to share reports of the harm they suffered due to feelings of guilt and humiliation; many are themselves blamed for being sexually abused or raped, and are often shunned by their communities – or even threatened - if the allegations come to light.

As with recruitment and use of children, UNAMA continued to receive additional allegations of sexual violence against children, including *bacha bazi*. However, it was unable to verify many of these allegations by the time of the publication of this report for protection reasons. As with broader concerns relating to sexual violence, rampant impunity remains despite the criminalization of *bacha bazi* in Afghanistan. There are very few investigations and prosecutions of alleged perpetrators and victims face ongoing social stigma and ostracization from family and/or society. As this act has already been criminalized in the revised Penal Code of 2017, the Government focus should necessarily be on implementation of the law and promoting accountability and victim support services, including legal and psychosocial support for survivors of *bacha bazi*. In order to achieve this, there is a need for increased public awareness and understanding of *bacha bazi* as an abusive and criminal act, not a cultural practice. One way to achieve this would be through appropriate sensitization campaigns and training of Afghan national security forces as well as prosecutors.

C. Impact of the Armed Conflict on Healthcare

The conflict in Afghanistan continued to deprive individuals of life-saving medical care, which, coupled with the additional strain on healthcare due to the outbreak of the COVID-19 pandemic, added weight to an already over-burdened healthcare system.

The World Health Organisation (WHO) estimated that up to three million people were deprived of essential health services in 2020 from the closure of health facilities by parties to the conflict, often in the most vulnerable, conflicted affected locations. This also occurred in the context of the escalating COVID-19 pandemic in Afghanistan where the populations living in conflict affected areas were less likely to receive testing and critical life-saving medical treatment. The loss of healthcare workers and damaged medical infrastructure will have long-lasting consequences on the healthcare system.

[71] UNAMA also monitors all incidents of *bacha bazi*, regardless of whether the perpetrators are linked to the armed conflict.

UNAMA verified 90 attacks impacting healthcare delivery from 1 January to 31 December 2020, a 20 per cent increase as compared to 2019; highly concerning in the context of the COVD-19 pandemic.[72] These incidents include both direct attacks or threats against healthcare facilities and personnel, and indiscriminate attacks resulting in incidental damage to healthcare facilities and protected personnel. In total, eight health personnel were killed, 11 were injured, and 36 were abducted. UNAMA attributed 73 of the 90 incidents to Anti-Government Elements, including 71 incidents to the Taliban, one to ISIL-KP and one to undetermined Anti-Government Elements. UNAMA attributed nine incidents to Pro-Government Forces and the remaining seven incidents jointly to Pro-Government Forces and Anti-Government Elements. The majority of such incidents occurred in the eastern (22), northern (18) and southeastern (14) regions.[73]

Of further concern are the continued attacks on healthcare perpetrated by the Taliban directly targeting facilities and protected personnel, including forced clinic closures, targeted killings, abductions, and IED attacks. UNAMA documented 42 such incidents, of which the highest number occurred in the eastern region (12) and the southeastern region (10). For example, on 21 January in Daikundi province, the Taliban set fire to a local health centre for women and planted IEDs leading up to the facility, in order to prevent women from accessing services funded by non-Muslims. On 21 April in Nangarhar province, after threatening a pharmacy that it would be attacked if it did not agree to pay money, the Taliban planted a remote-controlled IED inside the pharmacy. It detonated, wounding eight civilians, including a child and a doctor. As a result, the pharmacy lost thousands of dollars' worth of medicines. On 16 May 2020, the Taliban attacked the vehicle of the Deputy Director of the Public Health Department of Khost province through a remote-controlled IED, which detonated near the provincial administrative centre in Khost city, Khost province. The explosion injured three civilians, the deputy director and his two bodyguards. A second remote-controlled IED from the Taliban at the same place caused injuries

Up to 3 million people were deprived of essential health services in 2020 from the closure of health facilities by parties to the conflict, often in the most vulnerable, conflicted affected locations.

to four civilians, including three first responders of the Afghan National Police and a bystander. In a communication with UNAMA, the Taliban stated that all of the victims, including the provincial Deputy Director of the Public Health Department were legitimate targets, as members of the administration.[74]

A troubling trend from 2019 continued this year, in which the Taliban threatened a number of healthcare centres and abducted medical personnel in order to coerce them into various actions such as coordinating with them, rendering medical care to their fighters, handing over medicines and facilities, paying special taxes, or relocating their services elsewhere. On 9 February in Paktya province, a non-governmental organisation was forced by threat of a Taliban attack to close all 33 of its clinics across five districts. This threat came after the non-governmental organisation refused the Taliban's demands to provide them with ambulances, supplies, and to hire Taliban members as clinic staff.

The Taliban continued to threaten healthcare centres throughout the year. For example, on 11 October in Badakhshan province, the Taliban forced the closure of 17 health centres across six districts[75] after the provincial health department refused the Taliban's request to equip the centres with surgeons and operating rooms, and to guarantee safety to Taliban fighters who might avail themselves of care at the centres.

[72] In 2019, UNAMA verified 75 attacks impacting healthcare.
[73] UNAMA documented a total of 54 incidents of attacks directed against healthcare. See *Chapter IV.B.2. Anti-Government Element Attacks deliberately targeting civilians* for further details.
[74] 21 July 2020 letter from the Taliban to UNAMA, on file with the UNAMA Human Rights Service.
[75] Jurm, Wardoj, Tagab, Yamangan, Arganjkhaw and Garayam districts of Badakhshan province.

UNAMA decries assaults on health services, facilities, and personnel, especially in the context of a global pandemic that does not discriminate between warring factions but endangers all Afghans alike.

UNAMA also documented a number of other incidents attributed to Anti-Government Elements including Taliban, ISIL-KP, and undetermined Anti-Government Elements, together causing incidental damage to a total of 63 healthcare facilities[76] and five medical personnel casualties (one killed, four injured).

Pro-Government forces accounted for nine incidents affecting healthcare personnel and facilities, three of which were direct attacks or threats intentionally targeting health personnel, perpetrated by pro-government armed groups (two) and the Afghan National Border Force (one). On 26 April in Nangarhar province, the Afghan National Border Force fired shots in the air and threatened doctors at a hospital after they refused to wash the body of one of the Force's dead comrades. On 10 July in Badakhshan, a local pro-government armed group beat and shot a pharmacist in an attempt to take medicines from his pharmacy. On 15 November in Khost province, for unknown reasons, a local pro-government armed group removed a dentist from his clinic and killed him.

The other six incidents affecting healthcare that UNAMA attributed to Pro-Government Forces caused incidental damage to six facilities and resulted in two health personnel casualties (one killed, one injured).

Under international humanitarian law, the sick and wounded must receive the medical care required by their condition, and parties to the conflict have the obligation to take all possible measures to protect them against ill-treatment. In addition, medical personnel and facilities (including vehicles, such as ambulances) exclusively engaged in treating the sick and wounded are protected from attacks. Pursuant to international human rights law, people in Afghanistan also have the right to the highest attainable standard of physical and mental health, which continues to apply during armed conflict.

Since the outset of the COVID-19 pandemic, UNAMA has repeatedly flagged the vital importance of protecting healthcare facilities and workers.[77] Afghanistan already faces significant barriers to providing adequate health care to its population, and the pandemic has only exacerbated these challenges. UNAMA decries such assaults on health services, facilities, and personnel, especially in the context of a global pandemic that does not discriminate between warring factions but endangers all Afghans alike.

UNAMA reiterates its previous recommendations to parties to the conflict, including to immediately cease deliberate attacks on healthcare, to cease the use of indirect fire in populated areas, particularly in the vicinity of healthcare facilities, and to investigate all incidents of direct or indirect interference with healthcare services.

D. Impact of the Armed Conflict on Education

Children have a universal right to education, regardless of their circumstances.[78] In conflict zones such as Afghanistan, direct attacks and threats against teachers, schools, and students, as well as indiscriminate attacks causing incidental damage to the same all hinder children's access to education. UNAMA is deeply concerned about the severe impact of the armed conflict on education country-wide, particularly for girls, who are more likely to be kept out of school when faced with violence and insecurity. It is of vital importance that schools are maintained as safe spaces for learning for children in Afghanistan. The COVID-19

[76] The facilities damaged included, in one case, an ambulance.
[77] See UNAMA Special Report on Attacks on Healthcare (June 2020), UNAMA Protection of Civilians Midyear Report (July 2020), UNAMA Protection of Civilians Third Quarter Update (October 2020).
[78] See Article 13 of the International Covenant on Economic, Social and Cultural Rights, Article 28 of the Convention on the Rights of the Child and its General Comment No. 1 (2001) CRC/GC/2001/1.

pandemic resulted in periodic school closures across the country, making children's access to education even more tenuous in 2020.

Between 1 January and 31 December 2020, UNAMA verified 62 incidents affecting children's access to education. These included attacks targeting or incidentally damaging schools and madrassas, the killing, injury, and abduction of education personnel and students, and threats against education facilities and personnel. In total, three education personnel were killed and five were injured, as well as 30 students killed and 53 injured in incidents impacting education throughout the year. Five education personnel were abducted during this time period. Incidents were the most prevalent in the eastern (16), northeastern (14), and northern (10) regions. This year showed an 11 per cent decrease in number of incidents as compared to 2019.[79]

Of particular concern is the continuation of direct attacks on education facilities and personnel perpetrated by the Anti-Government Elements, which amounted to 22 incidents in 2020. Throughout the year, the Taliban conducted 17 direct attacks on education, including arson, IED attacks, threats, abductions, and targeted killings of personnel. For example, on 15 July in Takhar province, the Taliban set fire to a high school, entirely destroying the building, including the library and laboratory. The high school previously served a population of roughly 1,000 boys and girls. On 24 October in Balkh province, the Taliban shot and killed a schoolteacher who was on his way home from evening prayers, due to both his work with the Department of Education and because he had voiced anti-Taliban sentiments. From 1 January to 31 December, Taliban also conducted 13 attacks against Afghan national security forces that resulted in closure or incidental damage to 12 schools and injury or death of 18 students (one killed and 17 injured).

Other Anti-Government Elements also conducted attacks resulting in grave impact on education throughout the year. ISIL-KP was responsible for two incidents impacting education; on 28 August in Nangarhar province, ISIL-KP planted and detonated a remote-controlled IED targeting a teacher on his way home from school who had voiced anti-ISIL-KP opinions. Both the teacher and a student were wounded. In March 2020 in Kabul city, ISIL-KP fired rockets targeting President Ghani's oath of office ceremony, one of which damaged a public school. Other undetermined Anti-Government Elements perpetrated five attacks against education throughout 2020, including three shootings, an arson, and a suicide attack. These incidents injured eight students, three education personnel and damaged eight schools.

UNAMA attributed 20 incidents affecting education to Pro-Government forces in 2020, all but two of which involved collateral damage to schools or injury to personnel and students due to nearby hostilities. For example, in one incident on 27 June in Kabul province, the Afghan National Army raided a madrassa on suspicion that Taliban were inside. While it was empty at the time, the Afghan National Army damaged multiple classrooms of the madrassa, which normally served roughly 300 boys and girls. Eighteen incidents attributed to Pro-Government Forces caused the death of 17 students and one education personnel, injury of 18 students and one personnel, and damage to 18 different schools. For example, on 21 October in Takhar province, the Afghan National Army conducted an airstrike against the Taliban, but missed its intended target and struck a local madrassa full of students. Nine children were killed and 16 were injured, along with the mullah, and the madrassa was severely damaged.[80]

The remaining three incidents affecting education in 2020 were attributed to hostilities between Anti-Government Elements and Pro-Government Forces where the specific perpetrator could not be determined, all involving incidental damage to facilities and students. Additionally, parties to the conflict continued to use education facilities for military purposes, putting these schools and madrassas at high risk of attacks and damage like those outlined above.

According to UNICEF, between 1 January and 31 December 2020, a total of 258 schools have been documented as affected and were closed, preventing 122,679 children (83,984 boys and 38,695 girls) from accessing education. Of the 258 schools affected, 144 (56 per cent) are located in the southern region, 80 schools (31 per cent) in the northern region, and the

[79] In 2019, UNAMA verified 70 incidents impacting children's access to education.
[80] See subchapter *V.B.1. Airstrikes* for more information on this incident.

remaining 34 schools (13 per cent) in the central and eastern regions. The school closures were mainly attributed to either Taliban threats against education or general insecurity, as well as military use of schools, particularly in the southern and northern regions where the highest number of schools were affected. In December, UNICEF arranged with the Taliban to expand Community Based Education to hard-to-reach areas and conflict zones in the provinces of Helmand, Kandahar, Uruzgan and Faryab. This will allow the provision of the Community Based Education model of teaching and learning to around 4,000 classes that will cater to between 100,000 – 140,000 children.

International humanitarian law protects access to education in situations of armed conflict, and attacks on schools[81] constitute one of the six grave violations against children. UNAMA urges all parties to the conflict to protect students, teachers and schools as civilians and civilian objects, and to refrain from using educational facilities for military purposes. UNAMA reminds the Government of Afghanistan of its obligations under international human rights law to ensure children's right to education and encourages Afghan national security forces to adhere to the Safe Schools Declaration.

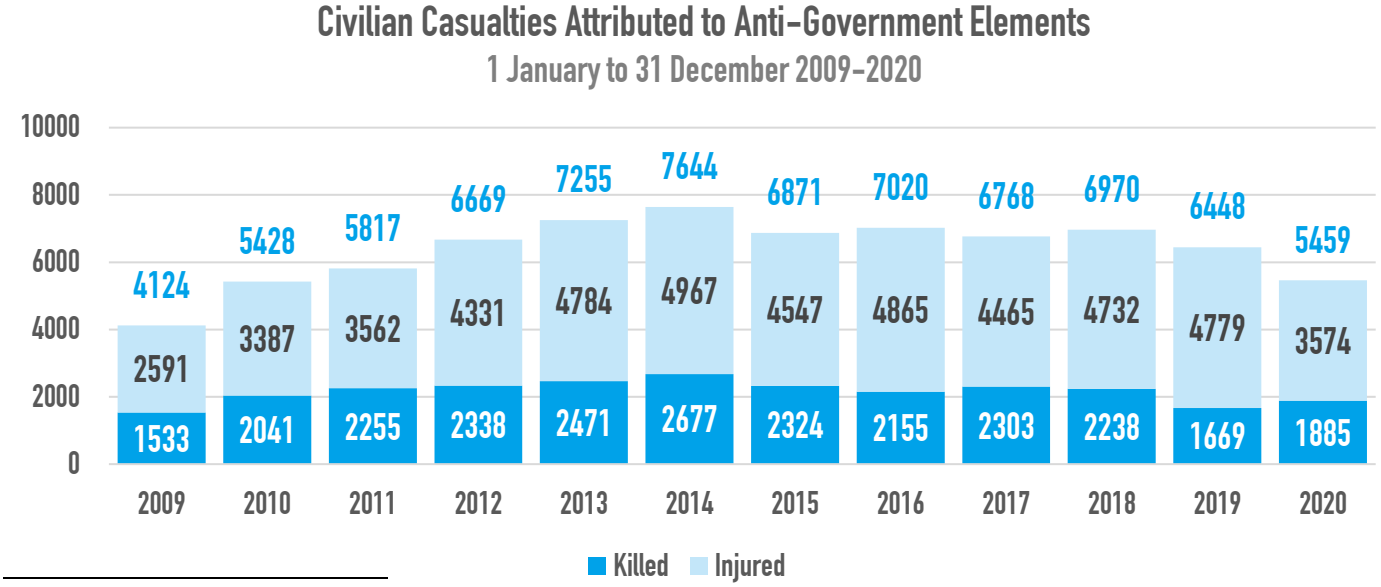
[81] The grave violation encompasses attacks on both schools and hospitals.

IV. ANTI-GOVERNMENT ELEMENTS

> ***I am a [...] student in a school in Bamyan center. [...] It was around 16:40 hours, I was in the Bamyan Bazar, walking home. Everything was normal. Suddenly, I noticed a big spark of fire about 25 meters away. [...] I then saw a vehicle exploding. [...] I noticed a big number of civilians laying on the ground bleeding badly. I lost my consciousness and do not remember what happened to me after that. It was around 19:00 hours that I regained consciousness in the hospital. [...] I have injuries in my arm and legs. Still, I have not fully recovered. I get psychologically disturbed and fall unconscious when I remember that scene. I often have nightmares and cannot sleep. I am a student, and now I am unable to continue my education. [...] I am from poor family and my family cannot afford for advance medical treatment outside of Bamyan. Doctors told me that it will take a long time for me to fully recover. I do not know how many months it will take***
>
> --Female student and victim of an IED attack of Anti-Government Elements in Bamyan city, Bamyan province, on 24 November that killed 18 civilians and injured 60 other civilians.
>
> UNAMA telephone interview with victim, 22 December 2020

A. Overview

Anti-Government Elements remained responsible for the majority of civilian casualties in 2020, with 62 per cent attributed to these groups. From 1 January to 31 December 2020, UNAMA attributed 5,459 civilian casualties (1,885 killed and 3,574 injured) to Anti-Government Elements. This marked a 15 per cent overall decrease in civilian casualties attributed to Anti-Government Elements in comparison to 2019, comprising a 25 per cent decrease in injured civilians, partially offset by a concerning 13 per cent increase in the number of civilians killed.[82] There was also a slight increase in the number of incidents attributed to Anti-Government Elements causing civilian harm.[83] Most of the harm to civilians



[82] From 1 January to 31 December 2019, UNAMA attributed 6,448 civilian casualties (1,669 killed and 4,779 injured) to Anti-Government Elements.

[83] In 2020, UNAMA documented 1,538 incidents in which Anti-Government Elements caused civilian casualties, in comparison to 1,439 such incidents in 2019.

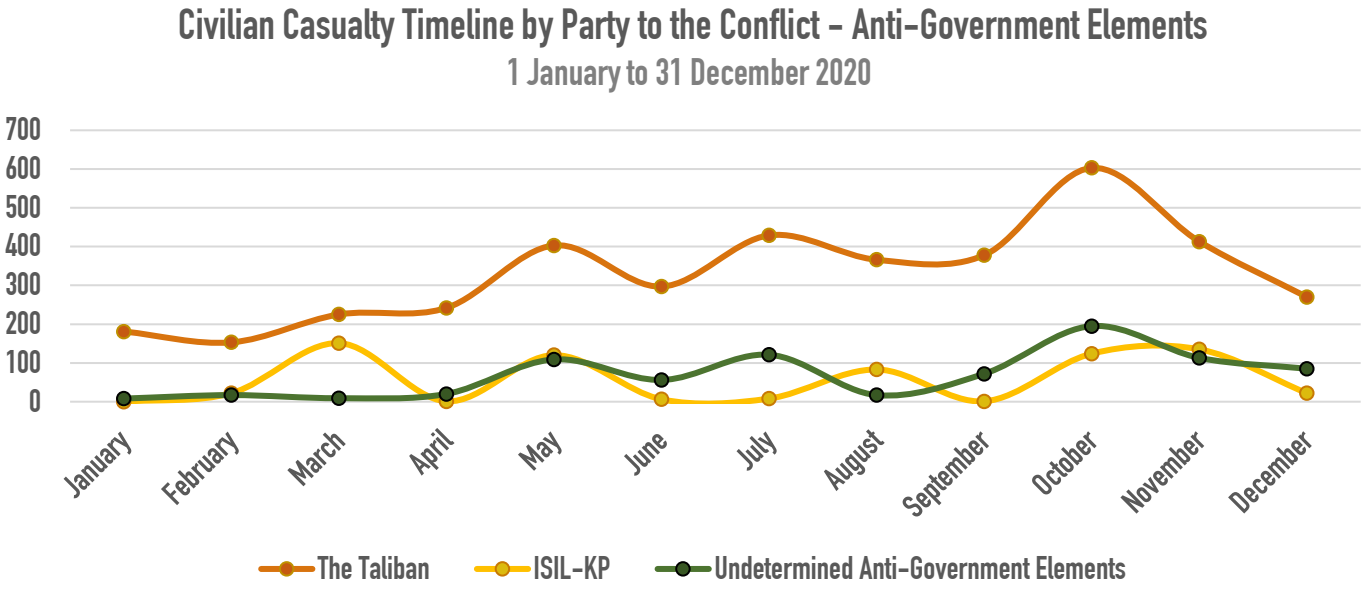
Civilian Casualties attributed to Anti-Government Elements in 2020		
Anti-Government Element Group	**Civilian Casualties in 2020**	**Percentage change in comparison to 2019**
The Taliban	3,960 civilian casualties (1,470 killed and 2,490 injured)	-19 per cent
Civilian Casualties from incidents that were claimed by the Taliban	260 civilian casualties (44 killed and 216 injured)	-85 per cent
Civilian Casualties attributed to the Taliban from incidents that were not claimed	3,700 civilian casualties (1,426 killed and 2,274 injured)	+ 16 per cent
ISIL-KP	673 civilian casualties (213 killed and 460 injured)	-45 per cent
Civilian Casualties from incidents that were claimed by ISIL-KP	582 civilian casualties (184 killed and 398 injured)	- 26 per cent
Civilian Casualties attributed to ISIL-KP from incidents that were not claimed	91 civilian casualties (29 killed and 62 injured)	- 79 per cent
Civilian casualties attributed to Anti-Government Elements where there was no public claim of responsibility and attribution to a specific group could not be determined.	826 civilian casualties (202 killed and 624 injured)	+158 per cent

was caused by the indiscriminate use of IEDs, both in densely populated cities and on public roads, and by targeted killings, including the deliberate targeting of civilians.

The reduction in civilians injured by Anti-Government Elements in 2020, mainly driven by the dearth of civilian casualties from election-related violence and sharp reduction in civilian casualties from suicide attacks in comparison to 2019, was offset by increased civilian casualties from targeted killings, indiscriminate victim-activated pressure-plate IEDs, and non-suicide vehicle-borne IEDs.

The Taliban caused 45 per cent of all civilian casualties in 2020, and ISIL-KP was responsible for eight per cent. UNAMA could not attribute the remaining nine per cent of civilian casualties caused by Anti-Governments to either the Taliban or ISIL-KP. The number of civilian casualties attributed to these undetermined Anti-Government Elements more than doubled in 2020, compared to 2019.[84] This trend also correlates with a decrease in the number of incidents for which the Taliban or ISIL-KP claimed responsibility in 2020 as compared to the previous year.

Targeted killings, also often referred to as "assassinations", caused increasing concern in 2020, with a sharp



[84] In 2020, UNAMA also attributed four incidents causing four civilian casualties (three killed and one injured) to the Tehrik-i-Taliban Pakistan.

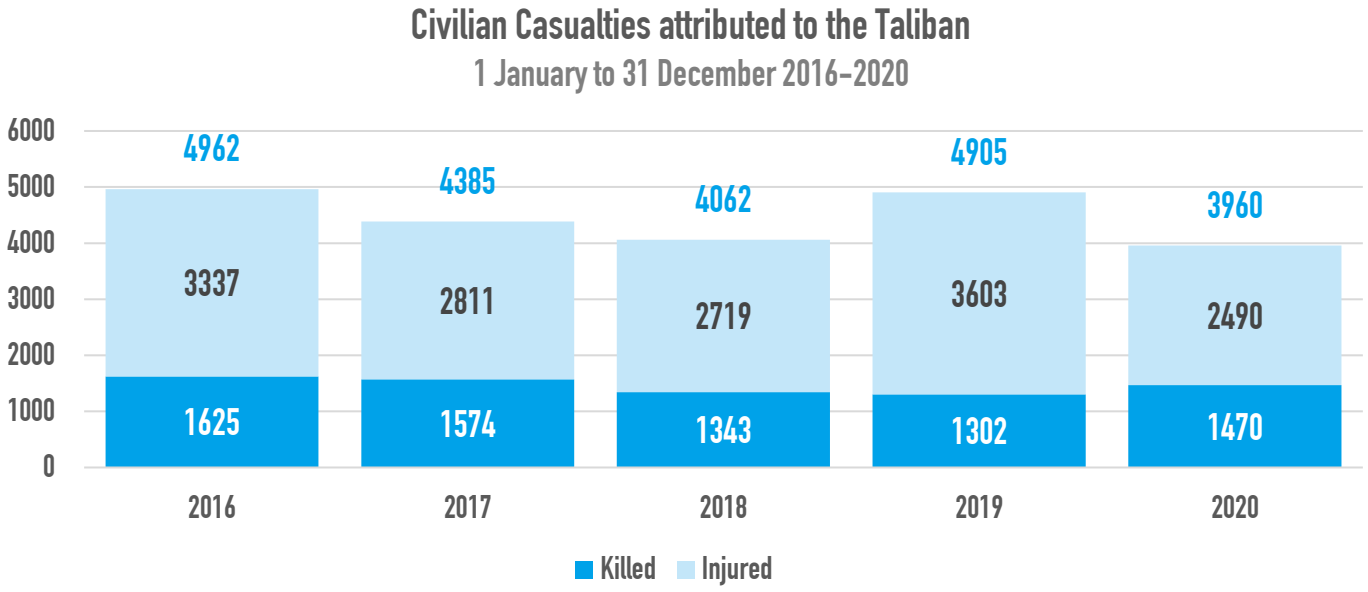
increase in civilian casualties, and nearly two-thirds of the casualties from this incident type attributed to the Taliban.[85] Many of these targeted civilians, including media workers, human rights defenders, and those perceived as 'spies' for the government. UNAMA also notes that for many targeted killings in 2020, it was unable to determine attribution to a party to the conflict. It further notes that because UNAMA could not attribute many of these incidents to a party to the conflict, and as such, since this meant it could not establish a conflict nexus, it is likely that this has led to under-reporting of such targeted killings in this report.

UNAMA also notes with concern the increased number of civilian casualties by Anti-Government Elements, especially the Taliban, in October, November and December, the three months after the start of the Afghanistan Peace Negotiations on 12 September.[86]

1. The Taliban

In 2020, the Taliban continued to cause the most civilian casualties of any party to the armed conflict. From 1 January to 31 December, UNAMA attributed 3,960 civilian casualties (1,470 killed and 2,490 injured) to the Taliban. This represents a 19 per cent decrease in civilian casualties in comparison to 2019. However, the reduction is only in civilians injured, as UNAMA documented a concerning 13 per cent increase in civilians killed.[87] Moreover, UNAMA documented a 14 per cent increase in the number of incidents in which the Taliban caused civilian casualties.[88]

Suicide and non-suicide IEDs caused over half of the civilian casualties attributed to the Taliban, with non-suicide IEDs causing five times more civilian casualties than suicide IEDs.[89] UNAMA documented more civilian casualties from victim-activated pressure-plate IEDs and vehicle-borne



[85] In 2020, UNAMA documented a 57 per cent increase in civilian casualties from targeted killings by Anti-Government Elements, recording 1,170 civilian casualties (646 killed and 524 injured), compared with 747 civilian casualties (448 killed and 299 injured) in 2019. Of these, 761 civilian casualties (459 killed and 302 injured) were from targeted killings attributed to Taliban, a 22 per cent increase from 2019 when Taliban-attributed targeted killings accounted for 626 civilian casualties (388 killed and 238 injured).
[86] From 1 October to 31 December 2020, UNAMA attributed 1,962 civilian casualties (590 killed and 1,372 injured) to Anti-Government Elements, a 56 per cent increase in comparison to the 1,258 civilian casualties (423 killed and 835 injured) in the same period of 2019. From 1 October to 31 December 2020, UNAMA attributed 1,286 civilian casualties (433 killed and 853 injured) to the Taliban, a 28 per cent increase in comparison to the 1,004 civilian casualties (341 killed and 663 injured) in the same period of 2019.
[87] In 2019, UNAMA attributed 4,905 civilian casualties (1,302 killed and 3,603 injured) to the Taliban.
[88] In 2020, UNAMA documented 1,396 incidents causing civilian casualties to the Taliban, in comparison to 1,222 incidents in 2019.
[89] In 2020, UNAMA attributed 1,730 civilian casualties from non-suicide IEDs to the Taliban, compared to 321 civilian casualties (33 killed and 288 injured) from suicide IEDs.

non-suicide IEDs, which was in contrast to the reduction in civilian harm from Taliban suicide attacks in cities.[90]

Ground engagements, including the use of mortars and rockets, were responsible for almost a quarter of civilian casualties caused by the Taliban. UNAMA attributed six per cent more civilians killed from ground engagements to the Taliban and 15 per cent fewer civilians injured compared with 2019.[91] This decrease was mainly caused by the absence of election-related violence in 2020, though it was partially offset by a higher number of civilian casualties from the continued high number of ground engagements causing civilian casualties throughout the year.[92] During 2020, ground engagements caused civilian casualties throughout Afghanistan, with spikes in civilian casualties recorded from ground engagements during offensives against Kunduz city in May and Lashkar Gah city in October.

UNAMA also recorded a 22 per cent increase in the number of civilians killed and injured by Taliban targeted killings,[93] which includes "assassinations" deliberately targeting civilians,[94] and a 169 per cent increase in civilian casualties occurring during abductions of civilians by the Taliban.[95]

2. Islamic State of Iraq and the Levant – Khorasan Province

From 1 January to 31 December 2020, UNAMA attributed 34 incidents causing 673 civilian casualties (213 killed and 460 injured) to ISIL-KP, representing a 45 per cent decrease in comparison to 2019 and the lowest number of civilian casualties that UNAMA attributed to the group since 2015 when it first formally appeared in Afghanistan.[96] ISIL-KP caused eight per cent of the total civilian casualties in Afghanistan in 2020, in comparison to 12 per cent the year prior. More than 95 per cent of civilian casualties from ISIL-KP were caused by mass-casualty incidents in the cities of Kabul and Jalalabad and a suicide attack in Kuz Kunar district of Nangarhar province.

ISIL-KP caused civilian casualties during various incident types, including the use of small arms fire inside buildings and during open-air gatherings, as well as from suicide and non-suicide IEDs and ground engagements, e.g. the firing of rockets into Kabul city.

Of serious concern is that more than 80 per cent of civilian casualties attributed to ISIL-KP were caused by attacks deliberately targeting civilians.[97] This includes civilians at educational facilities, the Shi'a Muslim religious minority population, most of whom also belong to the Hazara ethnic group, and the Sikh religious minority population.

3. Undetermined Anti-Government Elements

In 2020, UNAMA increasingly documented civilian casualty incidents caused by Anti-Government Elements that it could not attribute to either the Taliban or ISIL-KP. From 1 January to 31 December 2020, UNAMA documented 826 civilian casualties (202 killed and 624 injured)[98] from such incidents, a 158 per cent increase compared with the number of civilian casualties

[90] In 2020, UNAMA attributed 872 civilian casualties (484 killed and 388 injured) from pressure-plate IEDs to the Taliban compared with 621 civilian casualties (265 killed and 356 injured) in 2019. In 2020, UNAMA attributed 257 civilian casualties (34 killed and 223 injured) from non-suicide vehicle-borne IEDs to the Taliban compared with 96 civilian casualties (11 killed and 85 injured) in 2019. In 2020, UNAMA attributed 321 civilian casualties (33 killed and 288 injured) from suicide attacks to the Taliban compared with 1,499 civilian casualties (165 killed and 1,334 injured) in 2019.
[91] In 2020, UNAMA attributed 953 civilian casualties (256 killed and 697 injured) from ground engagements to the Taliban compared with 1,059 civilian casualties (241 killed and 818 injured)) in 2019.
[92] In 2019, UNAMA attributed 224 civilian casualties (28 killed and 196 injured) from ground engagements targeting elections to the Taliban.
[93] In 2020, UNAMA documented 761 civilian casualties (459 killed and 302 injured) from targeted killings attributed to the Taliban compared with 626 civilian casualties (388 killed and 238 injured) in 2019.
[94] In 2020, out of 416 targeted killings attributed to the Taliban, 286 incidents (69 per cent) deliberately targeted civilians, resulting in 483 civilian casualties (317 killed and 166 civilians injured).
[95] In 2020, Taliban abductions caused 113 civilian casualties (77 killed and 36 injured), compared with 42 civilian casualties (39 killed and three injured) in 2019.
[96] In 2019, UNAMA attributed 1,233 civilian casualties (309 killed and 914 injured) to ISIL-KP. In 2015, UNAMA attributed 82 civilian casualties (39 killed and 43 injured), 2015 was the first year that UNAMA attributed civilian casualties to ISIL-KP.
[97] In 2020. UNAMA documented 554 civilian casualties (182 killed and 372 injured) from ISIL-KP attacks that deliberately targeted civilians.
[98] This includes four civilian casualties (three killed and one injured) attributed to the Tehrik-i-Taliban Pakistan.

attributed to undetermined Anti-Government Elements the year prior.[99] The increase of civilian casualty incidents attributed to undetermined Anti-Government Elements coincides with fewer recorded claims of responsibility by the Taliban and ISIL-KP.

More than three quarters (78 per cent) of the incidents attributed to undetermined Anti-Government Elements were suicide and non-suicide IEDs, including incidents that caused scores of civilian casualties, especially in provincial capitals.[100] For example, an IED explosion on 18 October in Chaghcharan city,[101] the capital of Ghor province, occurred on a road in front of the provincial Afghan National Police headquarters, resulting in 188 civilian casualties (15 killed and 173 injured) and severe property damage, including damage to six schools. In another example, on 30 July, a suicide attack near a mosque in the Pul-e-Alam city of Logar province caused 81 civilian casualties (eight killed and 73 injured), many of whom were shopping in advance of Eid al-Adha celebrations.

UNAMA documented a 158 per cent increase in civilian casualties attributed to undetermined Anti-Government Elements.

The remaining 22 per cent of civilian casualties that were caused by undetermined Anti-Government Elements mainly included targeted killings, such as the 12 May mass shooting attack on a maternity ward in PD13 of Kabul city. The attack caused 46 civilian casualties (23 killed and 23 injured), including mothers who had just given birth.[102]

B. Incident Types Causing Most Harm to Civilians

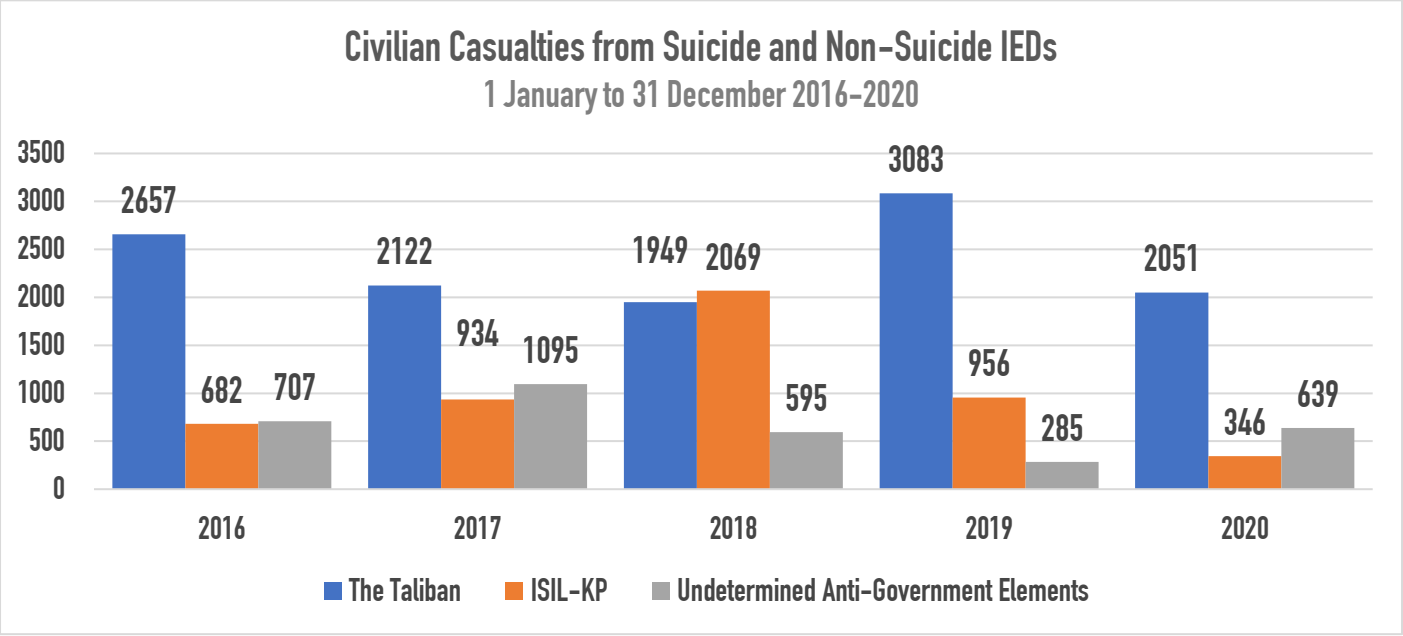
1. Suicide and non-suicide IEDs

In 2020, suicide and non-suicide IEDs continued to cause grave harm to civilians across Afghanistan. For Anti-Government Elements, these two incident types combined remained the leading cause of harm to civilians. From 1 January to 31 December 2020, UNAMA documented 3,042 civilian casualties (872 killed and 2,170 injured) from suicide and non-suicide IEDs, representing more than one third of the total of civilian casualties.[103] This is a 30 per cent decrease in comparison to 2019, and the lowest number of civilian casualties from combined IEDs that UNAMA documented, since it started systematic documentation of civilian casualties in 2009.[104] The decrease is caused by a 64 per cent drop in civilian casualties from suicide IEDs, while civilian casualties from non-suicide IEDs remained at similar levels to the year prior.[105]

UNAMA remains concerned about the manner in which IED attacks are carried out by Anti-Government Elements. In 2020, UNAMA documented 769 civilian casualties (182 killed and 587 injured) from IED attacks that targeted civilians or civilian objects, especially civilians who worked for the Government. Deliberate targeting of civilians and civilian objects is a serious violation of international humanitarian law that may amount to war crimes.

Among non-suicide IEDs, the use of pressure-plate IEDs caused a notable, and concerning, increase in the

[99] In 2019, UNAMA attributed 320 civilian casualties (58 killed and 262 injured) to undetermined Anti-Government Elements.
[100] In 2020, UNAMA attributed 639 civilian casualties (102 killed and 537 injured) from suicide and non-suicide IEDs to undetermined Anti-Government Elements.
[101] Also called Firozkoh.
[102] See the UNAMA Midyear Report on Protection of Civilians (July 2020) and the UNAMA report on Attacks against Healthcare during the COVID-10 pandemic (June 2020) for more details on this incident.
[103] This figure also includes two civilians killed by IEDs from Tehrik-i-Taliban Pakistan and four civilian casualties (two killed and two injured) by pro-government armed groups.
[104] In 2019, UNAMA documented 4,336 civilian casualties (885 killed and 3,451 injured) from suicide and non-suicide IEDs.
[105] In 2020, UNAMA documented 746 civilian casualties (145 killed and 601 injured) from suicide attacks, in comparison to 2,078 civilian casualties (378 killed and 1,700 injured) in 2019. In 2020, UNAMA documented 2,296 civilian casualties (727 killed and 1,569 injured) from non-suicide IEDs, in comparison to 2,258 civilian casualties (507 killed and 1,751 injured) in 2019.



number of civilian casualties. UNAMA reiterates its call to immediately stop the use of these devices, which, as used in Afghanistan, are victim-operated and inherently indiscriminate, and function as anti-personnel landmines. The use of such weapons violates international human rights law and international humanitarian law.

In addition, suicide and vehicle-borne IEDs are often equipped with powerful explosives, causing wide-area effects. Especially when used in densely populated areas, these devices often cause extreme bodily harm to civilians, leading to death and even more frequently to injuries, including from shrapnel and debris that penetrates the body. UNAMA documented extensive civilian harm from such devices when used to deliberately target civilians, as well as significant harm to civilians from the use of such devices seemingly aimed at military targets. As these IEDs are often used on public roads, in areas frequented by civilians, to break through the security layers surrounding the target, their explosions often lead to civilian casualties and damage to civilian property including nearby buildings. In 2020, UNAMA documented a concerning increase in civilian casualties from non-suicide vehicle borne IEDs. For the same time period, it recorded a decrease in the number of civilian casualties caused by suicide IEDs, which have similar effects.

UNAMA calls on Anti-Government Elements to cease the use of these explosives with wide area effects in populated areas and reminds Anti-Government Elements that the indiscriminate or disproportionate use of IEDs are serious violations of international humanitarian law and may amount to war crimes.

i. Suicide Attacks

> ***I and many other students were leaving the*** **[education]** ***centre. While riding my bike, I saw that a young man*** **[...]** ***was stopped by the security guard at the first checkpoint for a body search. I had just crossed by them [...], when suddenly a huge explosion occurred exactly where the security guard had stopped the man*** **[...]**. ***Dust and dark smoke surrounded me. Shortly I could hear yelling and shouting for help. Numerous students were thrown from the area.*** **[...]** ***I received several injuries in my body, and face*** **[...]** ***two of my classmates were also killed*** **[...]** ***After the incident, I do not like to study anymore, because I cannot remember anything properly*** **[...]** ***The perpetrators must be brought to justice. I asked the Government to share information about the incident with us and families of those who lost their lives.***
>
> *-- Female student and victim of the ISIL-KP claimed suicide attack on an education centre in Kabul on 24 October 2020 that killed 42 civilians and injured 79 other civilians.*
>
> UNAMA telephone interview with the victim, 2 December 2020

The aftermath of a complex attack on the National Directorate of Security compound in Aybak city, Samangan Province on 13 July 2020. The attack killed one civilian man and injured 90 civilians (63 men, 10 boys, nine women and eight girls). The Taliban claimed responsibility. Photo © Kawa Basharat

Suicide attacks, including complex attacks,[106] by Anti-Government Elements, caused 746 civilian casualties (145 killed and 601 injured) in 2020, a 64 per cent decrease in comparison to the year prior.[107] In 2020, suicide attacks represented eight and a half per cent of the total of civilian casualties, 11.5 percentage points less than in 2019 when they caused 20 per cent.

The Taliban caused 43 per cent of civilian casualties from suicide attacks. While this was a decrease of 79 per cent in the number of casualties in comparison to 2019, UNAMA recalls that 2019 was the year that the Taliban caused the highest number of civilian casualties from suicide attacks since it began its systematic documentation in 2009.[108] ISIL-KP caused 38 per cent of civilian casualties from suicide attacks in 2020, a reduction of 37 per cent in the number of civilian casualties compared with the prior year.[109] The remaining civilian casualties from suicide attacks were attributed to undetermined Anti-Government Elements.[110]

For example, on 13 July, a complex attack on the NDS headquarters in Aybak city, Samangan province killed one civilian man and injured 90 more. Many nearby buildings, including the provincial Independent Election Commission building, were damaged due to the vehicle borne IED that was used to gain entrance to the NDS compound. The Taliban claimed responsibility for the attack. On 3 October, a Taliban suicide attacker with a vehicle-borne IED targeted the office of the National Directorate of Security in the district administrative centre of Shinwar district in Nangarhar province. The detonation killed 19 civilians (nine boys, nine men and one woman) and injured 51 other civilians (28 men, 16 boys, six girls and one woman). On 29 November, a Taliban suicide attacker detonated a vehicle-borne IED targeting the head of the Provincial Council

[106] A deliberate and coordinated attack which includes a suicide device, more than one attacker, and more than one type of device. See glossary for details.
[107] In 2019, UNAMA documented 2,078 civilian casualties (378 killed and 1,700 injured) from suicide attacks.
[108] In 2020, UNAMA attributed 321 civilian casualties (33 killed and 288 injured) from suicide attacks to the Taliban in comparison to 1,499 civilian casualties (165 killed and 1,334 injured) in 2019.
[109] In 2020, UNAMA attributed 286 civilian casualties (94 killed and 192 injured) from suicide attacks to ISIL-KP, in comparison to 455 civilian casualties (183 killed and 272 injured) in 2019.
[110] In 2020, UNAMA attributed 139 civilian casualties (18 killed and 121 injured) from suicide attacks to undetermined Anti-Government Elements.

of Zabul. As a result, three civilians were killed (two boys and one man) and 33 civilians were injured (14 boys, 11 men, four girls and four women).

UNAMA attributed responsibility for 13 suicide attacks causing civilian harm to the Taliban, of which the group claimed responsibility for four. ISIL-KP claimed responsibility for all three incidents that UNAMA attributed to it in 2020.

UNAMA documented a record high number of civilian casualties caused by the use of non-suicide IEDs by the Taliban.

ii. Non-suicide IEDs[111]

> ***We were all happy, chatting and laughing when suddenly the vehicle rolled over an explosive device. The explosion destroyed our family. In this incident, I lost my son, my brother's son and my brother. My wife, my daughter and I became seriously injured. We were all covered in blood. The body parts of our beloved were scattered all over the area. I pray that God does*** **[not]** ***show this scenario even to our enemies."***
>
> --Male victim of a Taliban pressure-plate IED explosion
> UNAMA interview with the victim, 31 August 2020

During 2020, UNAMA documented 2,296 civilian casualties (727 killed and 1,569 injured) from the use of non-suicide IEDs by Anti-Government Elements. The number of civilians killed by this incident type increased by 43 per cent, while the number of civilians injured decreased by 10 per cent.[112] For the second year in a row, non-suicide IEDs caused more civilian casualties than suicide attacks. UNAMA attributed 75 per cent of civilian casualties from non-suicide IEDs to the Taliban, three per cent to ISIL-KP and 22 per cent to undetermined Anti-Government Elements.[113]

In 2020, UNAMA documented the highest number of civilian casualties caused by the use of non-suicide IEDs by the Taliban since UNAMA began systematic documentation in 2009 - 1,730 civilian casualties (628 killed and 1,102 injured). This marked a nine per cent increase in such civilian casualties from 2019, and a 43 per cent increase in the number of civilians killed by non-suicide IEDs attributed to the Taliban.[114]

UNAMA is specifically concerned about the more than tripling of civilian casualties from non-suicide vehicle-borne IEDs by Anti-Government Elements in comparison to 2019.[115] Vehicle borne IEDs were often loaded with explosives causing powerful detonations with wide area affects, causing many civilian casualties beyond the intended target, especially when used in populated areas. For example, on 5 October, the Taliban targeted the convoy of the provincial governor of Laghman with a vehicle-borne IED in Mihterlam city, Laghman province. Eight civilian men were killed, and 53 other civilians were injured (23 men, 13 boys, nine women and eight girls) because of the detonation of

[111] See glossary for details. This chapter addresses IED tactics aimed at general targets as opposed to IEDs used to carry out targeted killings, with the latter included separately in 'targeted killings' figures.
[112] In 2019, UNAMA documented 2,258 civilian casualties (507 killed and 1,751 injured) from non-suicide IEDs.
[113] In 2020, UNAMA attributed 1,730 civilian casualties from non-suicide IEDs to the Taliban, 60 civilian casualties (11 killed and 49 injured) to ISIL-KP, 500 civilian casualties (84 killed and 416 injured) to undetermined Anti-Government Elements. UNAMA also attributed four civilian casualties (two killed and two injured) from non-suicide IEDs to pro-government armed groups and two deaths to Tehrik-i-Taliban Pakistan.
[114] In 2019, UNAMA attributed 1,584 civilian casualties (438 killed and 1,146 injured) from non-suicide IEDs to the Taliban).
[115] In 2020, UNAMA documented 448 civilian casualties (50 killed and 398 injured) from vehicle borne IEDs in comparison to 130 civilian casualties (15 killed and 115 injured) from such incidents in 2019.

Burial ceremony for victims of pressure-plate IEDs. On 20 October, pressure-plate IEDs killed 11 civilians and injured nine civilians, the majority women and children, when these devices were triggered by a mini-bus and a car in two separate incidents on the Maidan Shahr-Bamyan highway in Maidan Wardak province. Photo © EPA-EFE/Jawad Jalali

the IED. Nearby buildings were also damaged. On 8 November, in a local bazar of Maywand district of Kandahar province, the detonation of a vehicle-borne IED killed eight civilians and injured 25 others, including women and children. The explosives were attached to a large truck that was parked on the square of a busy bazar, near to an Afghan National Police checkpoint. The Taliban claimed responsibility for the attack.

In 2020, UNAMA documented 878 civilian casualties (488 killed and 390 injured) from pressure-plate IEDs. This is a 35 per cent increase in civilian casualties from these devices in comparison to 2019, with a concerning 77 per cent increase in civilians killed by these devices.[116] Approximately 43 per cent of civilian casualties from pressure-plate IEDs are women and children, which emphasizes their indiscriminate nature.[117]

UNAMA is concerned at the continued use of indiscriminate, victim activated pressure-plate IEDs, almost exclusively attributed to the Taliban, which continued the use of pressure-plate IEDs across Afghanistan, causing increased numbers of civilian casualties in 2020, after three years of decreases.

Most civilian casualties from pressure-plate IEDs occurred when they were placed on public roads, where civilian vehicles triggered them as they travelled along a regularly travelled stretch of road. For example, on 3 June, in Arghistan district of Kandahar province, a pressure-plate IED killed 11 civilian men and injured four more after their minivan detonated the device. The Taliban informed UNAMA that the incident killed 11 men and the persons responsible were punished in accordance with Sharia law by the so-called Taliban "military court".[118] On 14 October, in Kushk Kuhna district of Herat province, the detonation of a Taliban pressure-plate IED destroyed a civilian vehicle filled with mostly women on the way to accompany a bride to her new house. As a result, three women and five girls were killed and four women, three girls, three boys and one man were injured. On 20 October 2020, a bus struck a pressure-plate IED on the Maidan Shahr-Bamyan highway, in Maidan Wardak province. Of the 18 passengers in the bus, nine were killed and nine were injured. In addition, around an hour after the first incident, two relatives of the victims who came to help were killed when their vehicle struck another

[116] In 2019, UNAMA documented 650 civilian casualties (275 killed and 375 injured) to pressure-plate IEDs.
[117] In 2020, UNAMA documented 108 women casualties (57 killed and 51 injured) and 267 child casualties (121 killed and 146 injured) from pressure-plate IEDs.
[118] 21 July 2020 letter from the Taliban to UNAMA, on file with the UNAMA Human Rights Service.

pressure-plate IED, 100 meters away from the previous incident.

UNAMA also continued to document incidents in which pressure-plate IEDs were triggered by the weight of a person, including the by weight of a small child, confirming that pressure-plate IEDs are used as improvised anti-personnel landmines. For example, on 29 May, in Chaghcharan district of Ghor province, a 13-year-old boy was killed and a 15-year-old boy was injured when one of the boys stepped on a Taliban pressure-plate IED that was planted on a public road. The boys were herding their cattle at the time of the impact and the pressure-plate IED also killed three cows. On 9 June, in Dulaina district of Ghor province, a 13-year-old boy died and three boys between 9 to 15 years old were injured by a Taliban pressure-plate IED. The children were grazing their sheep when one of the boys stepped on the pressure-plate IED. On 1 August 2020, in Tiriin Kot district of Uruzgan province, a 12-year-old boy was killed and a 10-year-old boy injured when they were on their way home and stepped on a Taliban pressure-plate IED. This demonstrates how pressure-plate IEDs are indiscriminate by nature, as they are victim-activated they cannot be directed against a specific military objective and are incapable of distinguishing between civilians and combatants.

UNAMA also emphasises that no amount of precautions are sufficient to prevent and mitigate the harm pressure-plate IEDs pose for civilians. For example, on 23 June, six civilians of a single family in a rickshaw were killed (including one woman, two men and three children) and one man was injured because of a Taliban pressure-plate IED on the road in Murdyan district of Jawzjan province. The Taliban stated that the road had been closed for public traffic for the last two years, that the public was informed, and that roadblocks and danger signs had been set up on both sides of the road.[119]

The number of civilians killed by pressure-plate IEDs increased by 77 per cent; 43 per cent of civilian casualties from these devices are women and children, which emphasizes their indiscriminate nature.

UNAMA reiterates its call to the Taliban and other Anti-Government Elements to immediately cease the use of pressure-plate IEDs and to support efforts of humanitarian deminers to map, identify and defuse the devices that might still be active. In this regard, UNAMA also recalls the prior commitments of Mullah Mohammad Omar in 1998, when he condemned the use of such devices,[120] as well as discussions with UNAMA over the past several years, which remain ongoing, about prohibiting the use of the devices.

416 CIVILIAN CASUALTIES FROM THE USE OF PRESSURE PLATE IEDs BY THE TALIBAN IN SOUTHERN REGION

In 2020, UNAMA continued to document civilian casualties from Taliban pressure-plate IEDs throughout all regions in Afghanistan, with almost half (48 per cent) occurring in the southern region.[121] UNAMA documented 116 pressure-plate IED incidents causing 416 civilian casualties (243 killed and 173 injured) in the southern region in 2020, mostly in the provinces of Kandahar and Helmand.[122]

[119] Letter from the Taliban to UNAMA from 21 July 2020, on file with the UNAMA Human Rights Service.
[120] In 1998, one year after the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction ("Mine Ban Treaty"), Mullah Mohammad Omar issued a statement strongly condemning the use of landmines, recognizing their destructive power against civilians, calling for a total ban on their use and indicating that anyone using them in 'personal, political or any other differences' would be punished in accordance with Islamic law. The statement expressed strong support for the Mine Ban Treaty
[121] The southern region of Afghanistan covers the provinces of Helmand, Kandahar, Nimroz. Uruzgan and Zabul.
[122] In 2020, UNAMA documented 161 civilian casualties (101 killed and 60 injured) from Taliban pressure-plate IEDs in Kandahar province and 139 civilian casualties (87 killed and 52 injured) in Helmand province.

> ***I was shocked and still remember the moment when I saw the dead bodies of my father and brother. I could not believe it and could not move for some time and could not even help the injured victims out of the car. I witnessed the incident because I was travelling in a second car moving after the car that hit the pressure-plate IED,*** **[...]** ***We want nothing and will just pray for our loved ones who are no more with us. Of course it is an ongoing desire and wish of all Afghan to see peace in the country and request all parties to stop killing and harming civilians.***
>
> -- A son and brother of victims from a Taliban pressure-plate IED in southern region
>
> UNAMA telephone interview with a relative of victims. 9 November 2020

Days after the Eid al-Adha ceasefire,[123] between 7 and 9 August, UNAMA documented a concerning streak of five Taliban pressure-plate IED incidents causing 28 civilian casualties (26 killed and two injured) in Arghistan district, Kandahar province. Among these, on 9 August 2020, at approximately 9:30 hours, in Emarat village of Arghistan district, Kandahar province, a Taliban pressure-plate IED killed nine civilian men and injured two other civilian men driving from Arghistan to Kandahar city. Also on 9 August, at approximately 14:00 hours between Tajaw-Shna and Nary villages in Arghistan district, Kandahar province, a Taliban pressure-plate IED killed eight civilians, including two women. They were travelling on a dirt road when their vehicle hit the pressure-plate IED causing its detonation. All victims from these two incidents used alternate roads between Arghistan district and Kandahar city as the Taliban had closed the Arghistan- Kandahar main road. The Taliban denied responsibility for four out five of the pressure-plate IED incidents.[124]

UNAMA also documented a series of incidents where civilians were killed and injured by pressure-plate IEDs during the Taliban attack around Lashkargah city, Helmand province in October 2020, including civilians who were trying to flee from the area of the fighting.

For example, on 10 October 2020, at 08:00 hours, near the Gereshk bazaar, along the Herat- Kandahar highway, in Nahr-e- Saraj district, Helmand province, a civilian bus travelling from Herat to Kandahar hit a Taliban pressure-plate IED. As a result, six civilians were killed (a man, a woman, two boys and two girls), while ten other civilians were wounded (two men, five women and three boys). Two days later, on 12 October 2020, at approximately midday, near the Marja district centre in Helmand province, a civilian vehicle travelling to Lashkar Gah city with 15 passengers hit a Taliban pressure-plate IED. As a result, all the civilian passengers were killed, including eight children (four girls and four boys), four men, and three women. The victims were part of the same family and they were fleeing from the fighting in their area to Lashkargah in hope of finding a safer place to live.

Pressure-plate IEDs, as used in Afghanistan, are victim activated, and as such they have an inherent indiscriminate effect, functioning as illegal anti-personnel landmines. UNAMA reiterates its call on the Taliban to urgently cease the use of these devices.

[123] The Eid al-Adha ceasefire between the Government of Afghanistan and the Taliban lasted from 31 July to 2 August.
[124] 25 October 2020 letter from the Taliban to UNAMA, on file with the UNAMA Human Rights Service.

A damaged vehicle on the site of an explosion in Kabul, Afghanistan, 28 December. The attack targeted employees of the National Statistics and Information Authority, and killed one civilian woman and injured 13 others (four women and nine men). ISIL-KP claimed responsibility. Photo © EPA-EFE / Hedayatullah Amid/

2. Attacks deliberately targeting civilians and civilian objects

> ***The Taliban entered my brother's house. They then took him about 20 meters away from his house and shot him dead. My brother's only mistake was that he used to supply bread to the police* [...] *My brother was poor. He used to cook bread and then deliver it to the police and that is how he used to provide for his family. He was the only person who used to earn and look after the family.***
>
> *-- a man whose brother fell victim to a Taliban targeted killing*
> *UNAMA telephone interview with victim's brother, 1 September 2020*

In 2020, UNAMA continued to document attacks by Anti-Government Elements that deliberately targeted civilians and civilian objects, especially through targeted shootings and IED attacks against civilians, including personnel of the civilian government administration of Afghanistan, the judiciary, the media, non-governmental organisations and health and education institutions. UNAMA also documented a continuation of attacks by Anti-Government Elements on civil society activists, religious leaders, tribal elders, civilian relatives of Afghan national security forces personnel and persons supportive of the Government of Afghanistan. Attacks on religious minorities that were claimed as such by ISIL-KP persisted in 2020, especially attacks targeting the Shi'a Muslim population, most of whom also belong to the Hazara ethnic group, and the Sikh religious minority.

UNAMA reminds parties to the conflict that attacks deliberately targeting civilians or civilian objects are

Afghanistan: Deliberate Attacks on Civilians by Anti-Government Elements

1 January to 31 December 2020

764 killed

1,142 injured

19 incidents targeting Places and People of Worship

54 incidents targeting Healthcare

29 incidents targeting Judiciary Members

22 incidents targeting Civil Society Activists

21 incidents targeting Non-Governmental Organisations

15 incidents targeting Journalists and Media Workers

25 incidents targeting Education

39 incidents targeting Infrastructure

grave violations of international humanitarian law and may amount to war crimes. Furthermore, when conducted as part of a widespread or systematic attack against a specific civilian population, such as persistent ISIL-KP attacks targeting religious minorities, such attacks may also constitute crimes against humanity.

UNAMA calls on all parties to adopt the definition of civilian that is consistent with international humanitarian law and protect them from attack, unless they are directly participating in hostilities. Such a definition, considering as civilians all persons that are not combatants, would include the recognition that persons working in civilian government positions, including members of the judiciary, and family members of combatants are not legitimate targets. It would also include independent civil society members and human rights defenders like the Afghanistan Independent Human Rights Commission.[125]

From 1 January to 31 December 2020, UNAMA documented that one in every three civilian casualties caused by Anti-Government Elements came from an attack specifically targeting civilians or civilian objects, amounting to 1,906 civilian casualties (764 killed and 1,142) from such attacks.[126] This is a 33 per cent decrease in civilian casualties from attacks that deliberately targeted civilians or civilian objects in comparison to 2019.[127] The main drivers for the reduction in casualties from attacks deliberately targeting civilians were the following: the absence in 2020 of Taliban election-related violence that plagued the 2019 Presidential Election; a drop in attacks causing civilian casualties by ISIL-KP (as these mainly targeted civilians and civilian objects); and fewer suicide attacks by the Taliban which deliberately target civilians or civilian objects.

UNAMA attributed nearly half of the civilian casualties from attacks deliberately targeting civilians to the

[125] The Taliban continued to regularly make statements relating to attacks in 2020 indicating that it does not target civilians. See, for example, https://twitter.com/Zabehulah_M33/status/1347023574423515137/photo/1. UNAMA has, however, documented incidents each year where Taliban has claimed responsibility for deliberate targeting of individuals who are civilians according to international humanitarian law, justifying such attacks by stating that the individuals were not civilians.

[126] In 2020, UNAMA also attributed 109 civilian casualties (48 killed and 61 injured) from attacks deliberately targeting civilians to pro-government armed groups and the Afghan national security forces.

[127] In 2019, UNAMA documented 2,833 civilian casualties (818 killed and 2,015 injured) from attacks that deliberately targeted civilians.

Attacks deliberately targeting civilians or civilian objects are grave violations of international humanitarian law and may amount to war crimes.

Taliban and 29 per cent to ISIL-KP.[128] In addition, UNAMA documented an increase of 84 per cent in the number of civilian casualties from unclaimed attacks targeting civilians or civilian objects that it could not attribute to either the Taliban or ISIL-KP, and accordingly has attributed to undetermined Anti-Government Elements.[129] This correlates with a decrease in claims by Taliban and ISIL-KP.

UNAMA is deeply concerned about attacks targeting healthcare workers and hospitals. These attacks have been especially damaging during the COVID-19 pandemic when Afghanistan needs all of its limited healthcare resources to provide medical services that are critical to the whole population. UNAMA documented 54 such incidents, resulting in 77 civilian casualties (34 killed and 43 injured), including through targeted killings, the use of IEDs and threats and intimidation that led to the closure of health facilities. For example, on 19 July, in Alishang district of Laghman province, the Taliban opened fire on an ambulance belonging to a non-governmental health care supplier, transporting a patient from Dawlat Shah district to Mihterlam provincial hospital. As a result, a five-year-old female patient inside the ambulance was killed on the spot and a woman was wounded. On 16 May, in Khost city, Khost province, an IED targeted the vehicle of the Deputy Public Health Director for Khost province, wounding him and two bodyguards. When the police arrived at the scene to assist, another IED explosion injured three policemen and another civilian man.[130]

During 2020, UNAMA documented 29 incidents that targeted members working for the judiciary in Afghanistan, including judges and other civilians working for the courts and public prosecutors, resulting in 44 civilian casualties (27 killed and 17 injured). For example, on 22 June in Kabul city, armed motorbike riders shot at a corolla car carrying employees of the Bagram Detention Facility Judicial and Justice Centre. As a result, all five passengers were killed. No Anti-Government Element group claimed responsibility for the incident. In another incident, on 10 May 2020, in Kandahar city, a prosecutor was shot and injured by two Taliban on a motorcycle. Taliban acknowledged responsibility for the attack, stating that they did not consider the prosecutor as a civilian due to his 'position in the enemy ranks'.[131]

In 2020, UNAMA documented 22 attacks by Ant-Government Elements targeting civil society activists and human rights defenders related to the armed conflict, resulting in 18 civilians killed, seven injured, and 13 abducted. UNAMA is specifically concerned with the spike of such incidents and its chilling effect on human rights defenders, since the start of the Afghanistan Peace Negotiations on 12 September.[132] In one case, on 27 June, in Kabul city, an IED killed two staff members of the Afghanistan Independent Human Rights Commission, Fatima "Natasha" Khalil, a donor relations officer, and Javid Folad, a driver for the Commission. No group claimed responsibility for the attack.[133] The Government is the main duty bearer of the right to life and must take measures to protect, including engaging with communities to understand threats and acting upon early warning signs. It must also conduct thorough investigations of incidents. In this regard, UNAMA welcomes the fact that,

[128] In 2020, UNAMA attributed 938 civilian casualties (445 killed and 493 injured) of attacks deliberately targeting civilians to the Taliban, 554 civilian casualties (182 killed and 372 injured) to ISIL-KP

[129] In 2020, UNAMA attributed 413 (136 killed and 277 injured) of attacks deliberately targeting civilians to undetermined Anti-Government Elements, in comparison to 225 civilian casualties (45 killed and 180 injured) in 2019. In 2020, UNAMA also attributed one civilian death from such incident to Tehrik-i-Taliban Pakistan.

[130] See Chapter III. d. Impact of the Armed Conflict on Healthcare for further details.

[131] 21 July 2020 letter from the Taliban to UNAMA, on file with UNAMA.

[132] On 15 February 2021, UNAMA released a report on Killing of Human Rights Defenders, Journalists, and Media Workers in Afghanistan, which also covers incidents falling outside the protection of civilians framework due to the inability of UNAMA to determine their conflict nexus.

[133] See UNAMA Protection of Civilians 2020 Midyear Report for further information

A classroom of the Kabul University after armed men shot at students and threw grenades on 2 November in Kabul. ISIL-KP claimed responsibility for the attack. Photo © AP / Rahmat Gul

following advocacy by civil society, the Government established a Joint Commission for the Protection of Human Rights Defenders on 1 December 2020.[134]

UNAMA documented 15 conflict-related attacks on journalists and media workers, resulting in six killed and eight injured, and causing Afghanistan to remain one of the most dangerous countries in the world to engage in journalism. UNAMA is specifically concerned with the spike in such casualties after the start of the Afghanistan Peace Negotiations on 12 September 2020, which also had a chilling effect on journalists across Afghanistan.[135] For example, on 12 November, in Lashkar Gah city, Helmand province, Elyas Dayee, a journalist was killed by an explosion by an IED attached to his vehicle. Three other civilians who were in the same vehicle were injured. No group claimed responsibility for the incident. On 10 December, in Jalalabad city, Nangarhar province, two men in a rickshaw shot and killed Malala Maiwand, a journalist, and her driver whilst they were on their way to the office. ISIL-KP claimed responsibility for the attack.

UNAMA documented 21 conflict-related incidents targeting personnel of non-governmental organisations, including humanitarian deminers, resulting in seven civilian casualties (six killed and one injured). This also includes 16 incidents of abduction of 42 civilians. For example, on 6 August, on the Mazar–Hairatan highway in Shortepa district of Balkh province, the Taliban stopped a humanitarian demining convoy. One of the drivers tried to escape, but the Taliban shot and injured him in his leg. The Taliban abducted another driver and took one of the vehicles of the humanitarian demining agency. The abductee was released unharmed on 12 August.

UNAMA also documented 25 attacks by Anti-Government Elements targeting education facilities, education-related personnel, or deliberately targeting civilians while they were at educational institutions. These

[134] https://aop.gov.af/en/news_details/705

[135] On 15 February 2021, UNAMA released a report on Killing of Human Rights Defenders, Journalists, and Media Workers in Afghanistan, covering also such incidents which have not been reported in the protection of civilians framework due to the inability of UNAMA to determine their conflict nexus.

attacks resulted in 194 civilian casualties (63 killed and 131 injured) In a two-week period, ISIL-KP claimed two attacks targeting educational institutions in Kabul. In the first attack, on 24 October, in Kabul city, an ISIL-KP suicide attacker detonated his explosives near the exit of a pre-university educational centre. As a result, 40 civilians were killed and 79 injured, mainly students of the educational centre who belong to the Hazara community. Then, on 2 November, ISIL-KP gunmen entered Kabul University in Kabul city, killing 19 civilians and injuring another 52 civilians with small arms fire and hand grenades. In addition, hundreds of students fled the university premises in fear of being targeted. On 31 December, the Supreme Court of the Islamic Republic of Afghanistan stated that it had sentenced to death a man for designing and planning the attack on Kabul University, and that five others received prison sentences in relation to the Kabul University attack.[136] One female student gave a first-hand account of the attack to UNAMA:

"We were studying the subject of 'Studies of Islamic culture' [when] suddenly someone in the class shouted that attackers were in the corridor. I was completely shocked […] I did not know what to do, but noticed that some of our classmates were breaking the windows. Everyone was jumping out from the second floor. I […] noticed that attackers were already close to me [...]and I also did so. When I hit the ground, I felt severe pain in my back and legs and I was about to faint, but I noticed that the attackers were already in the classroom, shooting towards us. […] Nearby residents and shopkeepers helped us to cross the wall by cutting the barbed wire on the top […] my family took me to a private hospital where I was admitted for three days [...] I still cannot walk properly due to pains in my back and legs. I still cannot forget the day when the armed men were shooting my class fellows and they were falling on the ground."[137]

From 1 January to 31 December 2020, UNAMA documented 19 incidents in which people and places of worship were targeted by Anti-Government Elements, resulting in 115 civilian casualties (60 killed and 55 injured). For example, on 19 May, during Iftar, in Charikar city of Parwan province gunmen attacked the mosque of Khuwaja Khel. The attack resulted in the death of 11 civilian men and injury of six more (four men and two boys). No group claimed responsibility.

In 2020, UNAMA documented 39 deliberate attacks by Anti-Government Elements targeting civilian buildings, including houses and schools, and civilian infrastructure, including roads, bridges, telecommunication towers and the electrical grid. For example, on 5 January, in Darzab district of Jawzjan province, the Taliban set the telecommunication towers of telecommunication providers on fire. On 10 February, in Muqur district of Badghis province, the Taliban destroyed an electric pole with an IED, leaving residents without electricity for two weeks. UNAMA also documented six incidents of the Taliban burning down houses allegedly belonging to family members of ISIL-KP combatants in Kunar province between January and March 2020.

UNAMA also documented 72 attacks in which Anti-Government Elements deliberately targeted employees or buildings of the civilian government administration in 2020. These attacks resulted in 478 civilian casualties (119 killed and 359 injured), a concerning 25 per cent increase in the number of civilian government officials killed and injured in 2020 from the prior year. For example, on 20 December, in Kabul city, a suicide vehicle-borne IED targeted the motorcade of a member of the *Wolesi Jirga*, House of Representatives of the People, killing 10 civilians and injuring 44 more, including the *Wolesi Jirga* member.

ISIL-KP Attacks against Religious Minorities

UNAMA is deeply concerned that attacks from ISIL-KP against religious minorities continued in 2020. UNAMA has documented a pattern of these kind of attacks by ISIL-KP since 2016.[138]

In 2020, UNAMA documented ten incidents resulting in 308 civilian casualties (112 killed and 196 injured), targeting mainly the Shi'a Muslim religious minority population, most of whom also belong to the Hazara ethnic group. UNAMA also documented attacks targeting the Sikh religious minority and Sufi Muslim

[136] https://fb.watch/2NbTZJXmWb/
[137] Telephone interview with victim, 2 December 2020.
[138] For details, see UNAMA Protection of Civilians Annual Report 2017 pp. 41-42 (February 2018); See also UNAMA Special Report on Attacks against Places of Worship, Religious Leaders and Worshippers (November 2017).

religious minority. For example, on 6 March 2020, in Kabul city, ISIL-KP killed 33 civilians and injured 79 others with rocket-propelled grenades and small arms fire. The attackers targeted a large gathering of persons mainly belonging to the Shi'a Muslim minority with Hazara ethnicity who were commemorating the death of Abdul Ali Mazari, a former leader of the Hezb-e- Wahdat Islami Political Party. ISIL-KP claimed the incident. On 25 March, in Kabul city, attackers armed with small arms and hand grenades entered a local Sikh place of worship, where a large number of Sikhs, including men, women and children, attended a congregational worship ceremony. The attackers killed 26 civilians and injured 11 others. The following day, on 26 May, an IED exploded near a Sikh cremation ceremony held for the victims of the attack, injuring one civilian. ISIL-KP claimed responsibility for both incidents. On 3 December, in Jalalabad city, Nangarhar province, a Sufi (Tasawwuf) cleric was shot and killed for his religious beliefs by ISIL-KP.

Attacks deliberately targeting civilians are serious violations of international humanitarian law and may amount to war crimes.[139] In addition, when committed as part of a widespread or systematic attack directed against any civilian population, such acts may also constitute crimes against humanity.[140] In particular, when directed against an identifiable group such as the Shi'a Muslim religious minority, on religious or other recognized grounds, such attacks may also amount to the crime of persecution.[141]

The attacks on religious minorities cause a chilling effect on the rights of persons to express their opinions and beliefs and to carry out their cultural and religious traditions and activities freely and without fear, including religious ceremonies in places of worship, commemorations, education and social gatherings.

UNAMA reiterates the obligation of the Government to ensure the security and safety of minorities, including religious and ethnic minorities, at all times, including during their religious and cultural activities. The Government must also ensure that any advocacy for national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence is prohibited by law and that such law is enforced.[142]

IED INCIDENTS AND TARGETED KILLINGS ATTRIBUTED TO UNDETERMINED ANTI-GOVERNMENT ELEMENTS IN THE FINAL MONTHS OF 2020

In 2020, UNAMA documented a rise in IED incidents and targeted killings by Anti-Government Elements that were unclaimed and could not be attributed to either the Taliban or ISIL-KP, with the Taliban denying responsibility in several cases. UNAMA documented a particular spike in civilian casualties from such attacks after the start of the Afghanistan Peace Negotiations on 12 September 2020, which continued through the end of the year.[143]

On 18 October, a vehicle-borne IED explosion targeting the Afghan National Police provincial headquarters in Chaghcharan city,[144] Ghor province killed 15 civilian men and injured 173 others (125 men, 33 boys, nine girls and six women), making it the single incident causing the most civilian casualties in 2020. On 24 November 2020, at approximately 16:40 hours, in the centre of Bamyan city, Bamyan province, two radio-controlled IEDs were consecutively detonated in the timespan of approximately two minutes in two separate locations within

[139] Common Article 3; Additional Protocol II, Articles 4(2), 13(2); Rome Statute, Articles 8(2)(c) and 8(2)(e)(i); ICRC Customary International Humanitarian Law Study, Rules 1, 6, 89, 15.
[140] For example, crimes against humanity as defined in Article 7 of the Rome Statute include, inter alia, acts of murder; extermination; or persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other grounds; and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.
[141] See for example, Articles 18 and 27 of the International Covenant on Civil and Political Rights (1966) and United Nations Human Rights Committee, General Comment No. 23 on Article 27 (1994).
[142] International Covenant on Civil and Political Rights, Article 20
[143] From 1 October to 31 December, UNAMA attributed 393 civilian casualties (74 killed and 319 injured) to undetermined Anti-Government Elements, 48 per cent of the total of civilian casualties attributed to undetermined Anti-Government Elements. For more information on attacks on human rights defenders, journalists and media workers after the start of the Afghanistan Peace Negotiations, see UNAMA special report on this topic, published on 15 February 2021.
[144] Also known as Firozkoh city.

On 18 October, a vehicle-borne IED exploded near to the Afghan National Police provincial headquarters in Chaghcharan city, Ghor province, killing 15 civilian men and injuring 173 others (125 men, 33 boys, nine girls and six women), making it the single incident causing the most civilian casualties in 2020. No party claimed responsibility. Photo © Mansoor Khosraw

the Bamyan Bazaar area, killing 18 civilians (1 girl, 1 boy and 16 men) and injuring 60 more (1 girl, 1 boy, 5 women and 53 men).[145] The Taliban denied involvement through its official twitter account.[146] On 20 December, a suicide vehicle-borne IED detonated against the motorcade of Mr. Khan Mohammad, a member of the *Wolesi Jirga* (Parliament) and businessman. In the incident, 10 civilians were killed (1 girl, 2 boys, 4 men, 3 males age undetermined) and 44 civilians were injured (6 boys, 4 girls, 3 women, 31 men including), including Mr. Khan Mohammad.

UNAMA also documented a concerning streak of assassinations or other targeted attacks on members of the parliament and the judiciary, journalists, and other civilians at the end of 2020. For some of these incidents, UNAMA had not yet, by the time of publication of this report, determined whether the civilian casualties should be attributed to the Taliban or ISIL-KP, and accordingly has attributed the casualties preliminarily to undetermined Anti-Government Elements.

One example of an incident attributed to undetermined Anti-Government Elements occurred on 13 December 2020, around 08:20, in the Karti Naw area of Kabul city (PD8), when unidentified armed men shot and killed a prosecutor while he was on his way to the office. On the same day, in PD16 of Kabul city, an IED attached to the car of a member of parliament exploded, killing two civilian men and injuring two others, all colleagues and relatives of the parliamentarian. On 21 December, the head of the Journalists Association in Ghazni city, was shot and killed by two motorcyclists while he was on his way to a nearby mosque for evening prayers in Ghazni city, Ghazni province. Spokespersons of both the Ministry of Interior of the Government of Afghanistan and the Taliban condemned the attack.[147]

[145] This incident resulted in the most civilian casualties that UNAMA has documented in Bamyan province since it started systematic documentation in 2009.
[146] https://twitter.com/Zabehulah_M33/status/1331301370725605379?s=20
[147] https://twitter.com/TariqArian3/status/1341028881101406210?s=20 https://twitter.com/Zabehulah_M33/status/1341060651830095878?s=20

There were also a number of incidents where UNAMA was unable to reach a conclusion on the involvement of any party to the conflict – as per its usual methodology, such incidents are not included in this report.

UNAMA urges the Anti-Government Elements responsible for such attacks to cease the targeting of civilians and stop the indiscriminate use of IEDs and reminds them that both are grave violations of humanitarian law and may amount to war crimes.

UNAMA also reiterates its calls on the Government of Afghanistan to improve protection of civilians from such attacks and conduct thorough investigations into civilian casualty incidents.

3. Conflict-related abductions of civilians

Anti-Government Elements, especially the Taliban, continued to abduct civilians in 2020 at the same rate as in the year prior, resulting in the deprivation of liberty of civilians, and at times, their death and injury. In 2020, UNAMA documented 1,086 conflict-related abductions, of which it attributed 99 per cent to the Taliban.[148] Of specific concern is the increased physical harm that was caused by these abductions, resulting in 113 civilian casualties (77 killed and 36 injured), a doubling of casualties from abductions in comparison to 2019.[149] In 2020, abducted civilians included personnel from non-governmental organisations, humanitarian deminers, healthcare workers and civilians working for the Government of Afghanistan, often when they were travelling on public roads and stopped at Taliban checkpoints. For example, on 5 September 2020, a district judge and his clerk were abducted by the Taliban in the Dir Malika area of Tanai district of Khost province while they were on their way to the district administration centre. They were released during an ANSF operation. The judge was injured in the leg as a result of the incident. The Taliban acknowledged responsibility.[150]

Some civilians were abducted to punish or deter them from committing certain acts such as launching critical protests against the Taliban, resulting in limitations on the freedom of expression of civilians. For example, on 17 May in Shirin Tagab district, Faryab province, 11 civilian men, including religious scholars and local elders, were abducted by the Taliban after they participated in peaceful protests against the local Taliban. All abductees were released after a couple of days, with two civilians having sustained injuries due to ill treatment by the Taliban.

The Taliban also abducted civilian personnel from organisations to compel or influence the organisations to comply with their demands or requirements. For example, on 21 July, the Taliban abducted three workers of a non-government health care provider in Hisarak district of Nangarhar province. The Taliban stated that they detained the workers because they had a series of problems with the heath care provider.[151] In July, the Taliban entered a construction company building in Bamyan twice, abducting a security guard and an engineer in order to compel the company to pay "taxes" to the Taliban. Both times the abductees were released the day after the abduction.

UNAMA also noted continued abductions by armed groups/elements and criminal gangs, particularly in large cities such as Kabul, which are under-reported. While UNAMA does not systematically document abductions that are not carried out by parties to the conflict, it regularly received reports of such incidents in 2020, including those targeting non-governmental organisations workers and United Nations staff members.

In certain circumstances, in particular when done in order to compel a third party to undertake or abstain from an act, abductions of civilians can qualify as hostage -taking, which may amount to a war crime and a violation of Common Article 3 of the Geneva

[148] In 2020, UNAMA attributed the abduction of 1,077 civilians to the Taliban, four civilians were abducted by ISIL-KP and five by pro-government armed groups.
[149] In 2019, UNAMA documented 55 civilian casualties (50 killed and five injured) from the abduction of 1,006 civilians.
[150] Taliban letter to UNAMA dated 25 October 2020, on file with UNAMA Human Rights Service.
[151] Letter from the Taliban to UNAMA from 25 October 2020, on file with the UNAMA Human Rights Service.

Conventions. International human rights law also prohibits abductions on the basis that these actions constitute an arbitrary deprivation of liberty. In addition, the freedom of movement of civilians and commerce between provinces and cities is negatively affected by abductions or the threat thereof, as abductions often occur when travelling on major roads and highways, which impacts important trade routes and causes fear among civilians of travelling to certain places.

4. Cruel, inhuman or degrading punishments and arbitrary deprivation of life

From 1 January to 31 December 2020, UNAMA documented six incidents of cruel inhuman or degrading punishment from decisions made by the parallel justice structure of the Taliban, including in relation to purported transgression of moral or gender norms, such as extramarital relations. These punishments resulted in the killing of four civilians and injuring of three others. The incidents included four executions of three men and a woman, and the beating of two women and one man.

For example, on 19 January, a woman was killed by being beaten with sticks and metal cables and strangled in front of her mother's eyes, and the fingers and legs of a man were broken as part of a Taliban-ordered punishment for an alleged sexual relationship outside of marriage. On 26 June, in Faryab province, two men were publicly executed in front of hundreds of people, including children, as punishment for alleged crimes as stemming from the "judgement" of the parallel justice structure of the Taliban.[152]

These punishments carried out by Anti-Government Elements are criminal acts pursuant to the laws of Afghanistan and amount to human rights violations and abuses. Moreover, severe punishments such as executions constitute serious violations of international humanitarian law that may amount to war crimes.[153] Public executions are particularly dehumanizing and increase the mental trauma of persons sentenced to death, as well as those who witness these events, especially children.[154] UNAMA urges Anti-Government Elements to immediately cease imposing cruel, inhuman or degrading treatment or punishments on individuals.

5. Placing civilians at risk: military use of homes and other civilian infrastructure, and instigation of risky acts

During 2020, UNAMA continued to document incidents in which Anti-Government Elements, especially the Taliban, put civilians at risk. This occurred especially through the use of homes and other civilian infrastructure for military purposes and by forcing, supporting and instigating actions of civilians that put them at risk of attack by Pro-Government Forces.

UNAMA verified multiple instances of the Taliban intermingling with the civilian population, including through its use of residential homes for military purposes. Examples included Taliban using homes as sites from which they planned operations and launched attacks, and as places in which they took shelter during engagements with Pro-Government Forces. For example, on 7 February, in Chaharbolak district, Balkh province, Afghan national security forces used indirect fire weapons systems to target the Taliban, who had taken cover in civilian residences. Indirect fire hit one of the houses, injuring two girls, two boys, and two men, and damaging the house. On 26 September, in Gizab district, Uruzgan province, an adult woman was seriously injured after a mortar round from Afghan national security forces landed inside her house. Moments earlier, the Taliban had forcefully entered the house. While the residents were trying to collect their valuables and escape, the

[152] Additional information on this incident is available in the UNAMA 2020 midyear report, July 2020.
[153] Common Article 3 of the 1949 Geneva Conventions prohibits the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples; Rome Statute, Article 8(2)(c)(iv).
[154] According to common Article 3(d) of the Geneva Conventions and article 8(2)(c)(iv) of the 1998 ICC Statute, "the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable," constitutes a war crime in non-international armed conflicts. In addition, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment noted in his report to the General Assembly that public executions increase the mental trauma of persons sentenced to death and often expose them to "undignified and shameful displays of contempt and hatred." (A/67/279, paras. 40 and 50).

mortar hit. On 19 October, Dawlat Abad district, Balkh province, a group of Taliban entered a home and forced the owners to provide them with food. Thereafter, Afghan Air Force helicopters launched an airstrike to target the Taliban in the house, resulting in the injuring of a 45-year-old female resident.

The Taliban also supported, instigated or forced civilians to take part in activities that would put them at risk. For example, on 11 May, in Balkh district of Balkh province, a group of civilians was forced by the Taliban to destroy a road in an attempt to block the Afghan national security forces from passing. The Afghan Air Force reacted by conducting an airstrike, which resulted in 22 civilian casualties (nine killed and 13 injured). On 16 October, in Nawah district of Helmand province, the Taliban told villagers to look for scrap metal and other valuable items inside an abandoned Afghan National Army installation. The Afghan National Army fired a mortar round that struck the civilians in the base, killing two boys and injuring eight civilian men.

UNAMA reiterates that Anti-Government Elements have a duty not to place civilians at risk and recalls that international humanitarian law prohibits the intentional co-location of military objectives and civilians with the specific intent of trying to prevent the targeting of those military objectives.[155]

UNAMA reminds Pro-Government Forces that the failure by one party to the conflict to respect international humanitarian law (e.g. by co-location of military objectives and civilian objects) does not absolve an opposing party from its obligations under international law, including the obligations to take all feasible precautions to protect civilians, to distinguish civilians from combatants and to respect the principle of proportionality in attack, including when gathering intelligence about the civilian status of targets and choosing means and methods to be used. These obligations are not lessened even in situations when a party is intermingling with the civilian population.

[155] ICRC Customary International Humanitarian Law Study, Rule 97.

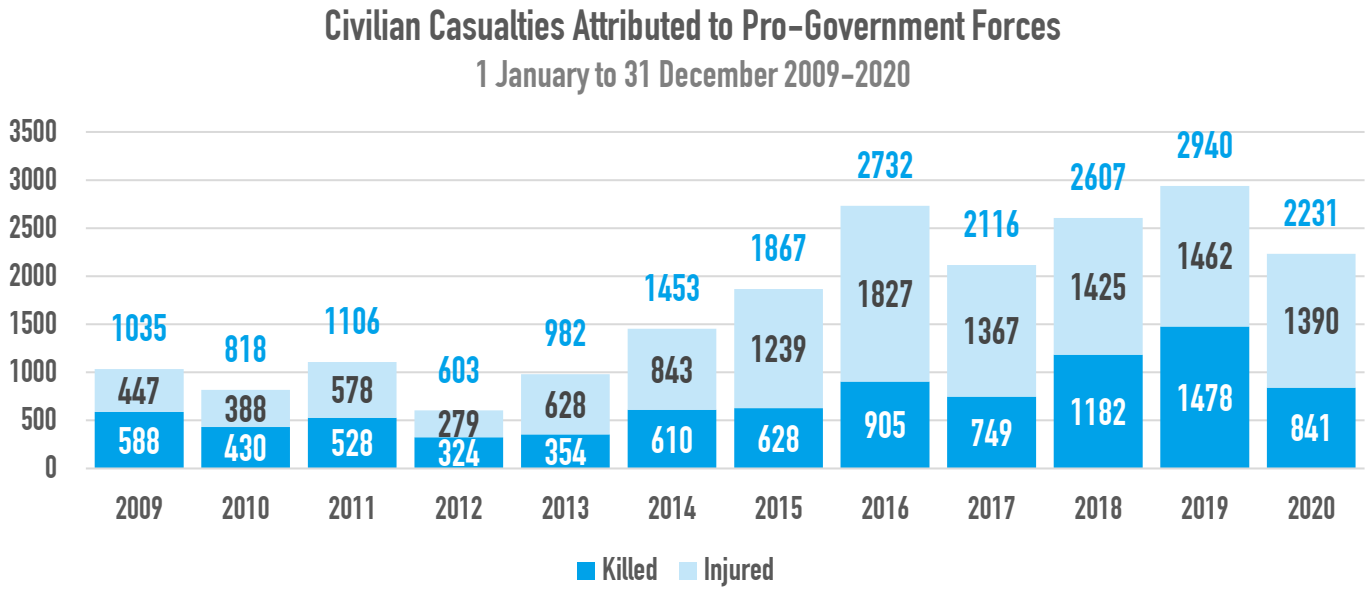
V. PRO-GOVERNMENT FORCES

> ***I still suffer from physical pain as a result of the wounds I sustained from an Afghan National Army artillery round that hit my family's compound. My house was damaged with the windows shattered*** **[...]** ***However, we are too poor to move from this area.*** **[...]** ***Some of my family members were seriously injured by the incident and require surgical operations that cannot be conducted here*** **[...]** ***But because of financial constraints, we are unable to go to Pakistan for treatment. My family members and I feel very insecure.*** **[...].** ***The women and children always run for cover.***
>
> --Victim of the use of indirect fire during a ground engagement by the Afghan National Army
> UNAMA telephone interview with the victim, 17 August 2020

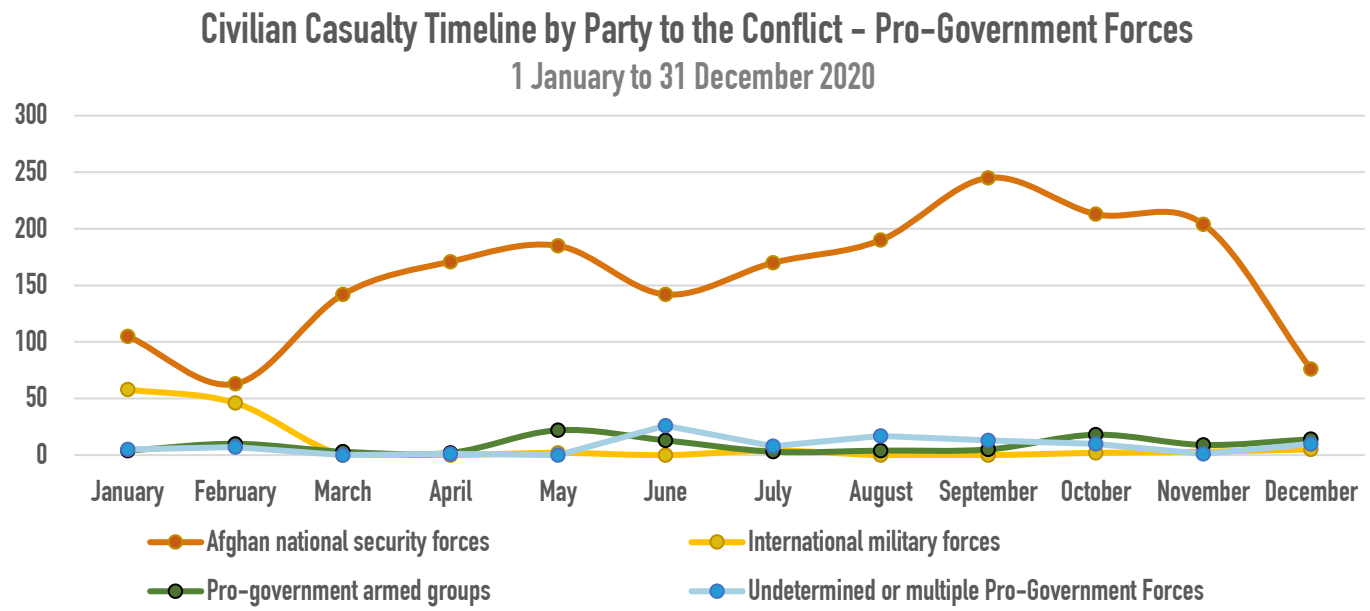
A. Overview

Pro-Government Forces were responsible for 25 per cent of all civilian casualties in 2020. From 1 January to 31 December 2020, UNAMA attributed 2,231 civilian casualties (841 killed and 1,390 injured) to Pro-Government Forces, which include the Afghan national security forces, international military forces and pro-government armed groups. This is a reduction of 24 per cent in the number of civilian casualties in comparison to 2019.[156] Almost half of the civilians killed and injured attributed to Pro-Government Forces were caused by the use of indirect fire, including from artillery shells and mortars, during ground engagements, with nearly one-third caused by airstrikes.[157]

The reduction in civilian casualties attributed to Pro-Government Forces in comparison to 2019 is mainly attributable to the abrupt decline of civilians killed and injured from international military forces airstrikes since March 2020, following the signing of the agreement between the United States and the Taliban on 29



[156] In 2019, UNAMA attributed 2,940 civilian casualties (1,478 and 1,462 injured) to Pro-Government Forces.
[157] In 2020, UNAMA documented 1,085 civilian casualties (299 killed and 786 injured) from the use of indirect fire during ground engagements by Pro-Government Forces and 693 civilian casualties (341 killed and 352 injured) to airstrikes from Pro-Government Forces.



February 2020. The decrease in civilian casualties was partially offset by a concerning 117 per cent increase in the number of killed and injured civilians from airstrikes by the Afghan Air Force and the 27 per cent increase in the number of civilian casualties from the use of indirect fire during ground engagements by the Afghan National Army.

UNAMA also documented a 94 per cent decrease in civilian casualties from search operations conducted by Pro-Government Forces, mainly caused by fewer civilian casualties from such operations attributed to the National Directorate of Security Special Forces, the Khost Protection Force and the Paktika province-based "Shaheen Forces".[158]

Afghan national security forces were responsible for 22 per cent of all civilian casualties in 2020 and more than eight of every 10 civilian casualties attributed to Pro-Government Forces; of these the Afghan National Army caused the majority.[159] International military forces and pro-government armed groups caused one per cent each of all civilian casualties in 2020.[160] The remaining civilian casualties were caused by undetermined or multiple Pro-Government Forces.[161]

In 2020, most of the civilian casualties caused by Pro-Government Forces occurred in the northern and northeastern regions of Afghanistan, which together represent more than half of the total civilian casualties attributed to Pro-Government Forces.[162] The provinces of Balk, Faryab, Kunduz, Helmand and Baghlan were the five provinces with the most civilian casualties caused by Pro-Government Forces, representing half of all civilian casualties attributed to Pro-Government Forces.[163]

UNAMA noted a decrease in civilian casualties from Pro-Government Forces in February due to the reduction in violence period in the week prior to the signing of the United States – Taliban agreement on 29 February 2020. UNAMA documented an increase in civilian casualties attributed to the Afghan national security forces in March, April and May. On 19 March, the Minister of Defence announced the return of the Afghan

[158] In 2020, UNAMA documented 21 civilian casualties (19 killed and two injured) from search operations by Pro-Government Forces in comparison to 360 civilian casualties (278 killed and 82 injured) in 2019.
[159] UNAMA civilian casualty figures attributed to the Afghan National Army include aerial attacks conducted by the Afghan Air Force. Though UNAMA notes that structurally they are understood to be separate, and referred to as the "Afghan Armed Forces", for consistency with previous reports, UNAMA continues to refer to the Afghan National Army. See Annex III Glossary for further details. From 1 January to 31 December, UNAMA attributed 1,906 civilian casualties (674 killed and 1,232 injured) to Afghan national security forces, which makes up 85 per cent of the civilian casualties attributed to Pro-Government Forces. In 2020, the Afghan National Army caused 1,547 civilian casualties (547 killed and 1,000 injured), 69 per cent of the total of civilian casualties attributed to Pro-Government Forces.
[160] In 2020, UNAMA attributed 120 civilian casualties (89 killed and 31 injured) to international military forces and 107 civilian casualties (50 killed and 57 injured) to pro-government armed groups.
[161] In 2020, UNAMA attributed 98 civilian casualties (28 killed and 70 injured) to undetermined or multiple Pro-Government Forces.
[162] In 2020, UNAMA attributed 705 civilian casualties (182 killed and 523 injured) in the northern region to Pro-Government Forces and 524 civilian casualties (223 killed and 301 injured) in the northeastern region.
[163] In 2020, UNAMA attributed 1,117 civilian casualties (393 killed and 724 injured) in these five provinces to Pro-Government Forces.

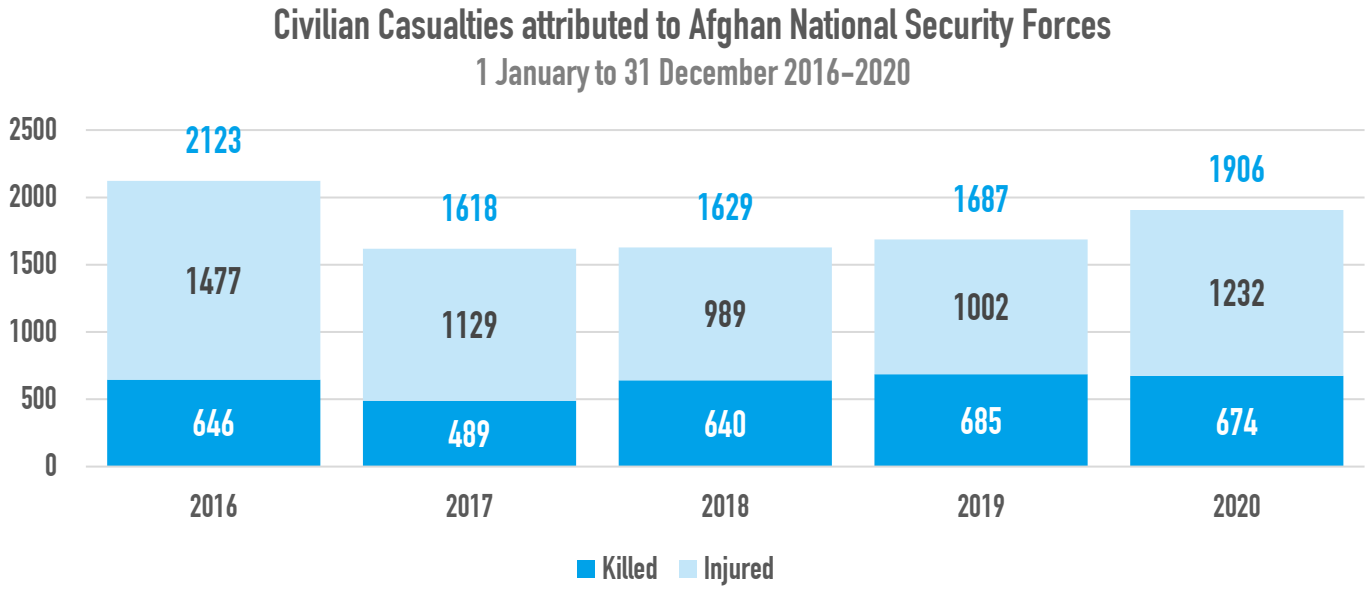
National Army to an 'active defence' position.[164] UNAMA recorded September, October and November as the three months with the highest number of civilian casualties attributed to the Afghan national security forces in 2020, noting the start of the Afghanistan Peace Negotiations on 12 September 2020.[165]

1. Afghan national security forces

From 1 January to 31 December 2020, UNAMA attributed 1,906 civilian casualties (674 killed and 1,232 injured) to Afghan national security forces, a 13 per cent increase in the number of civilian casualties in comparison to 2019 and the highest level of civilian casualties attributed to them since 2016.

Trends related to causes of civilian casualties between the different branches of the Afghanistan national security forces varied. In 2020, the Afghan National Army caused 42 per cent more civilian casualties than in the year prior, amounting to the most civilian casualties attributed to the Afghan National Army in a single year since UNAMA started its systematic documentation in 2009.[166] In contrast, UNAMA attributed fewer civilian casualties to the Afghan Local Police, Afghan National Police and the National Directorate of Security, including the National Directorate of Security Special Forces, than in the previous year.

The majority of civilian casualties from Afghan national security forces occurred as a consequence of the use of force during ground engagements, especially through the use of indirect fire, including from artillery shells and mortars.[167] UNAMA documented a 15 per cent increase in civilian casualties caused by Afghan national security forces during ground engagements.[168] Often, the Afghan National Army used indirect fire in populated residential areas, frequently in defence against Taliban attacks, repeatedly harming entire families when artillery shells or mortars landed on their home. As a result, seven out of 10 civilian casualties from the use of indirect fire by the Afghan



[164] See, press conference of Minister of Defense Asadullah Khalid on 19 March 2020 and https://www.sigar.mil/pdf/quarterlyreports/2020-10-30qr-section3-security.pdf.
[165] From 1 September to 30 November 2020, UNAMA attributed 662 civilian casualties (237 killed and 425 injured) to Afghan National Security Forces.
[166] In 2020, UNAMA attributed 1,547 civilian casualties to the Afghan National Army in comparison to 1,093 civilian casualties (386 killed and 707 injured) in 2019.
[167] From 1 January to 31 December 2020, UNAMA attributed 1,224 civilian casualties (359 killed and 865 injured) from ground engagements to Afghan national security forces, of which 1,037 civilian casualties (285 killed and 752 injured) were caused by indirect fire.
[168] For more information on Ground Engagements, see Chapter VI. A. Ground Engagements. From 1 January to 31 December 2019, UNAMA attributed 1,049 civilian casualties (310 killed and 793 injured) from ground engagements to Afghan national security forces, of which 899 civilian casualties (251 killed and 648 injured) were caused by indirect fire.

National Army were women (22 per cent) and children (48 per cent).[169]

Civilians were increasingly harmed by airstrikes conducted by the Afghan Air Force, which reportedly increased its flight hours, apparently in reaction to reduced air force activity by international military forces following the United States – Taliban 29 February agreement. [170] In 2020, about a quarter of the civilian casualties attributed to Afghanistan national security forces were caused by Afghan Air Force airstrikes. These were responsible for more than double the number of civilian casualties compared to 2019.[171] Similar to the use of indirect fire, the wide area effects of Afghan Air Force airstrikes harmed many civilians in their homes, resulting in children (45 per cent) and women (19 per cent) comprising nearly two-thirds of all Afghan Airforce airstrike civilian casualties.[172]

Civilian casualties from search operations by Afghan national security forces decreased by 94 per cent in 2020.[173] In stark contrast to 2019, when civilian casualties from Afghan national security forces search operations (mainly National Directorate of Security Special Forces) reached the highest level since UNAMA started its systematic documentation in 2009, these civilian casualties all but ceased after the 29 February 2020 United States – Taliban agreement. During 2020, these forces continued to appear to fall outside of the official governmental chain of command and coordinated with foreign actors.

September, October and November were the three months with the highest number of civilian casualties attributed to the Afghan national security forces in 2020.

Branch of Afghan national security forces	Civilian casualties in 2020	Percentage change in comparison to 2019
Afghan National Army (with Afghan Air Force)	1,547 civilian casualties (547 killed and 1,000 injured)	+ 42 per cent ▲
Afghan National Army (without Afghan Air Force)	1,021 civilian casualties (313 killed and 708 injured)	+ 19 per cent ▲
Afghan Air Force	526 civilian casualties (234 killed and 292 injured)	+ 126 per cent ▲
National Directorate of Security (including NDS Special Forces)	47 civilian casualties (27 killed and 20 injured)	- 80 per cent ▼
Afghan National Police	75 civilian casualties (31 killed and 44 injured)	- 17 per cent ▼
Afghan Local Police[174]	24 civilian casualties (seven killed and 17 injured)	- 33 per cent ▼
Other Afghan national security forces and joint attributions	213 civilian casualties (62 killed and 151 injured)	- 9 per cent ▼

[169] UNAMA documented 189 women casualties (57 killed and 132 injured) and 406 child casualties (119 killed and 287 injured) from indirect fire during ground engagements by the Afghan National Army.
[170] See, Special Inspector General for Afghanistan Reconstruction, Quarterly Report to the United States Congress, October 30, page 98.
[171] See for more information Chapter V.F. Airstrikes. From 1 January 31 December 2020, UNAMA attributed 526 civilian casualties (234 killed and 292 injured) from airstrikes to the Afghan Air Force, in comparison to 233 civilian casualties (115 killed and 118 injured) in 2019.
[172] UNAMA documented 238 child casualties (103 killed and 135 injured) and 101 women casualties (43 killed and 58 injured) from airstrikes by the Afghan Air Force.
[173] In 2020, UNAMA attributed 15 killed civilians by search operations to the Afghan national security forces in comparison to 241 civilian casualties (179 killed and 62 injured) in 2019.
[174] After funding of the Afghan Local Police ended on 30 September 2020, the Afghan Local Police was formally abolished with most of its members designated to transfer to the Afghan National Army - Territorial Force or the Afghan National Police.

2. International military forces

In 2020, UNAMA attributed 120 civilian casualties (89 killed and 31 injured) to international military forces, a reduction of 85 per cent in the number of civilian casualties in comparison to 2019.[175] This marks the lowest number of civilian casualties attributed to international military forces since UNAMA started systemic documentation of civilian casualties in 2009.

In January and February 2020, UNAMA documented similar levels of civilian harm caused by international military forces in comparison to the same time period in 2019, and civilian casualties between 1 January and 22 February 2020 accounted for 87 per cent of all civilian casualties caused by international military forces in 2020.[176] Then, civilian casualties from international military forces' operations all but ceased, beginning from the "reduction in violence week" from 22 – 28 February, which preceded the signing of the United States - Taliban agreement on 29 February 2020. After that, the international military significantly reduced its aerial operations, with almost no such incidents causing civilian casualties for the remainder of 2020. However, the international military forces did confirm that some aerial operations continued, and USFOR-A stated that it would defend the Afghan national security forces if attacked "in compliance with the agreement" and has made public statements about airstrikes conducted after February 2020.[177]

3. Pro-government armed groups

Pro-government armed groups caused 107 civilian casualties (50 killed and 57 injured) in 2020, a 42 per cent decrease in civilian casualties in comparison to 2019.[178] The drop in civilian casualties was mainly due to fewer civilian casualties attributed to the Khost Protection Force and the Paktika-based "Shaheen Forces". In 2020, just over half of all civilian casualties from pro-government armed groups were caused by ground engagements.[179] However, of concern, UNAMA continued to document civilian casualties from targeted killings (26 per cent) and civilian harm due to threat and intimidation (10 per cent) by these groups in 2020.[180]

The number of civilian casualties attributed to the Khost Protection Force decreased by 52 per cent in 2020, with all of the civilian casualties attributed to the group occurring in the final three months of the year.[181] Between October and December 2020, UNAMA documented eight incidents attributed to the Khost Protection Force, resulting in 12 civilians killed in Khost province, including from deliberate killings during search operations and from ground engagements.

The Shaheen Forces killed one boy during a ground engagement with the Taliban in Urgun district, Paktika province in October 2020. This is a 98 per cent reduction in the number of civilian casualties from these forces in comparison to 2019.[182]

In contrast to the previous year, when most civilian casualties from pro-government armed groups were caused in the southeastern region by the Khost Protection Force and Shaheen Forces, in 2020, most of the civilian casualties from pro-government armed groups were attributed to local groups active in the northeastern region of Afghanistan. They mostly caused civilian casualties during ground engagements and through targeted killings.[183] For example, on 24 May 2020, during the Eid al-Fitr ceasefire, in Kalafgon district, Takhar province, two local pro-government armed groups

[175] In 2019, UNAMA attributed 788 civilian casualties (559 killed and 229 injured) to international military forces.
[176] From 1 January to 22 February 2020, UNAMA attributed 104 civilian casualties (78 killed and 26 injured) to international military forces.
[177] See, for example https://twitter.com/USFOR_A/status/1246756745445285890?s=20, https://twitter.com/USFOR_A/status/1268848676249755648?s=20 and https://twitter.com/USFOR_A/status/1315602844809080832?s=20
[178] In 2019, UNAMA attributed 184 civilian casualties (102 killed and 82 injured) to pro-government armed groups.
[179] In 2020, UNAMA attributed 56 civilian casualties (20 killed and 36 injured) from ground engagement to pro-government armed groups.
[180] In 2020, UNAMA attributed 28 civilian casualties (22 killed and six injured) from targeted killings and 11 injured civilians from incidents involving threats and intimidation to pro-government armed groups.
[181] In 2019, UNAMA attributed 25 civilians killed to the Khost Protection Force.
[182] In 2019, UNAMA attributed 62 civilian casualties (58 killed and four injured) to the Shaheen Forces.
[183] In 2020, UNAMA attributed 61 civilian casualties (27 killed and 34 injured) to pro-government armed groups in the northeastern region of Afghanistan.

attacked each other due to a personal dispute between the commanders. As a result of the ground engagement between the two groups, eight civilians were killed, and six others were injured.

UNAMA reiterates that the Government is the primary duty bearer to respect, protect and fulfil the human rights of the Afghan population, including their rights to life, liberty and security. It therefore urges the Government to disband or formally incorporate pro-government armed groups that operate outside of official Government chain of command, such as the Khost Protection force and the Shaheen Forces, into the Afghan national security forces following a robust vetting procedure and to apply operating procedures that conform to international humanitarian law and international human rights law. UNAMA also urges the Government to investigate all credible allegations of civilian harm, including violations of international human rights law and international humanitarian law with a view to ensuring accountability.

B. Incident Types Causing the Most Harm to Civilians

1. Airstrikes

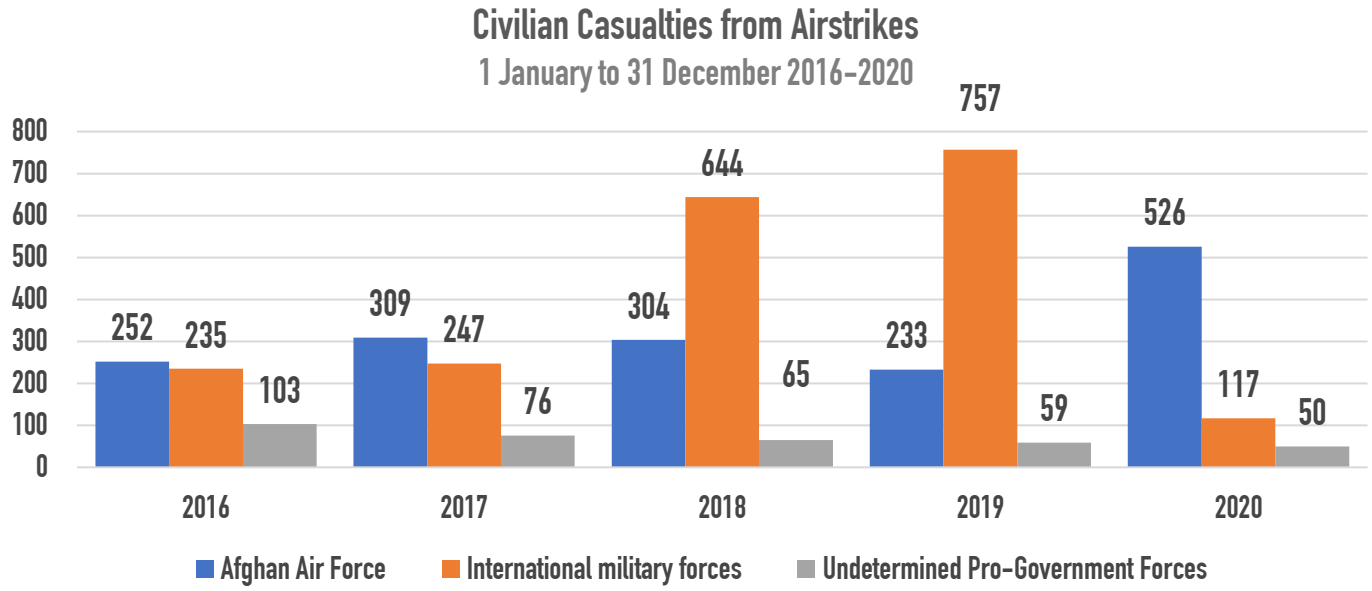
> ***It was my wedding day and my relatives were leaving to invite other relatives to the wedding. They went by our private car when they heard the sound of an Afghan Air Force plane. My brother stopped the car and run away to hide somewhere in a safe place. However, my father insisted that he should remain with him in the car. At that moment, the airstrike began, and my brother was killed on the spot. We had so many wishes for the wedding ceremony and my brother was saying that he would have done anything for my happiness, but unfortunately, we had a very unhappy ending.***
>
> --The brother of a man killed in an airstrike by the Afghan Air Force
>
> UNAMA telephone interview with victim's brother, 1 July 2020

From 1 January to 31 December 2020, UNAMA documented 693 civilian casualties (341 killed and 352 injured) from airstrikes by Pro-Government Forces, a 34 per cent decrease in comparison to 2019.[184] In 2020, airstrikes made up eight per cent of all civilian casualties, a drop of two percentage points in comparison to 2019, when airstrikes caused 10 per cent of all civilian casualties.

As the Afghan Air Force increased its aerial operations and international military forces decreased theirs following the 29 February agreement between the United Stated and the Taliban,[185] UNAMA documented counteracting civilian casualty trends between these two allied parties to the conflict.

Civilian casualties from Afghan Air Force airstrikes reached record high levels, resulting in 526 civilian casualties (234 killed and 292 injured), an increase of 126 per cent in comparison to 2019.[186] This is the highest number of civilian casualties from airstrikes by the Afghan Air Force since UNAMA began systematic documentation in 2009. In 2020, civilian casualties from Afghan Air Force airstrikes comprised 76 per cent of all civilian casualties from airstrikes, whereas international military forces airstrikes made up 17 per cent of all airstrike civilian casualties. The remaining airstrike civilian casualties were attributed to undetermined Pro-Government Forces.

[184] In 2019, UNAMA documented 1,049 civilian casualties (702 killed and 347 injured) from airstrikes.
[185] The Train, Advise, and Assist Command-Air (TAAC-Air) stated that the Afghan Air Force increased its flight hours, including because of greater operational need due to reduced support of international military forces. See, the security chapter of the 49th Quarterly Report to Congress of the Special Inspector General for Afghanistan Reconstruction (30 October 2020) retrieved from https://www.sigar.mil/pdf/quarterlyreports/2020-10-30qr-section3-security.pdf
[186] In 2019, UNAMA attributed 233 civilian casualties (115 killed and 118 injured) from airstrike to the Afghan Air Force.



Civilian casualties attributed to international military forces airstrikes dropped by 85 per cent in comparison to 2019.[187] In 2020, UNAMA documented 117 civilian casualties (89 killed and 28 injured) from international military forces airstrikes, the lowest level since UNAMA started systematic documentation in 2009. UNAMA attributed nearly all of these civilian casualties to airstrikes of international military forces conducted before 17 February.[188]

UNAMA notes with concern that the percentage of women and child casualties from airstrikes increased to 61 per cent in 2020 compared to 45 per cent in 2019.[189] Often, civilian casualties are caused when an airstrike targets combatants in a residential area, yet hits residential buildings, harming entire families. For example, on 20 November, in Gizab district of Uruzgan province, the Afghan Air Force targeted the Taliban in houses where civilians were present, resulting in six civilians killed (two girls, two women and two men) and four children injured, together with an unconfirmed number of casualties among Taliban combatants. Taliban combatants had entered the houses and then targeted Afghan national security forces from within. This incident occurred during the extended fighting between the Taliban and Afghan national security forces in Gizab district of Uruzgan province in October and November 2020. On 27 November 2020, in-Kamari district, Badghis province, the Afghan Air Force conducted an airstrike against the home of a Taliban combatant, resulting in 16 civilian casualties (13 killed and three injured), all women and children, including six children ranging from two months to three years old.

UNAMA also recognises that the Afghan Air Force does undertake measures to avoid civilian casualties. The Afghan Air Force reported to UNAMA that between March 2020 and February 2021,[190] more than one-third of the nearly 6,000 planned 'air packages' were not carried out either because of the presence of civilians or public properties, or because of a change in the location of the target. In addition, the Afghan Air Force reported that in 34 instances during that same period, it aborted a planned operation during the flight due to presence of civilians, mosques, and public property.[191] However, in light of the increased number of civilian casualties from Afghan Air Force airstrikes in 2020, UNAMA reiterates the importance of developing and improving tactical directives, rules of engagement and other procedures to better protect civilians.

UNAMA recalls that international humanitarian law requires all parties to the conflict to take all feasible precautions to avoid, and in any event minimize, incidental loss of civilian life, injury to civilians and

[187] In 2019, UNAMA attributed 757 civilian casualties (546 killed and 211 injured) from airstrikes to international military forces.
[188] Before 17 February UNAMA documented 104 civilian casualties (78 killed and 26 injured) after 17 February UNAMA documented 11 killed and two injured civilian casualties.
[189] In 2020, UNAMA documented 121 women casualties (58 killed and 63 injured) and 299 child casualties (146 killed and 153 injured) from airstrikes in comparison to 135 women casualties (76 killed and 59 injured) and 341 child casualties (211 killed and 130 injured) in 2019.
[190] It is noted that part of this data, which covers approximately 11 months, falls outside the reporting period of this report.
[191] Letter from Afghan Air Force to UNAMA, 18 February 2021.

damage to civilian objects.[192] This includes the obligation to collect sufficient information to effectively assess the presence of civilians at a particular strike location, including in dynamic targeting situations. This could be done through an analysis of the pattern of civilian life in the area and of the way in which particular structures are being used, and through conducting a thorough, transparent, objective and credible review of all airstrikes that have resulted in civilian casualties with a view to assessing the effectiveness of the precautionary measures put in place.[193]

Parties are obligated to respect the principle of proportionality in planning and conducting an aerial operation, and to cancel or suspend an attack if it becomes apparent that it may be expected to cause civilian harm that would be excessive to the concrete and direct military advantage anticipated.[194]

UNAMA also reminds parties that even if one party to the conflict fails to respect international humanitarian law, that does not absolve opposing parties from their international humanitarian law obligations.[195] The principle of proportionality applies regardless of whether airstrikes are conducted as part of a planned, deliberate targeting operation or whether they are conducted in support of forces on the ground.

Civilian Casualties from Afghan Air Force Airstrike, Baharak district, Takhar province, on 21 October 2020

An Afghan boy who was injured by an Afghan Airforce airstrike on a Madrassa in Takhar province on 21 October receives medical treatment at a hospital. Photo ©EPA-EFE/STR

On 21 October, at approximately 14:30 hours, in Hazara Qarluq village nearby Taloqan city, in Baharak district, Takhar province, an Afghan Air Force airstrike hit the village madrassa near a mosque that was reportedly used by the Taliban. UNAMA documented the killing of nine children (five boys and four girls), aged between five and nine years old, and the injuring of 17 more civilians, including 16 children (nine girls and seven boys) and one civilian man, the mullah of the madrassa. UNAMA also received multiple reports of additional civilian

[192] See Rule 15, ICRC Customary International Law Study and Article 13, Additional Protocol II
[193] See, for example, International Criminal Tribunal for the Former Yugoslavia, Kupreskic case, Judgment, paras. 49, 132, 526.
[194] See Rule 14, ICRC Customary International Law Study.
[195] See Rule 140, ICRC Customary International Law Study.

casualties, up to as many as 12 killed and 18 injured, which it was not able to verify by the time of drafting of this report. The airstrike also destroyed a classroom and damaged other parts of the madrassa and mosque.

First Vice President of Afghanistan Amrullah Saleh denied that any children were killed in the attack and stated that the airstrike targeted the Taliban. He also added that "the person responsible for spread of this venomous [and] fake news was arrested immediately [...]."[196] UNAMA has requested the Government to provide it with any evidence to substantiate this and similar statements and it is aware that an investigation has been conducted. At the time of the drafting of this report, no such findings had been shared with UNAMA.

UNAMA calls on the Afghan Air Force to continue to develop and improve tactical directives, rules of engagement and other procedures in relation to the use of armed aircraft. It also reminds the Afghan national security forces of its responsibility under international humanitarian law to take all feasible precautions to protect civilians from harm, including pattern of life assessments. This responsibility is not lessened when an opposing party violates international humanitarian law.

UNAMA also received information that after the spokesperson for the Governor of Takhar released a statement confirming that civilian casualties occurred in the incident, he was put under house arrest for several days and then was subsequently dismissed from his position.

UNAMA emphasises the importance of maintaining a free flow of information and open debate in relation to impact of the armed conflict on civilians; it also reiterates that the Government must avoid taking actions and making statements that may cause or appear to cause a chilling effect or stifle discussions on civilian casualties, especially for persons reporting on such incidents, including those working for the media and civil society organisations; human rights defenders; confidential sources and whistle blowers.

UNAMA calls on the Government and other parties to the conflict to conduct thorough and transparent investigations into allegations of civilian casualties, communicate outcomes of these investigations to the public.

2. Intentional harm to civilians, including summary executions

In 2020, UNAMA continued to document incidents in which Afghan national security forces and pro-government armed groups intentionally harmed civilians, including incidents which amounted to summary executions. From 1 January to 31 December, UNAMA documented 49 such incidents, resulting in 80 civilian casualties (46 killed and 34 injured). UNAMA attributed 29 incidents resulting in 42 civilian casualties (23 killed and 19 injured) to Afghanistan national security forces and 20 incidents causing 38 civilian casualties (23 killed and 15 injured) to pro-government armed groups.

In the first and last quarter of 2020, UNAMA continued to attribute incidents to the National Directorate of Security and the Khost Protection Force in which civilians suspected of involvement with Anti-Government Elements were intentionally killed in situations in which it appeared they had been, or could have been, safely detained and could have been handed over to the appropriate law enforcement authorities. For example, on 15 January, in Khogyani district of Nangarhar province, National Directorate of Security Special Forces 02 Unit shot and killed two civilian stepbrothers in their home during a search operation. When the forces entered the home, they ordered the women and children to sit outside the house. The two brothers were taken to a room of the house where they were interrogated before being shot and killed. On 14 October, in Khost Matun district of Khost province, the Khost Protection Force entered a residential home and beat an adult civilian man in front of his family. Subsequently, they took him outside of the house and shot and killed him.

[196] https://www.facebook.com/AmrullahSaleh.Afg/posts/3341016672673215 https://twitter.com/AmrullahSaleh2/status/1319293261979086861?s=20

Other incidents related to the use of violence against civilians by the Afghan national security forces or pro-government armed groups occurred after verbal disputes. Often this involved arguments related to the refusal to pay bribes or the refusal to carry out illegitimate requests. For example, on 15 June, in Muqur district, Ghazni province, four men and two children were beaten by members of a pro-government armed group after the men refused to carry out construction work for the group at its checkpoint. The six civilians received medical treatment at the local clinic. On 5 September, a member of the Afghan National Police working at a security checkpoint in Qalat district, Zabul province, shot and killed a civilian man who refused to pay money to pass the checkpoint.

UNAMA documented cases in which pro-government armed groups and the Afghan Local Police attacked civilians because they were related to members of the Taliban or a rival pro-government armed group, or because of the belief that they had supported the Taliban. On 4 February, in Argo district, Badakhshan province, an explosion at a pharmacy killed the owner of the pharmacy and injured another civilian. Members of a pro-government armed group had targeted the pharmacy because of a dispute with the father of the owner, who was the commander of a rival pro-government armed group. On 3 May, in Pul-e-Khumri district of Baghlan province, the Afghan Local Police entered a home and shot and killed a civilian man, because the Taliban had used his house to launch attacks against the Afghan Local Police.

UNAMA reiterates that the killing, at any time and at any place by any party to the conflict, of persons taking no active part in hostilities is prohibited by Common Article 3 of the Geneva Conventions, and may amount to a war crime. Further, even if the parties disagree with UNAMA findings on civilian status of those intentionally killed during operations, UNAMA emphasizes that, under international humanitarian law, violence to life, in particular murder or torture, against a person recognized as *hors de combat* is prohibited and amounts to a war crime. This includes anyone who is in the power of an adverse party or who clearly expresses an intention to surrender, provided he or she abstains from any hostile act and does not try to escape.[197] As such, in a situation where Afghan national security forces or pro-government armed groups detain and kill individuals who do not pose a further threat, their killing is a violation of international humanitarian law regardless of whether they are civilian or not and amounts to a war crime.

UNAMA also reiterates that under international human rights law, the unlawful killing of a person constitutes a violation of the right to life. States must investigate the use of lethal force by their agents in the context of law enforcement operations and situations of alleged violations of the right to life committed during armed conflict.[198]

[197] Rule 47, ICRC Customary International Humanitarian Law Study

[198] See paras. 9, 10 and 17 of the United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, adopted on 24 May 1989 by the Economic and Social Council Resolution 1989/65. See also United Nations Security Council and General Assembly resolutions concerning non-international armed conflict, calling for all parties to respect international human rights law and General Comment No. 36 on the right to life, Human Rights Committee, CCPR/C/GC/36.

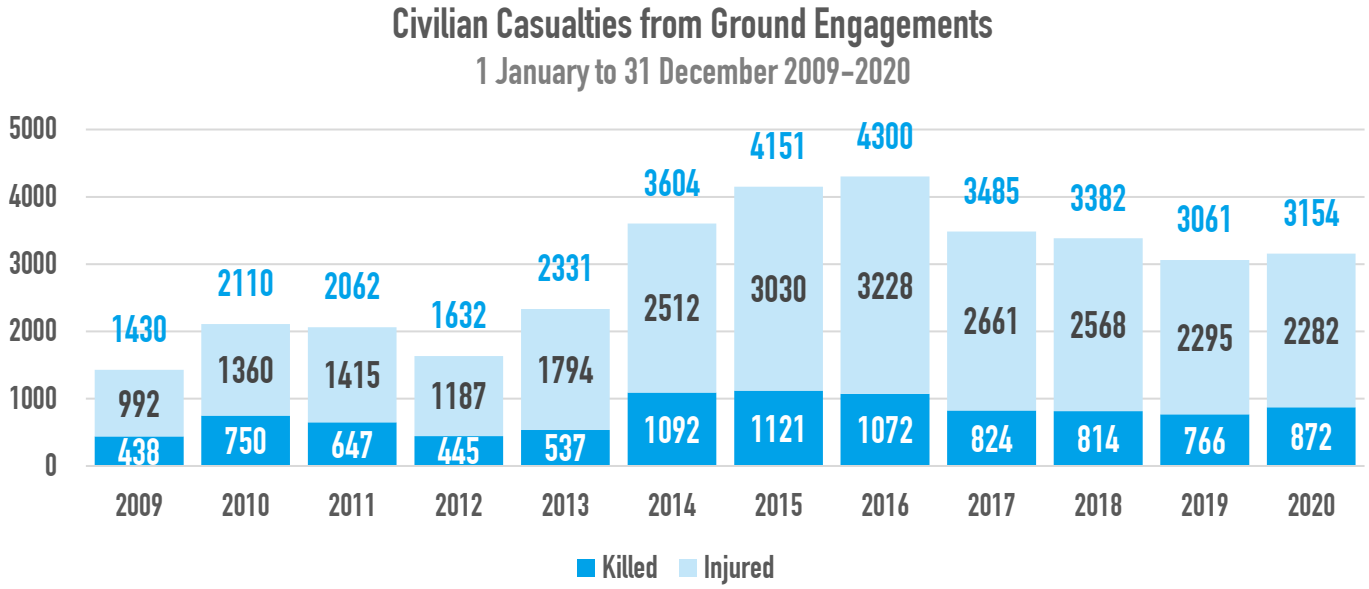
VI. GROUND ENGAGEMENTS AND EXPLOSIVE REMNANTS OF WAR

A. Ground Engagements: Civilians Caught in the Crossfire

For the first time since 2016, ground engagements featured as the leading cause of civilian casualties, responsible for 36 per cent of all civilian casualties in 2020. From 1 January to 31 December 2020, UNAMA documented 3,154 civilian casualties (872 killed and 2,282 injured) from ground engagements. [199] While this is a slight increase compared to the number of civilian casualties from this incident type in the year prior,[200] of specific concern is that the number of civilians killed by ground engagements increased by 14 per cent. In addition, the number of ground engagement incidents causing civilian casualties increased by 13 per cent.[201] Women and children comprised more than half of all civilian casualties from ground engagements in 2020.[202]

In 2020, Pro-Government Forces caused 42 per cent of civilian casualties from ground engagements – 1,328 civilian casualties (389 killed and 939 injured), a five per cent increase in comparison to2019.[203] The Afghan National Army was responsible for more than 70 per cent of these – and worryingly caused 29 per cent more civilian casualties from ground engagements than it had in 2019.[204]

Anti-Government Elements were responsible for 1,042 civilian casualties (271 killed and 771 injured), amounting to one third of ground engagement casualties and a 15 per cent decrease in comparison to



[199] This includes 2,029 civilian casualties (508 killed and 1,521 injured) from indirect fire; 1,002 civilian casualties (347 killed and 655 injured) from shooting during ground engagements and 123 civilian casualties (17 killed and 106 injured) from incidents in which both indirect fire and shooting caused civilian casualties or UNAMA was not able to determine if indirect fire or shooting caused the civilian casualties.
[200] In 2019, UNAMA documented 3,061 civilian casualties (766 killed and 2,295 injured) from ground engagements.
[201] In 2020, UNAMA documented 1,251 ground engagement incidents causing civilian casualties, compared with 1,110 incidents in 2019.
[202] In 2020, UNAMA documented 555 women casualties (156 killed and 399 injured) and 1,195 child casualties (304 killed and 891 injured) from ground engagements.
[203] In 2019, UNAMA attributed 1,263 civilian casualties (366 killed and 897 injured) from ground engagements to Pro-Government Forces.
[204] In 2020, UNAMA attributed 955 civilian casualties (285 killed and 670 injured) from ground engagements to the Afghan National Army, in comparison to 740 civilian casualties (211 killed and 529 injured) in 2019.

2019.[205] This was partially caused by a 48 per cent decrease in civilian casualties from ground engagements attributed to ISIL-KP in comparison to 2019.[206] UNAMA also attributed 10 per cent fewer civilian casualties to the Taliban in 2020 than in the year prior.[207] This is mainly caused by the absence of election-related ground engagement incidents in 2020, as these had caused many civilian casualties around the Afghanistan Presidential Election in September 2019.[208]

The remaining 784 civilian casualties (212 killed and 572 injured) were attributed to crossfire between Pro-Government Forces and Anti-Government Elements in which UNAMA could not attribute civilian casualties to a single party[209] and to cross-border incidents attributed to Pakistani military forces.[210]

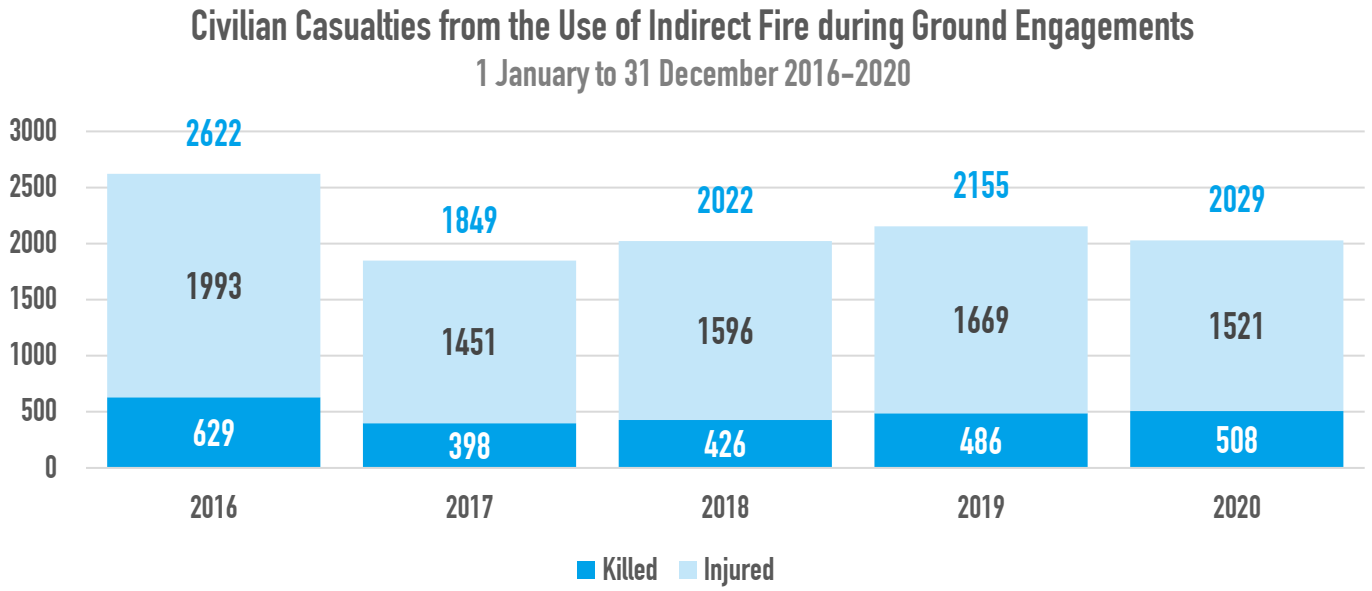
In 2020, UNAMA documented significant differences in the impact of ground engagements on civilians in different parts of the country: 16 provinces experienced an increase in civilian casualties from ground engagements in comparison to 2019; while 16 provinces recorded decreases.[211] The northern region remained the area with the most civilian casualties from ground engagements, followed by the northeastern and southern regions.[212] The seven provinces with the highest number of civilian casualties from ground engagements - Faryab, Balkh, Kunduz, Ghazni, Helmand, Kandahar and Baghlan – together accounted for more than half of all civilian casualties from ground engagements.[213]

Women and children comprised more than half of all civilian casualties from ground engagements in 2020.

1. Indirect fire: artillery shells, mortars and rockets

> *This horrible incident destroyed our lives and we never imagined that such kind of incident would happen. I lost my young daughter and my wife, and one of my in-laws who used to live with me became disabled. My house was damaged and now I have financial difficulties, because I spent what I had on medical treatment of my wife who unfortunately still suffers from her disability […] I think nothing can be worse than this."*
>
> --Male victim of ground engagement between Afghan national security forces and the Taliban
>
> UNAMA telephone interview with victim, 15 May 2020

[205] In 2019, UNAMA attributed 1,229 civilian casualties (261 killed and 968 injured) from ground engagement to Anti-Government Elements.
[206] In 2020, UNAMA attributed 83 (14 killed and 69 injured) civilian casualties from ground engagements to ISIL-KP, in comparison to 160 civilian casualties (18 killed and 142 injured) in 2019.
[207] In 2020, UNAMA attributed 953 civilian casualties (256 killed and 697 injured) from ground engagements to the Taliban, in comparison to 1,059 civilian casualties (241 killed and 818 injured) in 2019.
[208] In 2019, UNAMA attributed 224 (28 killed and 196 injured) civilian casualties from election-related ground engagements to the Taliban.
[209] UNAMA documented 630 civilian casualties (184 killed and 446 injured) from ground engagements to crossfire between parties of the conflict in which it could not identify the party responsible.
[210] In 2020, UNAMA attributed 154 civilian casualties (28 killed and 126 injured) from ground engagements to cross-border fire from Pakistani Military Forces.
[211] In 2020, UNAMA documented an increase in civilian casualties from ground engagements in Badakhshan, Badghis, Balkh, Daykundi, Ghazni, Ghor, Jawzjan, Kandahar, Kapisa, Khost, Logar, Nangarhar, Nimroz, Paktika, Uruzgan, and Maidan Wardak provinces.
[212] In 2020, UNAMA documented 873 civilian casualties (208 killed and 665 injured) from ground engagements in the northern region, 522 civilian casualties (179 killed and 343 injured) in the northeastern region and 516 civilian casualties (155 killed and 361 injured) in the southern region.
[213] In 2020, UNAMA documented 376 civilian casualties (69 killed and 307 injured) from ground engagements in Faryab, 349 civilian casualties (105 killed and 244 injured) in Balkh, 218 civilian casualties (86 killed and 132 injured) in Kunduz, 195 civilian casualties (59 killed and 136 injured) in Ghazni, 187 civilian casualties (81 killed and 106 injured) in Helmand, 152 civilian casualties (24 killed and 128 injured) in Kandahar and 134 civilian casualties (38 killed and 96 injured) in Baghlan provinces.



In 2020, indirect fire, including the use of artillery shells, mortars and rockets, continued to cause the majority of civilian casualties during ground engagements - 64 per cent. Between 1 January and 31 December 2020, UNAMA documented 2,029 civilian casualties (508 killed and 1,521 injured) from indirect fire. While the number of civilians killed by these types of weapons increased by five per cent in comparison to 2019, the number of civilians injured from indirect fire decreased by nine per cent.[214] Women and children continued to make up almost two out of every three civilian casualties from indirect fire.[215] Civilians were often harmed when artillery shells, mortars or rockets damaged or destroyed their homes.

From 1 January to 31 December 2020, Pro-Government Forces caused 1,085 civilian casualties (299 killed and 786 injured) through the use of indirect fire. This is similar to the number of civilian casualties documented in 2019 and represents 53 per cent of all civilian casualties from these types of weapons.[216] Most of the Pro-Government civilian casualties from indirect fire were attributed to the Afghan National Army, which was responsible for 854 civilian casualties (247 killed and 607 injured). This represents a 27 per cent increase in the number of civilian casualties attributed to the Afghan National Army from these types of weapons in comparison to 2019.[217]

The use of indirect fire by Anti-Government Elements caused 573 civilian casualties (101 killed and 472 injured), representing 28 per cent of civilian casualties from these types of weapons and a decrease of 29 per cent in the number of civilian casualties in comparison to 2019.[218] UNAMA attributed 490 civilian casualties (87 killed and 403 injured) from indirect fire to the Taliban, a 26 per cent decrease in the number of casualties in comparison to 2019, mainly due to a dearth of election-related civilian casualties in 2020.[219]

The remaining 18 per cent of civilian casualties from indirect fire either could not be attributed to a single party to the armed conflict (17 per cent) or were caused by cross-border shelling (less than two per cent).[220]

For example, on the morning of 29 June in Helmand province, Sangin district, the Afghan National Army

[214] In 2019, UNAMA documented 2,155 civilian casualties (486 killed and 1,669 injured) from the use of indirect fire during ground engagements.
[215] In 2020, UNAMA documented 420 women casualties (115 killed and 305 injured) and 914 child casualties (223 killed and 691 injured) from the use of indirect fire during ground engagements.
[216] In 2019, UNAMA attributed 1,061 civilian casualties (283 killed and 778 injured) to the use of indirect fire during ground engagements by Pro-Government Forces.
[217] In 2019, UNAMA attributed 670 civilian casualties (183 killed and 487 injured) to the use of indirect fire during ground engagements by the Afghan National Army.
[218] In 2019, UNAMA attributed 806 civilian casualties (144 killed and 662 injured) to the use of indirect fire during ground engagements by Anti-Government Elements.
[219] In 2019, UNAMA attributed 658 civilian casualties (128 killed and 530 injured) to the use of indirect fire during ground engagements by the Taliban.
[220] In 2020, UNAMA documented 339 civilian casualties (96 killed and 243 injured) from the use of indirect fire during ground engagements in which it could not attribute responsibility to a specific party. In 2020, UNAMA also attributed 32 civilian casualties (12 killed and 20 injured) to cross-border shelling from Pakistani military forces.

Women and children continued to make up almost two out of every three civilian casualties from indirect fire during ground engagements.

fired mortars that landed in a marketplace, resulting in at least 50 civilian casualties (19 killed and 31 injured), including six children killed and 11 injured. On 7 September, in the afternoon, in Paktya province, Jaji Aryoub district, indirect fire by the Taliban landed near a madrassa, located around 50-100 meters from an Afghan National Police checkpoint. The shrapnel from the round injured 15 children, ranging from six to14 years old, who were on their way home from the madrassa. ISIL-KP also claimed four incidents in which rockets were fired into Kabul city, resulting in a total of 83 civilian casualties (14 killed and 69 injured) and damage to civilian property, including a health centre and a school.[221]

UNAMA remains concerned that many of the civilian casualties were caused as a result of the use of artillery shells, mortars and rockets in -populated areas. Such use carries a high risk of civilian harm due to the nature of the weapons, which are fired without a direct line of visibility to the target, are not especially accurate and can have wide area effects.

UNAMA reiterates that both Pro-Government Forces and Anti-Government Elements need to issue and implement directives to cease the use of indirect fire in populated areas. UNAMA also reminds the parties to the conflict that under international humanitarian law, they are obliged to clearly distinguish between civilians and combatants, and civilian objects and military objectives, including through their choice of weaponry, and must avoid using means and methods of warfare that have indiscriminate effects.

UNAMA re-emphasizes that the failure by one party to the conflict to adhere to international humanitarian law, e.g. using homes and other civilian objects for military purposes, does not absolve an opposing party of its obligations under international humanitarian law, including its principles of distinction, precaution and proportionality.

UNAMA also warns that the use of indirect fire during ground engagements can have long-lasting effects on civilians, even after fighting has subsided, as it can potentially contaminate areas with weapons that failed to detonate or that were abandoned during fighting. These explosive remnants of war are especially harmful to children, proven by the fact that UNAMA documents hundreds of child casualties each year from such devices.

2. Civilian casualties from shooting during ground engagements

> ***"During this conflict a bullet hit my husband's heart and killed him. He was a kind husband and a hardworking father who spent his entire life to provide a comfortable life for us [...] His death was the hardest and darkest day of my life because losing your life partner and loved one is unbearable. I have no words to describe my sorrow and sadness for his loss. I am only living for the sake of my two children otherwise I would kill myself in front of his murderers."***
>
> --Woman whose husband died from shooting during ground engagement by a pro-government armed group
>
> UNAMA telephone interview with victim's wife, 12 October 2020

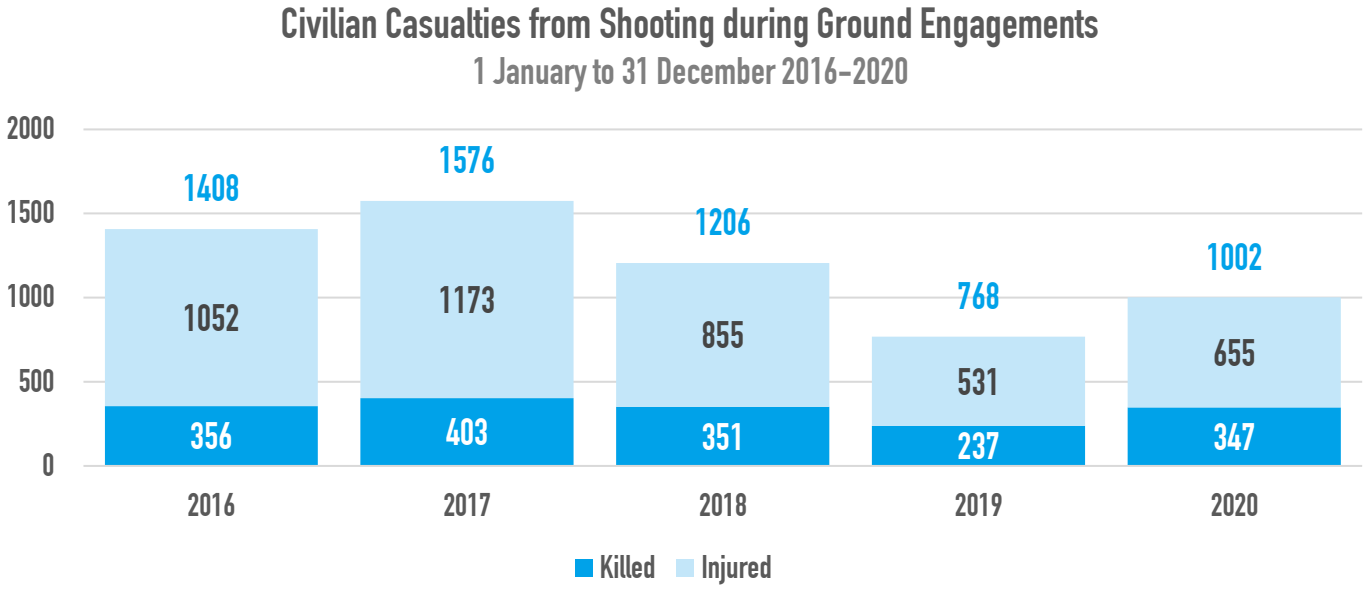
In 2020, UNAMA documented a 30 per cent increase in civilian casualties from shooting during ground engagements in comparison to 2019, amounting to 1,002 civilian casualties (347 killed and 655 injured).[222] UNAMA also documented a 41 per cent increase in the number of incidents that caused these civilian

[221] Claims of responsibility on file in the UNAMA protection of civilians database.
[222] In 2019, UNAMA documented 768 civilian casualties (237 killed and 531 injured) from shooting during ground engagements.

casualties.[223] Civilians were often shot and killed or injured when they were near ground engagements between the Taliban and Afghan national security forces.

Contrary to the trends of indirect fire, Anti-Government Elements caused more civilian casualties from shooting during ground engagements than Pro-Government Forces. Anti-Government Elements were responsible for 469 civilian casualties (170 killed and 299 injured) caused by shooting, a 16 per cent increase in comparison to 2019.[224] In 2020, UNAMA attributed 242 civilian casualties (89 killed and 153 injured) to shooting during ground engagements by Pro-Government Forces, 34 per cent more casualties than the year prior.[225] The remaining civilian casualties caused by shooting could either not be attributed to any specific party[226] or were caused by cross-border incidents.[227]

Mostly, civilian victims of such incidents were engaged in their daily routines, while traveling on public roads or inside their own homes. For example, on 13 June 2020, in the afternoon, in Takhar province, Baharak district, the Taliban attacked an Afghan National Army convoy. During the crossfire between the two parties, two civilian men were killed while working on agricultural land. In addition, a girl was injured by a stray bullet while inside her house and a boy was injured while walking near his home.



3. Cross-border incidents

From 1 January to 31 December 2020, UNAMA documented 19 cross-border incidents from Pakistan,[228] affecting the civilian population in Afghanistan, resulting in 156 civilian casualties (28 killed and 128 injured). Pakistan alleges that

[223] In 2020, UNAMA documented 662 incidents of shooting during ground engagements that caused civilian casualties in comparison to 469 such incidents in 2019.
[224] In 2019, UNAMA attributed 406 civilian casualties (112 killed and 294 injured) from shooting during ground engagements to Anti-Government Elements.
[225] In 2019, UNAMA attributed 181 civilian casualties (70 killed and 111 injured) from shooting during ground engagements to Pro-Government Forces.
[226] In 2020, UNAMA documented 288 civilian casualties (87 killed and 201 injured) from shooting during ground engagements to cross-fire between parties in which it could not attribute responsibility to a single party.
[227] In 2020, UNAMA attributed three civilian casualties (one killed and two injured) to cross-border shooting by Pakistani military forces.
[228] In 2020, UNAMA documented that 17 of the 19 cross-border incidents resulted from cross-border fire from Pakistan into Afghanistan, causing 154 civilian casualties (28 killed and 126 injured). The other two of the 19 cross-border incidents resulted from landmines in the border area of eastern Kunar province, causing injuries to the feet of two civilian shepherds who were grazing their animals. According to Pakistan, all Pakistani landmines are accounted for and no landmines were used outside of Pakistan by Pakistani military forces or were provided to any organization or group.

in most incidents no cross-border fire from Pakistan into Afghanistan took place.[229]

While most incidents documented by UNAMA involved shelling from Pakistan into Afghanistan in the border area of Kunar province, the vast majority of the civilian casualties from cross-border incidents were caused by a single incident on 30 July in Kandahar at the Chaman-Spin Boldak crossing. UNAMA documented 15 civilians killed and 104 injured on the Afghanistan side when a protest by civilians at the crossing turned violent. UNAMA was only in the position to verify civilian casualties occurring in the territory of Afghanistan. Pakistan alleges that civilian harm related to the incident occurred in Pakistan territory, which UNAMA was unable to verify. Both the Pakistan military forces and Afghan Forces confirmed to UNAMA that they used small arms fire during this incident. Both indicated they only fired at each other and neither was able to determine whether their own engagement during the fighting could have led to civilian casualties as a result.

UNAMA takes note of steps taken by the Governments of Pakistan and Afghanistan to improve cooperation and communication with the aim to prevent and limit escalations of violence that may lead to civilian harm.

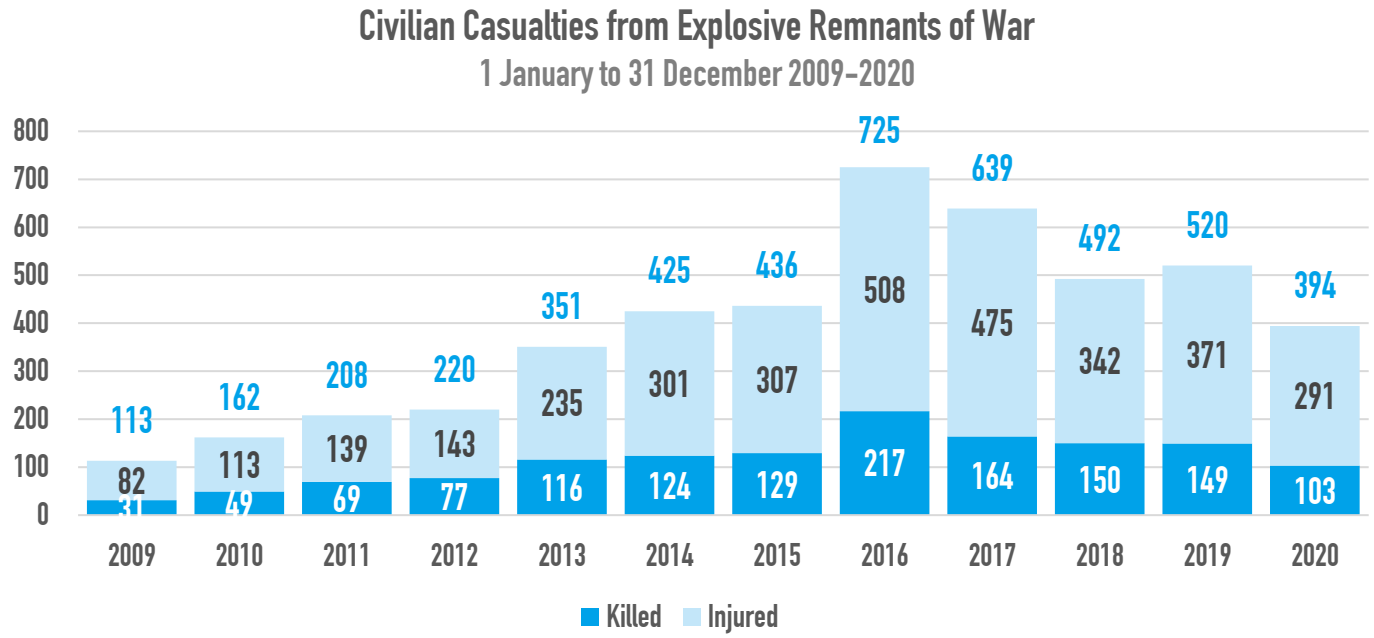
[229] Pakistan indicated to UNAMA that it conducted investigations into 19 cross-border incidents. According to the results of these investigations, Pakistan indicated that in 17 incidents, no cross-border fire took place, in two incidents cross-border fire took place but Pakistan could not confirm any civilian casualties.

B. Explosive Remnants of War

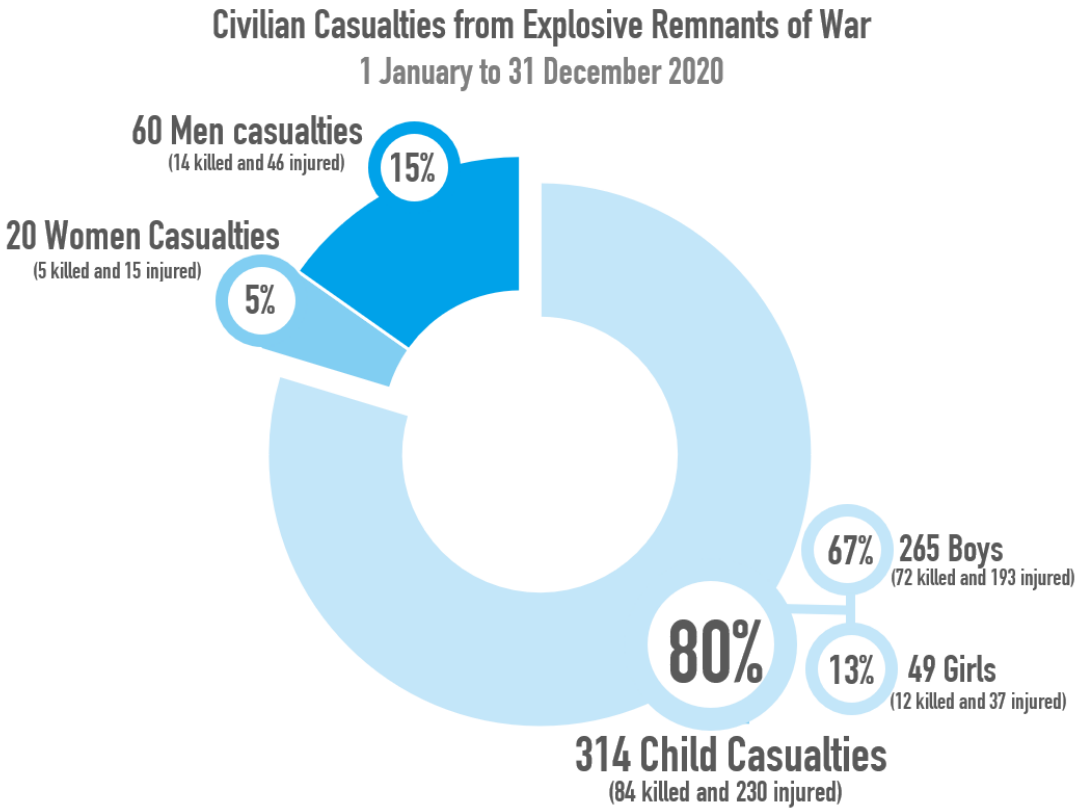
> ***My 7-year-old nephew found an unexploded hand grenade and when he started playing with it, the explosion occurred. The grenade was left over from armed clashes between the Taliban and Afghan national security forces. He and his two friends were injured by the fragments of the hand grenade [...] Some of the fragments hit his hand, face, and abdomen. The doctors operated him and took some of the shrapnel out. For a few days he was hospitalized*** **[...]** ***My nephew has become very sensitive and panicky since the incident.*** **[...]** ***He is a child and is not able to properly describe his pain. When he plays*** **[...]** ***he feels pain in his stomach.*** **[...]** ***No one reached out to us about the incident.***
>
> -- Uncle of a child who was injured by an explosive remnant of war
> UNAMA telephone interview with victim, 30 June 2020

The fighting during the current conflict and from previous conflicts in Afghanistan continued to take its toll on the civilian population of Afghanistan, especially children, as they continued to be killed and suffer life-altering injuries from unexploded or abandoned ordnance, also referred to as explosive remnants of war. From 1 January to 31 December 2020, UNAMA documented 394 civilian casualties (103 killed and 291 injured) from these explosive remnants of war, a 24 per cent decrease in comparison to the number of casualties recorded the year prior.[230] In 2020, nearly two-thirds of all civilian casualties from explosive remnants of war were attributed to parties from the current conflict, mostly the Taliban and Afghan national security forces.[231]

Children made up almost eight out of every ten civilian casualties from explosive remnants of war, amounting to 314 child casualties (84 killed and 230 injured). The disproportionate harm of explosive remnants of war to children goes beyond these figures, as children who survive explosions often have to cope with the long-term impact



[230] In 2019, UNAMA documented 520 civilian casualties (149 killed and 371 injured) from explosive remnants of war.
[231] In 2020, UNAMA attributed 253 civilian casualties (65 killed and 188 injured) to either Anti-Government Elements or Pro-Government Forces.



on their quality of life, such as physical disability, visual impairment, and emotional and psychological trauma.

Children continued to be harmed by explosive remnants of war while playing with them or by collecting them to sell as scrap metal. For example, on the morning of 18 June, in the garden of a madrassa in Takhar province, Shar-e-Kohna of Ishkamish district, an explosive remnant of war caused 14 child casualties (seven boys killed, seven boys injured). The explosion occurred when children found a rocket-propelled grenade in the garden of the madrassa and started to play with it. The responsible party remains unknown. On 10 July, in the morning, in Zabul province, Qalat district, an explosive remnant of war killed three boys and injured a boy and a civilian man. The children had found an unexploded rocket-propelled grenade and took it with them to sell as scrap metal in the local market. Sources stated that the explosive remnant of war came from recent fighting, attributing it to either the Taliban or Afghan national security forces.

UNAMA reiterates the crucial importance of mine-risk education to children and their parents to raise awareness about the dangers of explosive remnants of war. More action is needed to stop the killing and maiming of civilians by explosive remnants of war, including during ceasefires or after the end of the conflict. UNAMA also continued to document incidents of explosive remnants of war during the "reduction in violence" week at the end of February and during the two Eid ceasefires.[232]

UNAMA reminds the parties to the conflict that they have the obligation to mark and clear, remove or destroy explosive remnants of war, and to take all feasible precautions to protect civilians from their risks and effects.

UNAMA notes that, during the reporting period, a draft proposal for the "Mechanism for the Implementation of Protocol V", a part of the Government of Afghanistan's commitments on the Convention on Certain Conventional Weapons, remained under review by the Office of the National Security Council. UNAMA encourages the international community to continue to provide support however possible for the implementation of Protocol V and recalls that the international military has a responsibility under its train, assist and advise responsibilities to help ensure that the Government meets Protocol V obligations. International military forces also have responsibilities with respect to ordnance that they have left behind. UNAMA also urges the Taliban to abide by the spirit of the Convention and ensure access to deminers in territory under its control.

[232] During the "reduction in violence week" (22 to 29 February 2020); the Eid al-Fitr ceasefire (24 to 26 May 2020) and the Eid al-Adha ceasefire (31 July to 2 August), UNAMA documented 15 incidents causing 28 civilian casualties (4 killed and 24 injured) from explosive remnants of war.

V. LASTING EFFECTS OF THE ARMED CONFLICT ON VICTIMS AND EFFORTS TO ADDRESS HARM

In 2020, UNAMA began to expand its monitoring of the lasting impact of the armed conflict on the human rights of victims and their family members[233] through conducting post-incident interviews.[234] These interviews, and subsequent published testimonies, aim to provide a systematic sampling of the experiences of victims throughout the country.

With this expansion of its monitoring and reporting, UNAMA seeks to elevate the voices of those affected by the conflict through sharing their human experiences and bearing witness to the conflict's enduring impact on social, cultural, and economic rights beyond the continuing impact on civil and political rights such as the right to physical integrity.

The protection of these rights is paramount, also in times of armed conflict, and includes the right to the highest attainable standard of physical and mental health; the right to education; the right to food, clothing, and housing; and the right to work and to participate in social and cultural life.[235] The interviews UNAMA conducted also revealed to what degree the parties to the conflict acknowledged and took responsibility for the harm they caused, and to what extent, if any, victims' rights to justice, truth, and reparations have been addressed. The interviews also shed light on the victims and their families' needs, such as financial assistance, protection, medical care, and psychosocial support, as well as their desires for themselves and for the future of Afghanistan, which included justice, access to information, apologies, protection from further harm, and peace.

When appropriate, UNAMA employed its good offices to refer victims to relevant service providers or victim assistance mechanisms. It also used information gathered from the interviews in its advocacy with parties to the conflict with the aim of affecting change in the areas where rights have been impacted and where redress is lacking.

A. Victim Impact

UNAMA's expanded work in this area began in June 2020. From June to December, UNAMA conducted 132 interviews with a diverse set of victims from all regions of Afghanistan. Interviews were conducted as follow-up to incidents that occurred at least one month prior to the interview, and all incidents occurred during 2020. In July and October 2020, respectively, UNAMA began sharing the results of interviews conducted up to that point in its Protection of Civilians Midyear and Third Quarter 2020 reports. As UNAMA continued to conduct these interviews, it analysed the expanding information gathered, with the total set of 132 interviews revealing trends consistent with its previous reporting[236] on the subject.

A notable positive trend was that access to health care for interviewed victims was prevalent: of the victims physically wounded, 94 per cent reported receiving medical care for their injuries. Notwithstanding, 82 per cent of those injured suffered long-term pain or physical disability such as loss of limbs, shrapnel wounds, paralysis and other forms of disfigurement. For example, one relative described his sister's injuries from errant fire during a ground engagement in the southeastern region:

[233] For the purposes of this report, the term "victim" also includes the immediate family or dependents of the direct victim. UNAMA monitors civilian victims who sustained injuries due to the fighting or are part of the immediate family of a civilian who was killed in the context of the armed conflict. The death or injury of the civilians may or may not be a consequence of a violation of international humanitarian law.
[234] Victims were interviewed as follow-up inquiries at least one month after selected incidents verified through UNAMA's regular civilian casualty monitoring. Each interview was conducted with informed consent of the interviewee to use their anonymized information in UNAMA's public reporting and was done with due consideration of the "do no harm" principal and caution to avoid re-traumatization.
[235] *See* International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social, and Cultural Rights (ICESCR), Articles 11,12, 13 and 14.
[236] *See* UNAMA Protection of Civilians 2020 Midyear Report (July 2020), UNAMA Protection of Civilians 2020 3rd Quarter Report (October 2020).

Afghanistan: Impact of the Armed Conflict on Victims

82% of victims interviewed suffered long-term or permanent disabilities

100% of victims interviewed reported negative effects on their emotional well-being

87% of victims interviewed suffered financial loss

15% of victims interviewed were forced to move homes

64% of victims interviewed reported negative effects on their ability to participate in social life

"[She] is pregnant and this month will deliver her baby. There are still some fragments in her body. According to doctors she will be operated on to remove these fragments after delivery of her baby."[237]

One man who survived an attempted targeted killing by the Taliban in the northern region, but lived on disfigured, stated:

"The Taliban shot with [an] AK-47 in my face when I was working with [an] electricity company… they intended to kill me, that's why they shot me in my face, but I didn't die. However, due to severe injuries that I got from the incident, I have lost almost 80% of my right eye's vision and about 30% of my hearing sense as well as disfiguring my face. I am deeply concerned that I may lose the remaining vision of my eye."[238]

Many victims also suffered devastating injures from pressure-plate IEDs, such as a woman who was incapacitated from a pressure-plate IED explosion in the central region:

"I had injuries on my face, head and on my arms. My chest bones, [and] my leg was broken. My teeth were fallen. I am still in bed. I can't move freely."[239]

Another man describes his brother's injuries resulting from an ANA aerial attack in the western region:

"[His] body internally was injured by shrapnel in his liver, kidney, urinary track and intestine which were injured. He had an operation and still, he is unable to walk around... My brother lost his ability and cannot work. He was the only person [who] had income within his family and he has 14 children."[240]

All 132 victims interviewed reported suffering emotional and mental distress as a result of the incidents, including trouble sleeping, inability to focus, memory loss, repeated flashbacks, loss of interest in daily activities, social detachment, and more. As an uncle

[237] UNAMA telephone interview with relative of victim, 31 August 2020.
[238] UNAMA telephone interview with victim, 30 June 2020.
[239] UNAMA telephone interview with relative of victim, 10 December 2020.
[240] UNAMA telephone interview with brother of victim, 26 August 2020.

described the emotional trauma of an ISIL-KP IED blast that blew off the foot of his 15-year-old nephew while he was grazing sheep in the eastern region:

> *"He is disabled and cannot walk... He sometimes cries and is disappointed. He sometimes goes out and sits in front of his house under a green tree and passes his time alone.... I have told his mother not to leave him alone... He rarely laughs [since] the incident... He now thinks that landmines are planted everywhere. When he goes out to the garden, he is very careful and stares at the ground."*[241]

One young man lost his younger brother to crossfire from a ground engagement in the southeastern region:

> *"Our house now looks to be empty…My brother was going to school with me every day but now he is no longer there to accompany me. Every stone and every meter of our gravel road has a memory of my brother in my life.... I cannot forget him while going to school. Every stone of the road calls on me."*[242]

Despite the fact that no one escaped emotional and mental harm, only four per cent of those interviewed sought or received psycho-social services. Many victims believed there were either no such services available to them in their area, did not think it would help, or expressed unawareness of how to access such support.

The majority of victims interviewed, 87 per cent, suffered financial loss due to the incident. In most cases this was due to the death or incapacitation of a breadwinner in the family, or because of damage to livestock, a vehicle, their homes, or due to the high cost of medical care such as surgeries, medicine, and/or transport to receive such care.

Of those interviewed, 84 per cent stated that their sense of safety and security was negatively affected as a result of the incident. One interviewee, a prisoner who was severely injured in the ISIL-KP complex prison attack in Jalalabad, describes the pervasive insecurity:

> *"You are not safe in any corner of the country, even inside the prison, hospital, mosque, school, university, not even inside your own home."*[243]

Fifteen per cent of victims were forced to relocate and move elsewhere, while others expressed a desire to move, but inability to do so because they lacked funds or felt they did not have a place to go. A few of those interviewed were already internally displaced due to another violent incident in the past and were faced with the decision of whether to move again. Some moved due to threats, such as a man who lost his wife and young son to a Taliban-planted pressure-plate IED:

> *"I raised my voice and told the Taliban that they are blamed for the incident in which I lost my family. Now they are threatening me to change my statement and blame the government for the incident, but I will never change my statement, and even wrote [on social media] about the incident and blamed the Taliban. So after the incident I had to leave my house…because the Taliban are looking for me."*[244]

Similarly, one government employee who survived an assassination attempt in Kabul described how he slept most nights of the week at his office in order to avoid the dangerous commute from his home to work.

Sixty-two per cent of those interviewed reported that their family situation was affected. When women and children lost male family members, many had to move in with relatives for support and protection. For some, such as a woman in the southeastern region who lost her husband in a targeted killing, such a move had a negative effect on her quality of life:

> *"Before this happened, I had an independent life with my husband and my children but since the incident, my brother-in-law moved my stuff to his house and said 'your life and your children's lives are at risk if you stay alone at your house', so I had to leave my own house and moved to my brother-*

241 UNAMA telephone interview with uncle of victim, 15 September 2020.
242 UNAMA telephone interview with brother of victim, 12 November 2020.
243 UNAMA telephone interview with victim, 14 September 2020.
244 UNAMA telephone interview with victim, 17 September 2020.

in-law's house. Now I have to do whatever my in-laws tell me."[245]

Sixty-four per cent of victims indicated that the incident had affected their ability to participate in social and cultural activities such as going to a mosque for prayers, attending funerals and weddings, and spending time with relatives. One young man in the eastern region described the social consequences that his family suffered after the loss of his father in a targeted killing:

"Following the incident, me and my siblings are now orphans. We feel also distant socially from our extended family as my father was an important link and was engaging more with other relatives and community members…Our social status was greatly affected following my father's death. When he was alive, we were better connected with the outside world, including through participation in gatherings like weddings, extended family meetings and other social and cultural activities. Since his death, we are now being sidelined."[246]

A brother of a man who was killed by the Taliban in the southeastern region and who subsequently received threats himself, stated:

"We cannot participate in weddings or funeral ceremonies. I even cannot go to mosque for prayers as well as I cannot go to work as the fear from the attack of Taliban has spread everywhere and I am afraid that I will also be shot and killed by the Taliban wherever they find me. I can say that now we do not have any social life at all. I am staying in the house of my friends and cannot go home, meet my mom and the orphaned children of my brother."[247]

At the level of society, consequences of these terrible incidents that go beyond the harm inflicted on the victim and the family were the loss of potential leaders such as doctors, lawyers, and other promising young people who sought to make their country a better place. For example, a father lost his son, who was studying to become a lawyer, when their car drove over a pressure-plate IED in the northern region:

"My son was a student of the law faculty - We had a lot of dreams for our son because he was the only one in our family who had a higher education…It is becoming everyday business in Afghanistan that parents lose or witness the death of their sons and beloved ones."[248]

Another bereaved father described the death of his son, who was studying to become a doctor, from a Taliban targeted killing in the northeastern region:

"[He] was my only son. He was 28 years old. In the past 28 years, I worked very hard but did not let him work. I left him to focus on his education. In just a few months he was going to graduate from the medical faculty and after that he was going to have a job to support the family financially. Unfortunately, he was killed, and I lost all hope."[249]

[245] UNAMA telephone interview with wife of victim, 27 August 2020.
[246] UNAMA telephone interview with son of victim, 19 August 2020.
[247] UNAMA telephone interview with brother of victim, 10 December 2020.
[248] UNAMA telephone interview with father of victim, 31 August 2020
[249] UNAMA telephone interview with father of victim, 16 December 2020.

B. Efforts to Address Harm

Pursuant to international human rights law, the Government of Afghanistan is the primary duty-bearer responsible to respect, protect and fulfil the rights of Afghans to an adequate standard of living.[250] However, non-state armed groups, such as the Taliban, who exercise government-like functions and control over a territory must respect human rights norms when their conduct affects the human rights of individuals living under their effective control. Despite not being parties to international human rights treaties,[251] they are increasingly deemed bound by certain international human rights obligations.[252] More and more, the role of non-state armed groups in addressing certain victims' rights is also being recognized.[253] The human rights responsibilities of non-state armed groups operating in Afghanistan however does not affect the obligation of Afghanistan to uphold international human rights law in relation to its territory and other places under its jurisdiction. The State is obliged to exercise due diligence and take all measures available to it to protect all persons within its territory and all persons subject to its jurisdiction against threats to the enjoyment of human rights posed by non-state actors, including *de facto* authorities and armed groups. Afghanistan must seek to hold perpetrators of human rights violations and abuses accountable and guarantee the rights of victims, including their right to effective remedy and reparation. Victims of armed conflict hold certain rights to truth,[254] justice,[255] reparations[256] (including restitution, compensation, rehabilitation, satisfaction, and guarantee of non-repetition) and guarantees of non-recurrence.[257]

As the country enters an important phase with the initiation of the Afghanistan Peace Negotiations, it will be critical for the parties of the conflict to address the

[250] *See generally* ICESCR, Art. 11.

[251] *See* United Nations High Commissioner for Human Rights, Report on Human Rights in the Administration of Justice in Conflict-Related Criminal Cases in Ukraine April 2014 – April 2020, para. 4, available at: https://www.ohchr.org/Documents/Countries/UA/Ukraine-admin-justice-conflict-related-cases-en.pdf; see also UNSOM protection of civilians report 1 January 2017- 31 December 2019, Annex 1 page ii, available at: https://www.ohchr.org/Documents/Countries/SO/UNSOM_protection_of_civilians_2020.pdf; see also United Nations High Commissioner for Human Rights, Human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip – Report of the High Commissioner for Human Rights on the implementation of Human Rights Council Resolution 7/1, A/HRC/8/17, 6 June 2008, para 9; See OHCHR, The international legal protection of human rights in armed conflict, 2011, pp. 23-25 .

[252] *See* Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Mali, A/HRC/22/33, 7 January 2012, paras 18-46. United Nations Secretary-General, Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka, 31 March 2011, para 188. See also Report of the International Commission of Inquiry to investigate all Alleged Violations of International Human Rights Law in the Libyan Arab Jamahiriya A/HRC/17/44, 1 June 2011; the Report of the International Commission of Inquiry on the Situation of Human Rights in the Syrian Arab Republic, A/HRC/19/69, para. 106; United Nations Mission in the Republic of South Sudan (UNMISS), Conflict in South Sudan: A Human Rights Report, 8 May 2014, para. 18; the Report of the detailed findings of the independent commission of inquiry on the 2014 Gaza conflict, A/HRC/29/CRP.4 para. 45.

[253] *See, for example*, the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Humanitarian Law, UN Doc. A/RES/60/147, 21 March 2006, Principle 15 (where "a person, a legal person, or other entity is found liable for reparation for a victim, such party should provide reparation to the victim or compensate the state if the state has already provided preparation to the victim" (emphasis added)); International Commission of Inquiry on Darfur, "Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, Pursuant to Security Council Resolution 1564 of 18 September 2004", Geneva, 25 January 2005, paras. 590-600 available at: http://www.un.org/news/dh/sudan/com_inq_darfur.pdf (The Commission acknowledged that an obligation to pay compensation for crimes perpetrated in Darfur fell to the Government of Sudan and a "similar obligation is incumbent upon rebels for all crimes they may have committed.").

[254] *See* e.g. International Covenant on Civil and Political Rights, Article 2, International Convention for the Protection of All Persons from Enforced Disappearance, Article 24. See also E/CN.4/2005/102/Add.1, Principles 2-5.

[255] *See* e.g. International Covenant on Civil and Political Rights, Article 2, Conventional against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, Arts. 4, 5, 7 and 12, International Convention for the Protection of All Persons from Enforced Disappearance, Arts 3, 6, 7, and 11. See also, E/CN.4/2005/102/Add.1, Principal 19.

[256] *See* e.g. Universal Declaration of Human Rights, Article 8, International Covenant on Civil and Political Rights, Article 2, International Convention on the Elimination of All Forms of Racial Discrimination, Article 6, Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, Article 6, International Convention for the Protection of All Persons from Enforced Disappearance, Article 24, the Convention on the Rights of the Child, Article 39. See also A/RES/60/147.

[257] *See* e.g., International Covenant on Civil and Political Rights, article 2, Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment, Article 2, International Convention for the Protection of All Persons from Enforced Disappearance, Article 23. *See also* LaGrand Case (Germany v. United States), Judgment of 27 June 2001, I.C.J. Reports 2001. *See* E/CN.4/2005/102/Add.1, Principle 35.

Afghanistan: Efforts by Parties to the Conflict to Address Harm

35% of victims interviewed recieved information about what happened to them or their loved ones

12% of victims interviewed were aware of formal investigations taking place

43% of victims interviewed reported that UNAMA was the only entity to speak to them about the incident

11% of victims interviewed recieved an acknowledgement of harm from parties to the conflict

24% of victims interviewed recieved victim assistance

long-lasting harm of the past in order to look towards the future. The interviews conducted by UNAMA have revealed a disconnect between victims, their families and any form of compensation, apology, acknowledgement of harm, or even the provision of information by parties to the conflict.

Only 35 per cent of victims interviewed received any information at all in relation to what happened to them or their loved ones; of these, many received information not from parties to the conflict but from relatives, community members, health professionals, tribal elders, or media sources.

Only 12 per cent of victims that UNAMA spoke to were aware of any kind of formal investigation as having taken place, and in 43 percent of cases, UNAMA was the only entity to contact them about what had happened. In one instance, a woman rendered immobile by shrapnel during a ground engagement between the Afghan National Army and the Taliban in the eastern region stated:

> *"No one tried to reach us to help us in our dire situation. Neither the Taliban, nor the government nor the ANA took any action to reach us to acknowledge the harm or to compensate us for the harm. Up to now, no one has tried to speak to us regarding the incident."*[258]

Similarly, a man whose son was killed by a mortar that landed in his yard during a ground engagement between Afghan National Army and Taliban in the western region recounted that:

> *"...we didn't have any information about the perpetrator, also no one has approached us for [accepting] responsibility. In addition, no one has taken any action in regard to provision of information."*[259]

Only 27 per cent of the victims were approached by Afghan national security forces, international military forces, or Taliban reached out to victims.

[258] UNAMA telephone interview with victim, 17 August 2020.
[259] UNAMA telephone interview with victim, 25 October 2020.

In 33 per cent of cases other organizations, such as the Afghan Independent Human Rights Commission, non-governmental organisations, or government offices contacted victims.[260]

Harm was acknowledged to an even lesser extent. Only 11 per cent of victims interviewed reported that a party acknowledged the harm they suffered. In some of these cases, this acknowledgement was not made in a positive way; for example, in one attempted targeted killing of an electrician, the Taliban acknowledged to tribal elders that they were responsible and warned that this will happen to others who enter Taliban territory to work on the electrical grid. In another case, the Taliban acknowledged responsibility for a pressure-plate IED in the northern region that killed a man and injured his son when their donkey stepped on it. However, the surviving son stated that:

> *"We actually escaped from our village, because after the incident Taliban blamed us, asking why our donkey stepped on the IED and caused the detonation. They said, it was for ANSF and by that incident, they failed to target ANSF and their resources (IED) went fruitless. My family member had to leave our village and move…"*[261]

Victims also reported instances in which the Afghan National Army gave responses that relativize the violation (indicating the number of combatants who also died) when acknowledging harm. For example, when a father in the western region approached ANA regarding his daughter who was killed by an Afghan National Army mortar, he stated that:

> *"ANA said [that] since the Taliban had ambushed in the vicinity of [my] house and fought with ANA therefore ANA had to fire mortars. Also, they added that [my] daughter is not the only one that has [been] killed that night, ANA also has lost a number of its [soldiers] on the same night."*[262]

As demonstrated by the testimonies, a responsible party acknowledging harm did not always include a perceived apology by the family or victim. In only five percent of cases, the victim or relative received an apology or condolences from the responsible party. According to victims in these cases, the condolences were extended to them by international military forces, the Taliban, Afghan National Army, and pro-government armed groups. However, to some, such as the wife of a man accidentally shot and killed by a pro-government armed group in the northeastern region, an apology was not enough:

> *"Yes, the perpetrator…reached out to my brother and brother-in-law to apologize but my relatives did not accept the apology and told the commander that they are not in a position to do this and that his apology will not bring back their loved one that they lost. "*[263]

Non-responsible parties more often expressed condolences to victims and families in incidents in which other or unknown parties were responsible. For example, after several children were injured by unexploded ordnance in the northeastern region, their father described how the Taliban Commission for Protection of Civilians and Complaints reached out to them in the aftermath of the incident:

> *"While I came home, the mentioned Taliban authority called me more than ten times giving me sympathy. He told me that he has no money to support me financially, but he sent someone who donated blood to my children. But I did not hear anything from the governmental authorities."*[264]

Various Afghan government authorities and Afghan National Security Forces actors often extended condolences or apologies to victims of incidents perpetrated by Anti-Government elements, as was the case in a Taliban vehicle-borne IED attack in the eastern region in which a man lost four of his family members:

> *"Several members of parliament, provincial council members, members of the President's Office, the provincial governor, district governor, ANSF commanders and members of the cabinet, visited or contacted me by phone to express their condolences."*[265]

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[260] These are not mutually exclusive; i.e. in some cases both parties to the conflict and other sources reached out to contact victims.
[261] UNAMA telephone interview with victim, 26 August 2020.
[262] UNAMA telephone interview with father of victim, 25 November 2020.
[263] UNAMA telephone interview with wife of victim, 26 October 2020.
[264] UNAMA telephone interview with father of victims, 12 July 2020.
[265] UNAMA telephone interview with relative of victim, 14 November 2020.

1. Victim assistance

Of the victims UNAMA interviewed, 24 per cent received some kind of victim assistance in the form of food, payment, or goods from a variety of actors. The assistance received resulted from a mixture of victims applying to mechanisms and organizations reaching out affirmatively to offer assistance to victims and their families. Victims assistance sources included payments from the State Ministry of Martyrs and Disabled Affairs, payments from the Code 90s fund of the Government of Afghanistan, *ex-gratia* payments from NATO RS/USFOR-A, and victim assistance from the United States Agency for International Development-funded Conflict Mitigation Assistance for Civilians (COMAC) project and the International Committee of the Red Cross, as well as employers, non-governmental organizations, and the local community.

Regarding applications for assistance filed by victims, 32 per cent (42 people) of those interviewed disclosed that they had applied for victim assistance of some kind; however, of these, only eight people had received anything by the time of their interview, which occurred a minimum of 30 days after the incident which caused the harm. Of these eight, two were still waiting on partial payment/support, one did not get the full amount, and two proactively received support from sources to which they did not apply.

The other 68 per cent of victims interviewed did not apply for assistance because they believed they would not receive it, were unaware of the existence of such support, or even if they were aware, stated that they did not know how to go about the application process. Others, such as a man in the southern region who lost his father and brother in a pressure-plate IED incident, remained sceptical of the governmental mechanisms:

> *"We are not trying to make any claim and are not interested to approach any of the party to claim for compensation. We see that nobody gets compensation and that [it] is simply a waste of time [to request it]."*[266]

Similarly, another man who lost his cousin to a pressure-plate IED incident in the southern region explained that his family did not seek compensation due to a lack of faith in the system:

> *"Because our family knows that any such claim for money will not proceed. The reasons are corruption, lack of endorsement from influential persons, or lack of genuine concern for victims."*[267]

Several of the challenges in providing assistance to victims have been discussed herein, along with references to reports detailing how victims and their relatives continued to face significant challenges and delays when attempting to access assistance in Afghanistan in 2020. The main challenges expressed by victims involved accessing the two current government mechanisms, leaving other sources, such as COMAC, non-governmental organizations, UN agencies, and the international humanitarian community to fill in the gaps. Victims' needs for financial support are widespread and immediate. As such, UNAMA calls on the Government to prioritize implementing the new policy on victim assistance in relation to payments from the Code 90s funds to clear the backlog of applications from victims, and to development administrative reparation schemes to provide redress to these victims.

[266] UNAMA telephone interview with relative of victims, 9 November 2020.
[267] UNAMA telephone interview with cousin of victims, 24 November 2020.

VICTIM ASSISTANCE MECHANISMS CONNECTED WITH THE GOVERNMENT OF AFGHANISTAN

The victims that UNAMA interviewed primarily received or applied for victim assistance[268] through the following four channels.[269]

Afghan Government Emergency Assistance 'Code 90s' Payments
Formerly known as Code 99, now Code 91, these one-time payments come from a discretionary government fund controlled by the President and are given to victims either affirmatively by 1) governmental delegation, usually to victims of high-profile incidents; or 2) approved victim application. Once their application is approved, victims are also reportedly referred to Ministry of Martyrs and Disabled (see below) if they qualify for long-term maintenance payments.[270]

UNAMA notes with concern that payments to victims who proactively applied for assistance were reportedly on hold for a large part of 2020, as the system has lacked a structure for payment approvals since the delegation of this authority to former Chief Executive Abdullah was removed when he began his presidential candidacy in 2019, followed by the disbandment of the Chief Executive Office in March 2020. At the end of 2020, there was reportedly a backlog of at least 3,000 applications of cases. Reports also indicate that funding is low due in part to reported use of much of the broad-ranging discretionary fund from which the money is drawn for assistance following natural disasters and to cover emergencies such as the COVID-19 pandemic.[271]

The Office of the National Security Council stated that the Administrative Office of the President provided financial assistance to114 family members of killed civilians and to 284 injured civilians in the Afghan months of Aqrab, Qaws and Jadi (end of October 2020 to the end of January 2021), while working on a new procedure for victim assistance.[272] Affirmative payments made to victims via government delegations established after high-profile events reportedly continued to function in 2020, though such payments reach only a limited number of victims.

UNAMA urges the Government to continue to clear the backlog of applications for victim assistance.

Ministry of Martyrs and Disabled Maintenance Payments
Initially functioning as a mechanism to provide monthly maintenance payments to all disabled persons in Afghanistan, in September 2020, President Ghani issued a decree shifting the mechanism to disburse payments only to "war victims". While the Ministry of Martyrs and Disabled has a mandate to provide services/financial support, it

[268] This form of support is distinct from formal legal reparations or compensation, and its provision does not imply culpability of the provider or any certain party.
[269] Though it falls outside of the reporting period, UNAMA notes that the Taliban also announced on 7 February 2021 that it was beginning a victim assistance programme. For further details, see below chapter VI on policies and measures to protect civilians.
[270] Based on accounts from interviewees, the functionality of these payments seems to vary widely from province to province. For more detailed information on this mechanism, *see* Civilians in Conflict (CIVIC) Report: Unacknowledged Harm – Hurdles to Receiving Victims' Assistance in Afghanistan, 22 December 2020, pp. 9-11, https://civiliansinconflict.org/wp-content/uploads/2020/12/CIVIC_Afghanistan_Report_Draft4-1.pdf (hereinafter "CIVIC Report").
[271] The information in this paragraph comes from UNAMA's meetings and correspondence with senior officials from the Independent Directorate of Local Government and the National Security Council in November and December 2020.
[272] In a letter from the National Security Council to UNAMA dated 21 January 2020. Although outside of the reporting period, according to the Office of the National Security Council, on 6 January 2021, a new mechanism for payments of victim assistance was approved, the "Code of conduct for cash assistance and packages for the families of martyrs and wounded." The payments reportedly occur through the Code 91 fund and amount to 100,000 Afghanis for a killed relative and 50,000 Afghanis for an injured civilian. UNAMA requested the publication of this code of conduct, which had not been made public by the time of drafting of this report, so that eligible persons can better understand the procedure to receive victim assistance from the Administrative Office of the President.

currently does not provide emergency or immediate care, and is working in conjunction with the Conflict Mitigation Assistance for Civilians (COMAC) project to fill this gap.[273] Victims who apply to the Ministry of Martyrs and Disabled are also referred for Code 90s (see 1 above) payment if eligible.[274] This mechanism, like the Code 90s payments, faces additional challenges in implementation.[275]

Conflict Mitigation Assistance for Civilians Support (COMAC)
COMAC is a programme funded by the US Agency for International Development and implemented by a non-governmental organisation across five regional hubs in Herat, Jalalabad, Kabul, Kandahar and Mazar-e Sharif, and supported by provincial staff embedded at district-level government offices, including in Gardez, Ghazni city, Farah, Ghor, Lashkargah, Faryab, and Kunduz city. Since March 2018, COMAC proactively monitors for qualifying incidents and carries out a verification process to identify and register victims of the armed conflict eligible for aid. Assistance given to victims includes the provision of essential food and household sanitary items, as well as tailored healthcare and livelihood assistance, comprised mainly of appropriate service referrals.[276] The COMAC programme's primary Afghan government counterpart is the Ministry of Martyrs and Disabled.[277] Information gathered by UNAMA from victim interviews indicated that the Conflict Mitigation Assistance for Civilians program was more accessible and quicker to assist victims compared with the government-based aid or *ex gratia* payments.

***Ex gratia* payments by International Military Forces**
Payments, authorized by the US National Defence Authorization Act, made to "friendly civilians"[278] in the event of property damage, personal injury, or death that was incident to the use of force by 1) the U.S. Armed Forces; 2) a coalition that includes the United States; or 3) a military organization supporting the United States or such coalition. Such payments are made by authorized commanders "as a means of expressing condolences, sympathy, or a goodwill gesture".[279] Payments are classified as those for battle damage, condolence payments, and hero payments, the latter specifically meant for those harmed while supporting US forces. Typically, ex gratia payments are made proactively by US forces, and there is currently a formal way for victims to approach the relevant offices and request such payment. In 2020, USFOR-A noted that it had limited interaction with the Afghan population related to such payments due to the COVID-19 pandemic and reduced presence of coalition forces[280]

2. Victim centred justice

When asked what was most important to victims moving forward in the aftermath of the harm suffered, 80 per cent of those interviewed stated that they needed financial compensation. As mentioned above, the vast majority of victims and their families were placed in more dire financial situations due to the loss or incapacitation of a breadwinner, damage to their homes or properties, and the cost of medical care for their loved ones. For example, a man whose children and wife were injured by a mortar fired by the Afghan National Army in the western region, stated:

"*When incidents happen, civilians cannot raise their voices. If the Government is responsible for the incident,*

[273] The information cited comes from UNAMA's meeting with COMAC, 25 November 2020.
[274] For more detailed information on this mechanism, *see* CIVIC Report, p. 12.
[275] *See* CIVIC Report, pp. 13-18.
[276] *Id*. at pp. 20-21; UNAMA meeting with COMAC, 25 November 2020.
[277] UNAMA meeting with COMAC, 25 November 2020.
[278] Recipients are to be deemed "friendly," and as not presenting an undue risk of being used for adverse purposes against the United States
[279] *See* US Department of Defense Memorandum: "Interim Regulations for Condolence or Sympathy Payments to Friendly Civilians for Injury or Loss that is Incident to Military Operations," 22 June 2020, https://media.defense.gov/2020/Jun/23/2002320314/-1/-1/1/INTERIM-REGULATIONS-FOR-CONDOLENCE-OR-SYMPATHY-PAYMENTS-TO-FRIENDLY-CIVILIANS-FOR-INJURY-OR-LOSS-THAT-IS-INCIDENT-TO-MILITARY-OPERATIONS.PDF
[280] USFOR-A/Resolute Support stated, in a January 2021 communique to UNAMA, the following: "In the current environment, there is limited direct interaction between Coalition Forces and the Afghan population due to both a reduced Coalition Forces presence and the COVID-19 pandemic. USFOR-A recognizes this makes it more challenging for victims or their family members to request an ex gratia payment. If victims or their family members were to work through a non-governmental organization such as the International Committee for the Red Cross or through the Government of the Islamic Republic of Afghanistan (GIRoA), U.S. Forces Afghanistan (USFOR-A) would consider a request for ex-gratia payment."

the Government must compensate and financially support the victims."[281]

The second most-cited need that those interviewed enumerated was for justice; 58 per cent of victims stated that justice and accountability were important to them. For example, the brother of a victim killed in a remote-controlled IED attack in Bamyan province, stated:

> *"For me justice is more important than any other thing, I only want justice, those who have killed the poor and ordinary people should be punished. We want to see the culprits punished. They have killed so many innocent people. They have destroyed so many families."*[282]

Another man in the southern region, whose wife and children were killed in a pressure-plate IED incident, similarly stated:

> *"I want justice the most... I want this case published in the UN reports so that the world knows that the Taliban are blamed for the civilian casualties in Afghanistan and a lot of people lost their lives in the IED explosions."*[283]

Some even went to look for accountability themselves, like a father who lost his son to an accidental shooting by a pro-government armed group in the southeastern region, who approached the National Directorate of Security for information about the incident:

> *"Since the incident, I have been knocking the door of every official, but no one acknowledged that the incident was taken place by the [pro-government armed] personnel ...I am ready to forgive them [pro-government armed groups] but they have to acknowledge and send a local jirga to me to ask for the pardon. The head of District National Directorate of Security said okay he will do something to arrange a local jirga to resolve this issue... I am going to forgive the perpetrator on condition that if he confesses that he did it mistakenly."*[284]

Some 41 per cent of victims wanted prevention of future recurrence of such incidents, both for themselves and other Afghans. As a whole, victims expressed an overarching desire for peace in their country. As a young man in the southeastern region who lost his brother to a pressure-plate IED explosion said:

> *"We believe that every violence creates violence therefore if we take revenge from the Taliban, the series of revenge will continue, and we will not be able to live in peace. Therefore, the only thing we want is peace. We call on both parties in Doha to stop violence and to reach an agreement on ceasefire and peace to prevent further such incidents in the future."*[285]

Similar desires were expressed by a man in the southern region who lost his father, brother, and whose other family members were injured in a pressure-plate IED incident:

> *"We hope that the ongoing conflict in Afghanistan will end soon so that we do not lose our innocent Afghans and our family members. Each incident produces widows or orphans and destroys the basic fabric of our community. We hope that all parties involved in the Afghan conflict do their best to end it and let Afghans live in peace and prosperity."*[286]

As exemplified above, victims have suffered different violations, and, as a consequence, their needs and priorities can change over time. Material reparations may take the form of compensation, such as payments/pensions in cash, or of service packages, for instance education, health and housing and, more generally, infrastructure. Symbolic reparations may include official apologies, the establishment of days of commemoration, the creation of museums and memorials or rehabilitation measures such as promoting or restoring the good name of victims. Reparation programmes that have taken such a complex approach have been generally deemed more successful in achieving transformative transitional justice goals such as recognizing

281 UNAMA telephone interview with relative of victims, 1 November 2020.
282 UNAMA telephone interview with brother of victim, 22 December 2020.
283 UNAMA telephone interview with relative of victims, 17 September 2020.
284 UNAMA telephone interview with father of victim, 12 November 2020.
285 UNAMA telephone interview with victim, 27 October 2020.
286 UNAMA telephone interview with relative of victims, 9 November 2020.

victims and fostering a sense of citizenship. The form of reparations can vary and can be targeted to the specific situation of the victim (and the family). They can target individuals as well as groups, communities, and even regions. Reparations can inform the design of humanitarian or development assistance. It is central that victims participate in the process of designing and implementing reparations policies.

UNAMA urges the Government of Afghanistan to prioritize victim assistance in close consultation with victims, and to fulfil victims' rights to truth, justice, and reparations by taking them into account during the peace discussions. UNAMA also encourages the Taliban to consider its obligations to victims under customary international law and its duties to address harm caused. The long-standing physical, mental, social, and cultural damage that has been inflicted on Afghans due to the armed conflict must be addressed, including but not only as part of the current peace talks.

VI. POLICIES AND MEASURES TO PROTECT CIVILIANS FROM HARM, INCLUDING ACCOUNTABILITY EFFORTS

A. Overview

UNAMA reiterates that the best way for the parties to protect civilians from harm is through a ceasefire. This is true even as efforts continue towards a negotiated settlement to the conflict and an inclusive approach to peace and reconciliation, which will be essential for lasting and sustainable peace. Meanwhile, as the conflict continues, UNAMA acknowledges that the Government of Afghanistan, the Afghan national security forces, international military forces, and the Taliban have undertaken certain efforts to protect civilians from harm caused by their own operations, as outlined below.[287] At the same time, civilians continue to suffer at extreme levels. Until such time as there is no longer an active conflict, the parties need to continue to take steps to prevent and mitigate civilian harm.

As part of the measures to mitigate and prevent harm to civilians and in order to supress violations of international humanitarian law, UNAMA recalls that the parties to the conflict are required to conduct investigations following allegations of civilian casualties,[288] and where there are grounds to believe that a war crime has been committed, a criminal investigation must be initiated to ensure accountability, including prosecution where relevant.[289] UNAMA also emphasizes that international human rights law recognizes victims' rights to truth, justice and reparations, which includes obligations on duty-bearers to investigate and make the truth public as a measure to help prevent further violations.[290] It is essential that the parties to the conflict conduct effective investigations and be transparent in their findings so that they can understand the impact of their operations on the civilian population, and even in cases where no accountability is required, take appropriate steps to prevent the harm from reoccurring.

UNAMA notes with concern the continuation by parties to the conflict to deny or downplay levels of civilian harm from their operations and make inflammatory statements about civilian casualties allegedly caused by the opposing party; it also notes that a failure to effectively follow up on allegations of civilian casualties and a lack of transparency in the findings will only serve to frustrate and alienate the population over the long-term.

At the same time, UNAMA has continued to document efforts by the parties with respect to the policies and mechanisms employed to review their actions resulting in harm to civilians.

The Government has taken steps to harmonise its civilian casualty recording and is working to improve its responses to alleged civilian casualty incidents shared with it by creating a unified committee between the different security agencies with the continued guidance and training of the international military forces.

Meanwhile, despite challenges with high-level engagement since changes in the leadership of its commission on prevention of civilian casualties and complaints, the Taliban continues to engage in review of incidents and to regularly participate in a dialogue aimed at mitigating and preventing civilian harm.

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[287] UNAMA is unaware of any measures taken by ISIL-KP to prevent or mitigate civilian casualties.

[288] See Geneva Academy and ICRC, Guidelines on Investigation violations of international humanitarian law: Law, Policy and Good Practice, 2019, para. 158

[289] With respect to the obligation to investigate violations of international humanitarian law that amount to war crimes, see preamble to the Rome Statute; ICRC Customary International Humanitarian Law Study Rule 158. While the obligation to investigate allegations of violations of international humanitarian law that do not amount to war crimes is not expressly stated, it can arguably be inferred from the international customary international law obligation to ensure respect for international humanitarian law. See ICRC Customary International Humanitarian Law Study, Rules 139, 144. See Annex I: Legal Framework for more information on the international human rights law obligations to investigate

[290] See Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, A/RES/60/147 (16 December 2005).

UNAMA urges the Government of Afghanistan, its Afghan national security forces, international military forces, and the Taliban to ensure at all times prompt, effective and transparent investigations into incidents that result in civilian casualties and civilian harm. The outcomes of the investigations and other civilian casualty-related data should also feed into regular lessons learned exercises, which could lead to changes of relevant policies and practices. UNAMA calls on parties to the conflict to share findings with victims, their families and the wider population.

B. Government and Afghan National Security Forces

In 2020, the Government of Afghanistan continued to take steps towards the implementation of the National Policy on Civilian Casualty Prevention and Mitigation (formally adopted in October 2017). UNAMA notes that for the duration of 2020, the draft proposal for the mechanism for the implementation of Protocol V of the 1980 Convention on Certain Conventional Weapons (which came into effect in February 2018 and for which preparations began in 2019) remained pending the endorsement of the Office of the National Security Council. UNAMA welcomes the establishment of the Joint Commission for the Protection of Human Rights Defenders in December 2020 with the aim to better protect human rights defenders in Afghanistan.

UNAMA recognizes positive developments, led by the National Security Council, concerning the Government's system for documentation of credible allegations of civilian casualties and efforts to harmonise information and learn from past incidents. These developments included the establishment of a working group tasked with creation of a new mechanism responsible for information sharing, harmonisation, and response in relation to civilian casualty incidents throughout the Afghan national security forces. The working group, which is headed by the National Security Council and includes representatives from security sector agencies of the Government of Afghanistan, as well as the Afghan Independent Human Rights Commission, the International Committee of the Red Cross, the Center for Civilians in Conflict, and UNAMA, held its first meeting in December 2020.

The National Security Council stated that at the end of 2020, new teams within the Ministry of Defence and the Ministry of Interior were formed to prevent civilian casualties. At the same time, the National Security Council affirmed that the Independent Directorate of Local Governance designated specific units in the offices of provincial governors to accurately report on civilian casualties.[291]

Throughout 2020, Government officials continued to make public announcements on the prevention, mitigation and investigation of civilian casualties, often in response to community protests and media attention.

UNAMA acknowledges that, occasionally, the Government created national and provincial-level delegations to investigate incidents that resulted in civilian casualties or sent delegations from Kabul to assist provincial-level authorities with such investigations. These investigations often were focused on harm to victims in incidents which had garnered considerable media attention, and appeared to focus on monetary and humanitarian assistance to victims and their families. UNAMA encourages the Government and Afghan national security forces to strengthen and expand the scope of investigations beyond high-profile incidents, and to resolve the backlog of pending claims for victim assistance under Presidential Code 90s payments.[292]

UNAMA urges the Government to make the results of these investigations public. Results of investigations into high-profile incidents have not been made available to UNAMA as they are either classified or remain under investigation, such as the Takhar airstrike on 22 October. In that case, initially the possibility of civilian casualties was dismissed by first Vice-President Saleh,[293] who then later promised to share results of an investigation. By the time of publication, UNAMA had not received any further official information on the Government's findings. UNAMA is also concerned that

[291] Letter from the Office of the National Security Council to UNAMA of 21 January 2021.
[292] For more information, see Chapter VII on Lasting Effects of the Conflict on Victims and Efforts to Address Harm
[293] https://www.facebook.com/AmrullahSaleh.Afg/posts/3341016672673215 https://twitter.com/AmrullahSaleh2/status/1319293261979086861?s=20

On 3 November, the Office of the National Security Council organized a meeting of the Civilian Casualty Avoidance and Mitigation Board with representatives of Afghan national security forces, NATO-Resolute Support and organisations that work on the protection of civilians, including UNAMA. Photo courtesy of ONSC.

First Vice-President Saleh issued a threat via social media that anybody stating that children were killed in this incident would be "dealt with legally",[294] and noted that a government employee was arrested, and later dismissed from his position in relation to this case. UNAMA is concerned that such statements have a chilling effect on public discussions about civilian casualties and specifically incidents concerning the Afghanistan national security forces. Media, civil society organisations, human rights defenders, confidential sources and whistle blowers play an essential role in drawing attention to credible allegations of civilian harm and to informing the society accordingly. UNAMA encourages the Government of Afghanistan to communicate its views clearly and provide evidence in situations it disagrees with expressed views, to enrich debate instead of stifling it.

UNAMA shared information on incidents involving civilian casualties with the Afghan national security forces and the National Security Council. Through its human rights field teams, UNAMA continued its regular dialogue on civilian casualty incidents and trends with Afghan national security forces at the regional, provincial and district levels. UNAMA appreciates the regular engagement and encourages Afghan national security forces to strengthen its information-sharing efforts with the National Security Council and with UNAMA. UNAMA welcomes the increased focus and attention in the National Security Council on the prevention of civilian casualties through its Directorate for Peace and Protection of Civilians, including above-mentioned efforts to harmonise and improve information sharing and response to civilian casualty incidents within the security forces.

In 2020, the Ministry of Interior responded to 11 incidents of the 33 shared by shared by UNAMA, indicating that four civilian casualties (three killed and one injured) were caused by Afghan National Police. UNAMA did not receive a response from the Ministry of Interior after August 2020. The Afghan Local Police did not respond to the 17 civilian casualty incidents that UNAMA had shared with it in 2020.[295]

In 2020, the National Directorate of Security responded to all 32 incidents shared by UNAMA and found that it had caused nine civilian casualties (five killed and four injured) in five incidents. For the remaining 27 incidents, it concluded that no civilian casualties had occurred, that other parts of the Afghan national security forces were responsible, or it could not confirm the party responsible.

[294] https://www.facebook.com/AmrullahSaleh.Afg/posts/3341016672673215 https://twitter.com/AmrullahSaleh2/status/1319293261979086861?s=20

[295] UNAMA notes that after funding of the Afghan Local Police ended on 30 September 2020, the Afghan Local Police was formally abolished with most of its members designated to transfer to the Afghan National Army - Territorial Force or the Afghan National Police. The Afghan Local Police directorate within the Ministry of Interior was also abolished at that time.

In contrast, the Ministry of Defence continued to not provide any response to incidents that UNAMA had shared with it in 2020.[296]

UNAMA recognizes the continuous support of the NATO Resolute Support Mission to train, advise and assist the Afghan national security forces in relation to international humanitarian law, including the prevention and mitigation of civilian casualties. According to the NATO Resolute Support Mission, advances have been made by the Afghan national security forces in the following areas: reporting and data collection related to civilian casualties; the awareness of civilian casualty prevention and mitigation among Government and Afghan security forces officials; post-incident messaging and victim support; and civilian casualty assessments and investigations. The NATO Resolute Support Mission has assisted in the organization of the Civilian Casualty Avoidance and Mitigation Board (CAMB).[297] With the expansion of air force capabilities of the Afghan security forces, the NATO Resolute Support Mission is reportedly actively involved in training them in targeting, including through assessing potential risks of civilian harm and making informed choices for proportional means of attack during the operational planning phase. The Afghan Air Force informed UNAMA that from 1 Hamal (20 March 2020) to 29 Dalv (17 February 2021) out of 5,344 prepared flight packages, 1,881 were cancelled before commencement because of the presence of civilians or public properties, or because of a change in the location of the target. In addition, the Afghan Air Force reported that in 34 instances it had aborted an operation during the flight due to presence of civilians, mosques, and public property.[298]

In 2020, the Afghan National Security Council and NATO Resolute Support began work on drafting the Afghan Government's child protection policy with the participation of the Ministry of Interior, Ministry of Defence, and National Directorate for Security. UNAMA and other members of the Country Task Force for Monitoring and Reporting on children and armed conflict provided inputs to this policy, which remained in draft form by the time of publication of this report.

On 24 November 2020, the Ministry of Interior officially launched its Child Protection Policy in compliance with the Afghan Government's Action Plan for the Prevention of Underage Recruitment and Use and the annexes on killing and maiming and sexual violence against children. UNAMA provided the Ministry of Interior with technical guidance and support while drafting the policy. The policy includes provisions on protection of children from recruitment and use and sexual violence, including *bacha bazi*.

C. International Military Forces

Throughout 2020, UNAMA maintained its engagement with USFOR-A/NATO Resolute Support, regularly discussing civilian casualty incidents and trends. Continuing the process started in 2019,[299] USFOR-A/NATO Resolute Support civilian casualty review processes were carried out by the Civilian Causality Mitigation Team (CCMT) within the first 24 to 72 hours after civilian casualty reports were received. The CCMT indicated that when it received any new or updated information to a past allegation this was treated as a new allegation and a similar review was completed again. When the initial review is deemed credible, a Civilian Casualty Credibility Report was started with the aim to complete such assessment within seven days. The CCMT indicated that this timeframe was extended when necessary. USFOR-A also noted that it had the ability to carry out, at any time, an administrative investigation under in Army Regulation 15-6 or those for an Air Force Commander-Directed Investigation.[300]

UNAMA welcomes the continued systematic review of civilian casualty allegations on social media by the CCMT which began in 2019. UNAMA reminds USFOR-A/NATO Resolute Support of the importance of conducting robust investigations and encourages USFOR-A/NATO Resolute Support to expand its outreach to

[296] UNAMA did receive, from the National Security Council, results from an investigation into one incident attributed to the Afghan National Army.
[297] In 2020, one CAMB meeting took place on 3 November 2020.
[298] Email received by UNAMA from the Afghan Air Force on 18 February 2021.
[299] See UNAMA Protection of Civilians 2019 Annual Report (February 2020) for details.
[300] CCMT email to UNAMA of 25 January 2020, on file with UNAMA; and United States Department of Defense, Enhancing Security and Stability in Afghanistan (June 2020), page 20.

human sources beyond Afghan security pillars, especially because incidents often occur in remote areas which are not under the control of the Government of Afghanistan. UNAMA reiterates its caution that both in the execution of operations and in the analysis of civilian casualties, reliance on technology without sufficient corroborating human intelligence could increase the chances of causing unintended harm to civilians.

Even as international military forces have greatly reduced their operations in Afghanistan since March 2020, resulting in a significant reduction of civilian casualties attributed to them, UNAMA encourages international military forces to continue their efforts to review credible allegations of civilian casualties, including from past incidents, and to systematically use the information that is received on civilian casualties to inform lessons learned exercises, particularly in relation to targeting protocols, and to help identify broader patterns of harm. Even as troop levels are decreased, so long as operations continue to be conducted in support of Afghan national security forces, UNAMA encourages the United States Government and NATO to devote the necessary resources to the team dedicated to civilian casualty assessments, including within the Train Advise Assist Commands (TAACs) in the regions to improve assessments and the gathering of information from security pillars at regional level. Moreover, training and support for Afghan national security forces is even more crucial as international forces are reduced and no-strike lists are handed over, helping ensure that Afghan forces have the necessary tools at their disposal to ensure compliance of policies and tactical directives with international law.

In 2020, USFOR-A/NATO Resolute Support reported that it had conducted inquiries into 159 incidents that resulted in alleged civilian casualties attributed to international military forces. Of these, 109 incidents were identified as "not credible" or were "disproved" for involvement of coalition forces within 72 hours[200] while 50 cases were assessed as "credible". Of the allegations assessed to be credible, seven were confirmed as civilian casualties incidents attributed to Resolute Support or USFOR-A, involving 25 civilian casualties in total (20 killed and five injured), a significant decrease from the 189 civilian casualties (111 killed and 78 injured) reported confirmed in 2019.[301] In 2020, USFOR-A conducted six in-depth investigations under US Army Regulation 15-6 on the basis of civilian casualty allegations that were shared with the CCMT compared to 14 such investigations in 2019.[302] USFOR-A/Resolute Support did not disclose the number of *ex gratia* payments made in 2020 for cases in which civilian casualties were confirmed. It instead noted that the United States Department of Defense tracks *ex-gratia* payments and releases this information as part of its Annual Report on Civilian Casualties and stated that the information would be shared once published.

The difference in civilian casualty figures between those acknowledged by international military forces and those documented in this report can be explained in part due to differences in standards and methodologies, including USFOR-A's definition of civilian which, UNAMA has noted, is not aligned with international humanitarian law.[303]

UNAMA recognizes the role of the Senior Child Protection Adviser of the Resolute Support Mission in working with the Government on the drafting of a Child Protection Policy for the Ministry of Interior (released in November 2020), as well as the work continuing on the Afghan Government's security sector-wide policy which remains in draft form.

UNAMA also takes note of actions undertaken by individual NATO Member States to look into credible allegations of war crimes committed in Afghanistan, especially during the NATO-led International Security Assistance Force (ISAF) mission, which in some cases led to national criminal investigations or recommendations for improvements for the national military forces. For example, recent investigations have been undertaken by the Inspector-General of the Australian Defence Force and the New Zealand Government.[304]

[301] See UNAMA Protection of Civilians 2019 Annual Report for further details.
[302] The overall number of civilian casualties confirmed through US Army Regulation 15-6 processes was not disclosed to UNAMA.
[303] For more information, please see the section on Methodology at the beginning of this report. Also see the UNAMA Special Report on Airstrikes on Alleged Drug-Processing Facilities (October 2019), available at https://unama.unmissions.org/protection-of-civilians-reports.
[304] See the Inspector-General of the Australian Defence Force Afghanistan Inquiry (https://afghanistaninquiry.defence.gov.au/) and the New Zealand Government Inquiry into Operation Burnham (https://operationburnham.inquiry.govt.nz/).

D. The Taliban

UNAMA notes the progress made by the Taliban's Commission for the Prevention of Civilian Casualties and Complaints in its investigation and accountability measures, including on incidents involving high numbers of civilian casualties and sensitive cases of child recruitment and use and sexual violence.

The Taliban describes its Commission for the Prevention of Civilian Casualties and Complaints as "an active department for the prevention of civilian casualties […] that thoroughly investigates every civilian casualty incident and prevents its reoccurrence."[305] The 28 April 2019 Taliban standard operating procedures for the Commission, intended to improve its work, through consultation with scholars, *sheikhs*, *muftis*, and professional individuals, continued to be employed in 2020. The structure of the Commission, as described in the standard operating procedures, includes a head, two deputies, provincial offices and a number of departments and committees, including an "Investigation and Verification Department" and a "Public Awareness and Outreach Department".[306]

UNAMA continued to work with the Taliban political commission and the Commission for the Prevention of Civilian Casualties and Complaints throughout 2020, providing training on application of international humanitarian law together with ICRC, engaging in deconfliction of cases, and continuing its human rights dialogue on broader issues relating to the protection of civilians in Afghanistan. This included, importantly, adaptation to the use of virtual meetings amidst the COVID-19 pandemic.

UNAMA acknowledges the continuous cooperation, especially at the working level, with the Commission for the Prevention of Civilian Casualties and Complaints, even as the Commission underwent changes in its leadership in September 2020, including regular responses in writing from the Political and Civilian Casualties commissions to cases shared by UNAMA. Such cooperation contributed positively to the accuracy of information used in UNAMA's reporting. UNAMA notes with concern, however, that by the time of publication of its report, UNAMA had been unable to meet with the new head of the Commission, appointed in September 2020, despite several attempts.

UNAMA acknowledges the Commission's investigation efforts after civilian casualties have occurred and the few instances in which the Taliban have acknowledged, whether in meetings or in writing in response to cases shared by UNAMA, civilian casualties that have resulted from their own operations. UNAMA notes with concern that the Taliban's 2020 annual civilian casualty report failed to reflect these incidents and investigations, as well as accountability measures taken, and instead continued to attribute all civilian casualties to other parties.[307] UNAMA strongly urges the Commission to play a more active role in preventing civilian casualties, including through lessons learned exercises and training for the military commission.[308]

UNAMA urges the Taliban to ensure that its directives and orders comply with international humanitarian law; to implement directives ordering its members to prevent and avoid civilian casualties; to hold accountable those who violate international humanitarian law, including those conducting indiscriminate attacks or attacks deliberately targeting civilians and civilian objects; and to apply a definition of "civilian" that is consistent with international humanitarian law.

[305] Voice of Jihad, Civilian Casualty Report for the First Half of 2019 (30 July 2019).
[306] Standard Operating Procedures for the Civilian Protection and Complaints Commission (2019), on file with UNAMA, Art. 1. For additional details and analysis of these standard operating procedures, see UNAMA 2019 Protection of Civilians Annual Report.
[307] On its website, the Taliban published the "Annual Civilian Casualty Report for 2020 by Commission for Prevention of Civilian Casualties" (31 December 2020), retrieved from http://alemarahenglish.net/?p=41127.
[308] Though it occurred outside of the reporting period, UNAMA noted the creation, by the Taliban, of a victim assistance mechanism on 7 February 2021. UNAMA plans to review this mechanism and its implementation in future reports.

ANNEX I: LEGAL FRAMEWORK

The legal framework used for this report includes international human rights law, international humanitarian law, international criminal law and relevant United Nations Security Council resolutions.

Legal Responsibilities of Parties to the Armed Conflict

UNAMA takes the position that the armed conflict in Afghanistan is characterized by a number of non-international armed conflicts between the armed forces supporting the Government of Afghanistan (Afghan national security forces supported by international military forces) and various non-State armed opposition groups, as well as between non-State armed opposition groups. The combined forces of the Government of Afghanistan and international military forces are referred to in this report and within Afghanistan as "Pro-Government Forces", while non-State armed opposition groups are referred to in this report and within Afghanistan as "Anti-Government Elements". (See Glossary for definitions of Pro-Government Forces and Anti-Government Elements).

All parties to the armed conflict – Afghan armed forces, international military forces and non-State armed groups – have clear obligations to protect civilians under international law.

Resolution 1325 (2000) of the Security Council underlines that it is critical for all States to fully apply the relevant norms of international humanitarian law and international human rights law to women and girls, and to take special measures to protect them from gender-based violence during armed conflict.[309]

(i) Obligations under International Humanitarian Law

In a non-international armed conflict, article 3 common to the Geneva Conventions establishes minimum standards that parties to a conflict, including State and non-State actors, shall respect. Additionally, where applicable, the provisions of Additional Protocol II of 1977, to which Afghanistan is a party, also form part of the governing legal framework.[310] All States contributing to the international military forces in Afghanistan are signatories to the four Geneva Conventions of 1949. While not all troop-contributing States are signatories of Additional Protocol II of 1977, they are all bound by the relevant rules of customary international humanitarian law applicable in non-international armed conflicts. [311] The customary rules regulating armed conflicts between states and armed opposition groups are applicable to all parties to the conflict, whether a state or an armed opposition group.

Common Article 3 explicitly prohibits violence to life and person, including murder,[312] mutilation, cruel treatment and torture, taking hostages, as well as outrages against personal dignity and extrajudicial executions,[313] at any time and in any place with respect to

[309] S/RES/1325 (2000). See also S/RES/1820 (2008), S/RES/1888 (2009), S/RES/1889 (2009), S/RES/1960 (2010), S/RES/2106 (2013), S/RES/2122 (2013), and S/RES/2242 (2015).

[310] Afghanistan ratified Additional Protocol II 1977 on 10 November 2009. It entered into force on 24 December 2009.

[311] The United States has signed, but not ratified, Additional Protocol II. It is nevertheless bound by norms of customary international law, which are reflected in provisions of Additional Protocol II.

[312] UNAMA records civilians killed and injured with a nexus in the ongoing armed conflict under different tactic-types, including targeted killing, suicide attacks, and IEDs. In doing so, UNAMA documented alleged acts that amount to war crimes pursuant to the International Criminal Court Statute and/or customary international law - including the war crime of murder pursuant to Article 8(c)(i) of the ICC Statute - as well as civilians killed and injured caused during the conduct of hostilities that may not violate international humanitarian law. UNAMA distinguishes conflict-related civilian deaths and injuries from domestic criminal offences such as murder or assault committed by a private actor outside the context of the armed conflict. Incidents lacking the requisite nexus with the ongoing armed conflict are not included in this report.

[313] Common Article 3 of the Geneva Conventions of 12 August 1949 is applicable during conflicts of a non-international character. "In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ' *hors de combat* ' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of

persons taking no active part in hostilities, including civilians.

Under international humanitarian law, parties to a conflict are obligated to respect the following key principles, including when planning military operations:

Distinction: The civilian population as such, as well as individual civilians, shall not be the object of attack and parties to the conflict must at all times distinguish between civilians and combatants. This principle requires that parties to a conflict distinguish between civilians and civilian objects on the one hand, and combatants and military objectives on the other. Attacks may only be directed against the latter. In order for an object or building to be considered a military objective, it must meet two cumulative criteria, namely that (1) by its "nature, location, purpose of use [it] make[s] an effective contribution to military action" and (2) the object's "total or partial destruction, capture or neutralization in the circumstances ruling at the time, offer[s] a definite military advantage."[314]

Proportionality: "an attack against a military objective 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."[315]

Precautions in attack: "[…] civilians shall enjoy general protection against the dangers arising from military operations".[316] "In the conduct of military operations, constant care must be taken to spare the civilian population, civilians and civilian objects" and all feasible precautions must be taken with the "view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects."[317]

(ii) Obligations under International Human Rights Law

International human rights law applies both in peace and during armed conflict, together with international humanitarian law, in a complementary and mutually reinforcing manner. As such, States must respect their obligations under international human rights law with respect to individuals within their territory or subject to their jurisdiction. In addition, non-state actors that have effective control of a territory and exercise government-like functions must respect human rights norms.

Government of Afghanistan

Afghanistan is a party to numerous international human rights treaties,[318] including the International Covenant on Civil and Political Rights, which obligates the Government to protect all persons' human rights within the territory or jurisdiction of the State.

Under international human rights law, States must investigate the use of lethal force by their agents,[319] particularly those involved in law enforcement. This duty, together with potential liability for failure to comply,

sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."

[314] Additional Protocol II, Article 13(2); ICRC Customary International Humanitarian Law Study, Rule 1. See also ICRC Customary International Law Study, Rules 1-24.

[315] ICRC Customary International Humanitarian Law Study, Rule 14.

[316] Additional Protocol II, Article 13(1); ICRC Customary International Humanitarian Law Study, Rule 15.

[317] ICRC Customary International Humanitarian Law Study, Rules 15 to 21.

[318] Afghanistan is a party to the following human rights treaties and conventions: International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention on the Elimination of all Forms of Racial Discrimination; Convention on the Elimination of all Forms of Discrimination against Women; Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; Convention on the Rights of the Child; Optional Protocol to the Convention of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict,; and Convention on the Rights of Persons with Disabilities. For ratification dates, see http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=1&Lang=EN, last accessed 23 January 2020.

[319] Human Rights Committee (UNHRC), General Comment No. 36 (2019), § 13; See also Paragraphs 9, 10 and 17 of the *United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, adopted on 24 May 1989 by the Economic and Social Council Resolution 1989/65. See also United Nations Security Council and General Assembly resolutions concerning non-international armed conflict, calling for all parties to respect international human rights law.

flows from the obligation to protect the right to life.[320] For State investigations to be effective, they must be prompt, exhaustive, impartial, independent[321] and open to public scrutiny.[322] A State's duty to investigate applies to all law enforcement contexts, including those arising during armed conflict.[323]

International military forces

International military forces operating in Afghanistan also have certain human rights obligations that apply extraterritorially. For instance, States must respect and ensure to all individuals within their power or effective control their human rights including rights to life, to be free from torture or ill-treatment and the protection against arbitrary detention, even if not situated within their territory.[324] This includes individuals that may fall under the effective control of international military forces or other international actors operating in military operations in Afghanistan.

Non-state armed groups

While they cannot become parties to international human rights treaties, non-State actors, including armed groups, are not precluded from being subject to human rights obligations under customary international law. Non-state actors are increasingly deemed to be bound by certain international human rights obligations, where those actors exercise government-like functions and control over a territory and their conduct affects the human rights of individuals under their control, such as the Taliban..[325]

(iii) Obligations under International Criminal Law

Afghanistan has the primary responsibility to investigate and prosecute international crimes i.e. war crimes, crimes against humanity, and genocide, allegedly committed within its jurisdiction.[326] Afghanistan became a State party to the Rome Statute of the International Criminal Court in 2003. As a consequence, to the extent Afghanistan is unable or unwilling to exercise its jurisdiction over international crimes, the International Criminal Court may exercise its jurisdiction over alleged crimes as defined in the Rome Statute allegedly committed in Afghanistan.[327]

On 20 November 2017, the International Criminal Court Prosecutor submitted a request to the Court, pursuant to Article 15 of the Rome Statute, seeking authorization to open an investigation into crimes within the jurisdiction of the Court committed by the Taliban, Afghan forces and US actors, in the context of the armed conflict in Afghanistan.[328] The situation had been under preliminary examination by the Office of the Prosecutor since 2006 to determine whether conduct by Afghan and foreign government forces, and well as anti-government forces, after 1 May 2003 may amount to war crimes and crimes against humanity.

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320 UNHRC, General Comment No. 31 (2004), § 15; UNHRC, General Comment No. 6 (1982), § 4; ECtHR, *McCann case*, § 169; ECtHR, *Kaya case*, § 86; ECtHR, *Ergi v. Turkey*, Application No. 23818/94, Judgment of 28 July 1998, §§ 82, 86; ECtHR, *Isayeva v. Russia*, Application No. 57950/00, Judgment of 24 February 2005, §§ 208-9, 224-5; IACiHR, *Abella (La Tablada) case*, § 244; IACiHR, *Alejandre case*, § 47; IACiHPR, *Civil Liberties case*, § 22.

321 UNHRC, General Comment No. 36 (2019), § 28; IACiHR, *Abella (La Tablada) case*, § 412; ECtHR, *Özkan case*, § 184; ECtHR, *Orhan v. Turkey*, Application No. 25656/94, Judgment of 18 June 2002, § 335; ECtHR, *Isayeva et al. case*, § 210-11; ECtHR, *McCann case.*

322 ECtHR, *Hugh Jordan v. the United Kingdom*, Application No. 24746/94, Judgment of 4 May 2001, § 108; ECtHR, *Özkan case*, § 187; ECtHR, *Isayeva et al. case* § 213; ECtHR, *Isayeva case*, § 214. See *also* Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law at: http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx, last accessed 27 January 2020.

323 UNHRC, General Comment No. 36 (2019), § 64; see also C. Droege, "Distinguishing Law Enforcement from Conduct of Hostilities", pp. 57-63, contained in the Report on the Expert Meeting "Incapacitating Chemical Agents", Law Enforcement, Human Rights Law and Policy Perspectives, held in Montreux, Switzerland 24-26 April 2012, at: http://www.icrc.org/eng/assets/files/publications/icrc-002-4121.pdf, last accessed 27 January 2020; Nils Melzer, "Conceptual Distinction and Overlaps between Law Enforcement and the Conduct of Hostilities," in *The Handbook of the International Law of Military Operations* (Oxford: Oxford University Press, 2010), pp. 43-44

324 UNHRC, General comment No. 31 (2004), para. 10; Legal Consequences of the Construction of a Wall, paras. 111 and 113; CAT/C/USA/CO/2, paras. 14-15; CCPR/C/USA/CO/4, para.9; CCPR/C/GBR/CO/6, para. 14; OHCHR, Report of the United Nations High Commissioner for Human rights on the Integrity of the Judicial System, A/HRC/43/35, para. 20

325 See United Nations Secretary-General, Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka, 31 March 2011, para. 188. See also Report of the International Commission of Inquiry to investigate all Alleged Violations of International Human Rights Law in the Libyan Arab Jamahiriya A/HRC/17/44, 1 June 2011; the Report of the International Commission of Inquiry on the Situation of Human Rights in the Syrian Arab Republic, A/HRC/19/69, para. 106; United Nations Mission in the Republic of South Sudan (UNMISS), Conflict in South Sudan: A Human Rights Report, 8 May 2014, para. 18.

326 International Criminal Court Statute, *preamble* and Articles 1, 17. See also ICRC Customary International Law Study, Rule 158.

327 International Criminal Court Statute, Articles 1, 12-17.

328 See https://www.icc-cpi.int//Pages/item.aspx?name=171120-otp-stat-afgh

The preliminary examination also looked into whether other alleged crimes linked to the armed conflict in Afghanistan and committed on the territory of other States Parties to the Statute had been committed since 1 July 2002.

In the request to the Court, the Prosecutor argued that there was a reasonable basis to believe that crimes against humanity and war crimes had been committed by the Taliban and their affiliated Haqqani Network; that war crimes had been committed by the Afghan national security forces, in particular members of the National Directorate for Security and the Afghan National Police; and that war crimes had been committed by members of the US armed forces on the territory of Afghanistan, and by members of the US Central Intelligence Agency in secret detention facilities in Afghanistan and on the territory of other States Parties to the Rome Statute, principally in the period of 2003-4.[329]

On 12 April 2019, the Pre-Trial Chamber of the International Criminal Court unanimously rejected the Prosecutor's request to open an investigation, despite acknowledging that the criteria of jurisdiction and admissibility were met. The judges decided that an investigation would not serve the "interests of justice", citing concerns about the "relevant political landscape both in Afghanistan and in key States", the complex and volatile political climate, and the feasibility of the investigation, taking into account challenges that may be faced concerning the lack of state cooperation. On 7 June 2019, the Office of the Prosecution filed a request for leave to appeal the decision, which was authorized by the Pre-Trial Chamber on 17 September. The Appeals Chamber held hearings on 4-6 December 2019.

On 5 March 2020, the Appeals Chamber decided to authorize the Prosecutor to commence an investigation, issuing a unanimous ruling which amended the Pre-Trial Chamber's ruling of 12 April 2019 accordingly. The Appeals Chamber found that the Pre-Trial Chamber had erred in considering whether it was in the 'interests of justice' to allow the investigation to be opened, noting that the only factors that should have been considered were whether there was a reasonable factual basis to proceed, and whether the potential cases arising would appear to fall within the court's jurisdiction.

War crimes in non-international armed conflict are defined as serious violations of Common Article 3 and other laws and customs applicable in armed conflict not of an international character. War crimes include – with respect to those not participating in hostilities including combatants placed *hors de combat* – violence to life and person, including murder, and deliberately directing attacks against the civilian population as such, or individual civilians not taking part in hostilities.[330]

States whose military forces are among the international military forces party to the conflict in Afghanistan also have the obligation to investigate and prosecute alleged crimes that may have been committed by their nationals in Afghanistan.[331]

[329] See https://www.icc-cpi.int//Pages/item.aspx?name=171120-otp-stat-afgh; https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-02/17-7-Red.
[330] International Criminal Court Statute, Article 8(2)(c),(e); ICRC Customary International Humanitarian Law, Rule 156.
[331] Irrespective of whether States are parties to the Rome statute, they all have obligations under customary law to investigate serious violations of international human rights and international humanitarian law when they are operating on the territory of Afghanistan. See ICRC Customary International Law Study, Rules 144, 157, 158.

ANNEX II: MAIN PARTIES TO THE CONFLICT

Pro-Government Forces

These forces include, but are not limited to Afghan National Security Forces (Afghan Border Force, Afghan Local Police, Afghan National Army, Afghan Territorial Army, Afghan National Police, National Directorate of Security), pro-Government armed groups, and international military forces, including Special Operations Forces and other foreign agencies.

Afghan National Security Forces

The Afghan National Security Forces are composed of all Government security forces, including the Afghan National Army (and its subsidiaries the Afghan Air Force and Afghan National Army - Territorial Forces), Afghan Special Forces, National Directorate of Security (Afghanistan's State intelligence and security service, which has Special Forces that participate in military operations), Afghan Local Police, Afghan National Police, Afghan National Civil Order Force and Afghan Border Force.

Under the responsibility of the Ministry of the Interior, the Afghan National Police is the primary law enforcement agency and, in some instances, takes part in hostilities. The Afghan Local Police was created in 2010 to provide a community-based policing capability as a part of counter-insurgency efforts. Though nominally reporting through the Afghan National Police and Ministry of Interior, due to its combat-related functions, Afghan Local Police are considered a *de facto* part of the armed forces. Following the implementation of security sector reforms under the framework of the 2017 Afghan National Security Forces Roadmap, the former Afghan Border Police and the Afghan National Civil Order Police were transferred from the Ministry of Interior to the Ministry of Defence in 2018. After funding of the Afghan Local Police ended on 30 September 2020, the Afghan Local Police force was formally abolished with most of its members designated to transfer to the Afghan National Army - Territorial Force or the Afghan National Police.

International military forces

On 1 January 2015, the North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF) mission in Afghanistan transitioned to its non-combat successor, the Resolute Support Mission, following the handover of security responsibility to Afghan National Security forces in December 2014. Unlike ISAF, which was authorized by the United Nations Security Council, the legal basis for Resolute Support is provided by a Status of Forces Agreement, signed in Kabul on 30 September 2014 and ratified by the Afghan Parliament on 27 November 2014. United Nations Security Council resolution 2189 (2014) welcomed the bilateral agreement between Afghanistan and NATO to establish Resolute Support. Resolute Support is primarily a non-combat mission to train, assist and advise Afghan National Security Forces.

As of 2019, the Resolution Support mission consisted of approximately 16,000 troops, the vast majority of whom were from the United States. The United States and the Taliban signed an agreement on 29 February 2020 which included plans for conditions-based troop withdrawals within 14 months and the start of intra-Afghan peace negotiations. Following the formal commencement on 12 September 2020 of discussions in Doha between negotiating teams representing the Islamic Republic of Afghanistan and the Taliban, NATO announced that in Afghanistan its 'Allies would adjust their troop presence to support the peace process, while remaining committed to training and funding the Afghan security forces and institutions.' As of November 2020, Resolute Support consisted of approximately 10,500 troops from 36-37 NATO countries and allies organized in five regional Train, Advise, Assist Commands, with the United States, Germany, Italy, and Turkey leading each – Capital (Turkey), North (Germany), East (United States), South (United States), and West (Italy).

United States troops, as of November 2020, comprised approximately 4,500 troops supporting the Resolute Support Mission and Operation Freedom's Sentinel. On 18 November 2020, the United States announced that it would further reduce its troops in Afghanistan to 2,500 by mid-January 2021. United States troops engaged in Operation Freedom's Sentinel focus on counter-terrorism operations under the Afghanistan-United States 2014 Bilateral Security Agreement. The Commander of Resolute Support also serves as the commander of the United States Forces in Afghanistan, although the chains of command remain separate.

Pro-Government armed groups

Pro-Government armed groups are organized non-State armed actors engaged in conflict against armed

opposition groups. These groups are distinct from Government Forces and lack legal basis under the laws of Afghanistan. They include the National Uprising Movements, a community-based defence initiative, the Khost Protection Force, and Paktika-based forces known locally in the southeastern region of Afghanistan as "Shaheen Forces". According to sources, these forces, also known as "904 Unit", operate out of "Shaheen Camp" in Urgun district, Paktika province and may have a relationship with National Directorate of Security Special Forces. However, members of the Afghan national security forces and Government officials have been unwilling or unable to provide further clarity as to the command structure for the Shaheen Forces.

Anti-Government Elements

They include members of the 'Taliban' as well as other non-State organized armed groups taking a direct part in hostilities against Pro-Government Forces including the Haqqani Network (which operates under Taliban leadership and largely follows Taliban policies and instructions), Al Qaeda, Islamic Movement of Uzbekistan, Islamic Jihad Union, Lashkari Tayyiba, Jaysh Muhammed, groups identifying themselves as Islamic State in Iraq and the Levant – Khorasan Province/'*Daesh*' and other militia and armed groups pursuing political, ideological or economic objectives including armed criminal groups directly engaged in hostile acts on behalf of other Anti-Government Elements.

The Taliban

With the withdrawal of ISAF in 2014, the Taliban have incrementally increased their territorial control and continued to launch large-scale assaults, primarily targeting Afghan National Security Forces' positions, although at an increasingly heavy cost from pro-Government forces airstrikes. The Taliban have long established shadow administrative structures in most provinces. The death of the group's leader, Mullah Omar, only made public in August 2015, created internal controversy. These tensions and divisions have become less publicized following the death of Mullah Omar's immediate successor, Mullah Mansour, in May 2016, and the appointment of Mullah Haibatullah Akhunzada that month. From the second half of 2018 onwards, the Taliban and the United States engaged in direct talks, reaching an agreement on 29 February 2020 which included assurances that Taliban would not allow Afghan soil to be used to threaten the US or its allies, plans for conditions-based US troop withdrawals, and plans for the start of intra-Afghan peace negotiations which would include a comprehensive and permanent ceasefire on the agenda. On 12 September 2020, the Taliban formally commenced discussions with a negotiating team representing the Islamic Republic of Afghanistan. Initial discussions focused on reaching agreement on the rules of procedure. After agreeing rules of procedure in late November and exchanging proposed draft agendas in early December, the talks broke for a three-week consultation period with their respective leaderships and were due to resume in January 2021.

The Haqqani Network has assumed an increasingly influential role in the Taliban's military operations. It is currently led by Sirajuddin Haqqani, one of the three deputies of Taliban leader Mullah Haibatullah Akhunzada. The Taliban state that the Haqqani Network is under the umbrella of the Taliban movement and that Sirajuddin Haqqani is a Taliban deputy leader. In the past, the Haqqani Network undertook attacks while maintaining a degree of operational independence. It is believed to be responsible for complex attacks on both Government and international targets in heavily populated areas of Kabul. Since 2017, UNAMA has attributed attacks believed to be committed by the Haqqani Network to the Taliban as the distinction could no longer be reliably established according to its methodology for verifying and attributing civilian casualties. In several cases, Haqqani attacks have been claimed by ISIL-KP with the apparent tacit agreement of the Haqqanis.

Islamic State in Iraq and the Levant – Khorasan Province

The Islamic State in Iraq and Levant – Khorasan Province (ISIL-KP) was formally established in January 2015, following the progressive and partial realignment of some dissident factions or fighters from the Taliban, the Islamic Movement of Uzbekistan and the Tehrik-e-Taliban Pakistan. Commonly referred to by its Arabic acronym *Daesh,* ISIL-KP is present in the east of Afghanistan, with an estimated 2,500 fighters currently active, primarily in Nangarhar and Kunar provinces.[332] Its expansion has been constrained by Afghan National Security Forces/international military forces operations (including airstrikes), local militia mobilization and, separately, Taliban

[332] S/2020/53, para. 53.

offensives. A self-identified ISIL-KP enclave in southern districts of Jawzjan province in the north of Afghanistan fell to repeated Taliban assaults in August 2018. The Taliban and ISIL-KP have distinct identities and have been competing over resources and power in the east of the country; ISIL-KP attempts to increase its presence are routinely challenged by Taliban whenever they identify them. By 2020, ISIL-KP had lost much of the territory under its control in the East and had shifted its focus to conducting high-impact attacks, mainly using IEDs, in Kabul and other cities.

Other Anti-Government Element and Armed Groups

In September 2016, the Government of Afghanistan and Hezb-e Islami, led by Gulbuddin Hekmatyar, signed a peace agreement envisaging United Nations Security Council sanctions delisting, prisoners' releases, the integration of combatants into the Afghan National Security Forces and land allocations to returnees in light of the cessation of the Hezb-e Islami insurgency. Hekmatyar returned to Kabul in May 2017. Slow progress in integrating Hezb-e Islami has raised concerns about some groups' continued involvement in armed conflict, though most Hezb-e Islami interlocutors remain optimistic that all articles of the agreement would be implemented gradually. Its operatives have not been identified as responsible for significant military activity although their former activities and allegiance continue to colour other groups' responses to them.

Al-Qaeda maintains a limited presence in Afghanistan, especially in the East, Southeast and Southern regions, and operates predominantly under the auspices of the Taliban and in conjunction with other anti-Government groups. There are an estimated 400 to 600 Al-Qaeda fighters in Afghanistan, mainly in the provinces of Khost, Kunar, Nuristan, Paktiya and Zabul.[333] Their role continues to be cited as concentrated on training, including weapons and explosives, and mentoring, and they have been cited as being engaged in internal Taliban discussions over the movement's relationship with other jihadist entities.

Several other non-State armed groups continue to operate in Afghanistan, including militia elements linked to political parties and leaders of former *mujahedin* jihadi factions, and may operate in opposition to or in support of the Afghan National Security Forces. Such armed groups are frequently cited for human rights abuses and regularly clash with each other, with the Taliban and with Afghan National Security Forces while competing for territorial control. In some districts, such armed groups constitute the most prominent armed actors and are considered by locals to have greater influence than either Afghan National and Security Forces or the Taliban.

[333] Ibid., para. 55.

ANNEX III: GLOSSARY[334]

Abandoned Explosive Ordnance: Abandoned Explosive Ordnance. Refers to explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under the latter's control. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.

Abduction: UNAMA documents only conflict-related abductions, which involve the forcible taking and holding of a civilian or civilians by a party to the conflict in order to compel the victim or a third part to take or refrain from taking action. It also includes abduction with the intent to murder the individual or individuals, and abductions carried out by persons taking direct part in hostilities. This includes election-related abductions by a party to the conflict.

Airstrike: Firing or releasing ordnance from aircraft, including close air support from fixed-wing aircraft, and close combat attack from rotary-wing aircraft, and attacks using remotely-piloted aircraft (i.e. Drones).

Afghanistan National Security Forces: An umbrella term that includes Afghan Border Force, Afghan Local Police, Afghan National Army, Afghan Air Force, Afghan National Police, Afghan National Civil Order Force, Afghan Special Forces, Afghan Territorial Army (also referred to as the Afghan National Army – Territorial Force), and the National Directorate of Security.

Armed forces: UNAMA considers the Afghan National Army and Afghan Air Force to be the armed forces of Afghanistan. UNAMA also considers the Afghan Local Police, National Directorate of Security, counter-terrorism police, Afghan Border Force, Afghan National Civil Order Force and Ministry of Interior (MOI) Special forces (including Afghan National Police Quick Reaction Force) to be part of the armed forces on account of the functions they perform. UNAMA does not consider the Afghan National Police to be incorporated into the armed forces of Afghanistan with the exception of the specific forces mentioned above.

Afghan Border Force: Formerly the Afghan Border Police. The majority of the Afghan Border Police transferred from the Ministry of the Interior to the Ministry of Defence in December 2017 and was renamed as the Afghan Border Force. These forces report to the ANA corps.

Afghan National Civil Order Force: Formerly the Afghan National Civil Order Police. The majority of the Afghan National Civil Order Police transferred from the Ministry of the Interior to the Ministry of Defence in March 2018. These forces report to the ANA corps.

Anti-Government Elements (AGE): "Anti-Government Elements" include members of the Taliban and ISIL-KP, as well as members of other armed groups involved in armed conflict with, or armed opposition against, the Government of Afghanistan and/or international military forces. See *Annex II: Main Parties to the Conflict* for further details.

Anti-Personnel Mine: A mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injured or kill one or more persons. Pressure-plate IEDs, which are victim-operated, have been documented to function as 'improvised anti-personnel mines' in Afghanistan.

Armed Group: Organized armed non-State actor engaged in conflict and distinct from a Government force, such as militias, rebels, and criminal groups. These armed groups have no legal basis under the laws of Afghanistan. Armed groups are not within the formal military structures of States, State-alliances or intergovernmental organizations; and are not under the control of the State(s) in which they operate. In some cases, though, armed groups may receive direct/indirect support of the host Government or other States. This definition includes, but is not limited to the following groups: rebel opposition groups, local militias (ethnically, clan or otherwise based), insurgents, terrorists, guerrillas, and civil defence forces and paramilitary groups (when such are clearly not under State

[334] Definitions contained in this Glossary are only for the purposes of this report.

control).[335] Some armed groups operate in a manner generally aligned with the Government, although not under their control, and are referred to as pro-Government armed groups.

'Anti-Government Elements' described in this report are considered as non-State armed groups but distinguished on the basis of their armed opposition against the Government of Afghanistan.

Bacha bazi: *Bacha bazi* is a harmful practice whereby boys are exploited by wealthy or powerful men for entertainment, particularly for dancing and sexual activities; it is criminalized in the revised Penal Code, which came into effect in February 2018.

Civilian: For the purposes of this report and the application of the principle of distinction under international humanitarian law, civilians are any persons who are not members of military/paramilitary forces or members of organized armed groups with continuous combat function and are protected against direct attacks unless and for such time as they directly participate in hostilities. Civilians participating directly in hostilities are not counted as 'civilian casualties' in this report. Members of law enforcement agencies lose their protection as civilians when they function as part of the armed forces or directly participate in hostilities. For members of police units that do not have continuous combat functions, the use of force in self-defence is not considered to result in a loss of protection as a civilian. In Afghanistan, UNAMA considers as civilian police personnel who are carrying out law enforcement functions and who are not directly participating in hostilities or involved in counter-insurgency operations.

Civilian Casualties: Killed or injured civilians. UNAMA documents civilian casualties resulting from conflict-related violence, including casualties caused by explosive remnants of war. It does not document casualties where the civilian(s) was (were) directly participating in hostilities at the time of death or injury, nor does it document the death or injury of individuals protected from attack under international humanitarian law who are not considered to be civilians, such as persons *hors de combat* or the medical and religious personnel of the armed forces.[336]

UNAMA considers civilians '**injured**' when they require medical treatment for physical injury – through admission to healthcare facilities or by receiving medical assistance from medically-trained personnel. Injuries do not include shock or non-physical effects or consequences of incidents, such as psychological trauma.

Children: The Convention on the Rights of the Child, ratified by Afghanistan in 1994, defines a "child" as any person under the age of 18 (0-17 inclusive).

Complex attack: A deliberate and coordinated attack which includes a suicide device (i.e., body-borne IEDs or suicide vehicle-borne IEDs), more than one attacker and more than one type of device (i.e., body-borne-IEDs and mortars). All three elements must be present for an attack to be considered complex.

Daesh: The word *Daesh* is an acronym from Islamic State of Iraq and the Levant (*al-Dawla al-Islamiya al-Iraq al-Sham)*. In Afghanistan it is commonly used to refer to members of Daesh's Khorasan Province which includes Afghanistan.

Explosive Remnants of War (ERW): Explosive Remnants of War refer to unexploded ordnance (UXO) and abandoned explosive ordnance (AXO).

Explosive weapons: Explosive weapons are not explicitly defined by international law. Explosive weapons generally consist of a casing with a high-explosive filling and whose destructive effects result mainly from the blast wave and fragmentation produced by detonation. Mortars, artillery shells, aircraft bombs, rocket and missile warheads, and many improvised explosive devices (IEDs) fall under this term. Certain types of explosive weapons may be categorized as **light weapons** (e.g. hand-held under-barrel and mounted grenade launchers, portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres of less than

[335] *United Nations Humanitarian Negotiations with Armed Groups: A Manual for Practitioners*, Gerard McHugh and Manuel Bessler, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), New York, January 2006. *See* Section 2.3 on *Characteristics of Armed Groups.*
[336] See also ICRC 'Interpretive Guidance on the Notion of Direct Participation in the Hostilities under International Humanitarian Law', ICRC, Geneva, 2009.

100 mm). Many explosive weapons, such as aircraft bombs, rockets systems, artillery and larger mortars are categorized as **heavy weapons**.[337]

Ground engagements: Ground engagements include kinetic ground operations, stand-off attacks, crossfire and armed clashes between parties to the conflict. Ground engagements include attacks or operations in which small arms, heavy weapons and/or area weapons systems, i.e. mortars and rockets are fired.

IED: Improvised Explosive Device. A device placed or fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic or incendiary chemicals and designed to destroy, incapacitate, harass or distract. It may incorporate military stores, but is normally devised from non-military components. IEDs. IEDs can broadly be divided into four categories: Command-Operated IEDs, Victim-Operated IEDs, Suicide IEDs, and Other IEDs.

Command-Operated IEDs – Radio or remote controlled IEDs (RC-IEDs) operated from a distance that can enable operators to detonate a pre-placed device at the precise time a target moves into the target area.[338] RC-IEDs include user-detonated IEDs, such as roadside IEDs, and objects and animals rigged with IED devices, such as vehicles, bicycles, motorcycles and donkeys. Magnetic-IEDs are IEDs attached by a magnetic or other device and are a sub-category of command-operated IEDs; UNAMA records these devices separately due to the common delivery method in Afghanistan, *i.e.,* placement on vehicles of targeted individuals.

Victim-Operated IEDs – A victim-operated IED detonates when a person or vehicle triggers the initiator or switch which could be a pressure plate or pressure release mechanism, trip wire or another device, resulting in an explosion.[339]

Other IEDs – This category includes command-wired IEDs and timed-IEDs[340] and IEDs where the trigger/switch type for detonation could not be determined.

Suicide IEDs – Separately from data on IEDs, UNAMA documents civilian casualties resulting from complex and suicide attacks. Suicide IEDs are generally either Body-Borne IEDs (BB-IEDs) or Suicide Vehicle-Borne IEDs (SVB-IEDs). Body-Borne IEDs refer to situations where a suicide bomber wears an explosive vest or belt while Suicide Vehicle-Borne IEDs is defined as the detonation of a vehicle rigged with explosives by a driver or passenger inside the vehicle, or the detonation of a BB-IED by the driver or a passenger while inside the vehicle.

IED Exploitation: IED Exploitation is the process of identifying, collecting, processing and disseminating information and material gathered from an IED incident site to gain actionable intelligence, to improve counter-IED procedures and methods, to decrease the resources of insurgents and to support prosecutions. It includes preservation, identification and recovery of IED components for technical, forensic and biometric examination and analysis and is carried out by authorized specialist facilities.

Incidents: Events with a nexus to the armed conflict resulting in civilian casualties, civilian abductions, or damage to civilian property, as well as threats/intimidation/harassment related to the armed conflict and the military use of medical and healthcare facilities by parties to the conflict.

Indirect fire weapons: Weapons, such as grenades, mortars and rockets, that do not require a line of sight between the weapon and its target.

International military forces: "International military forces" include all foreign troops forming part of the NATO-led Resolute Support Mission as well as US Forces-Afghanistan who, in addition to participating in the Resolute Support Mission, are also engaged in counterterrorism operations as part of Operation Freedom's Sentinel. The term also encompasses Special Operations Forces and foreign agencies.

[337] Borrie, J. and Brehm, M., 'Enhancing civilian protection from use of explosive weapons in populated areas: building a policy and research agenda', in *International Review of the Red Cross*, Volume 93, Number 883.
[338] Small Arms Survey, *Improvised Explosive Devices*, Chapter 10 'Infernal Machines,' pp. 220-221.
[339] Ibid.
[340] Since 2009, UNAMA has recorded very few incidents from these switch types.

Mullah: In Afghanistan, this term is used to describe a religious man who has been educated or trained in Islamic traditions and jurisprudence.

NATO: North Atlantic Treaty Organization. Members of NATO are the main troop-contributing States to the Resolute Support Mission (see Resolute Support Mission and *Annex II: Main Parties to the Conflict* for details).

NDS: National Directorate of Security, Afghanistan's State intelligence and security service.

Non-suicide IEDs: Any improvised explosive device other than a suicide IED i.e. those caused by pressure-plate, magnetic, and remote-detonated triggers.

OHCHR: The United Nations Office of the High Commissioner for Human Rights.

Operation Freedom's Sentinel: United States forces in Afghanistan who support the Resolute Support Mission and also carry out counter-terrorism operations under the Afghanistan-United States 2014 Bilateral Security Agreement. See *Annex II: Main Parties to the Conflict* for details.

Pro-government armed group: "Pro-Government armed group" refers to an organized armed non-State actor engaged in conflict in support of the Government and distinct from Afghan national security forces and criminal groups. Pro-Government armed groups do not include the Afghan Local Police, which fall under the command and control of the Ministry of Interior. These armed groups have no legal basis under the laws of Afghanistan and are not within the formal military structures of the Government of Afghanistan. In some cases, armed groups receive direct/indirect support of Government of Afghanistan or other States. This definition includes, but is not limited to, the following groups: "national uprising movements",[341] local militias (ethnically, clan or otherwise based), and civil defence forces and paramilitary groups.

Pro-Government Forces (PGF): "Pro-Government Forces" refer to Afghan National Security Forces and other forces and groups that act in military or paramilitary counter-insurgency operations and are directly or indirectly under the control of the Government of Afghanistan. For the purposes of UNAMA protection of civilians reports, Pro-Government Forces include pro-Government armed groups. See *Annex II: Main Parties to the Conflict.*

Resolute Support: On 1 January 2015, the North Atlantic Treaty Organization (NATO) transitioned from its predecessor, the International Security Assistance Force (ISAF) mission in Afghanistan, to its Resolute Support mission to train, assist and advise Afghan national security forces. See *Annex II: Main Parties to the Conflict* for details.

Search operations: Search operations are a military tactic used in Afghanistan by Pro-Government Forces to capture or kill persons they believe to be Anti-Government Element targets, usually involving entering and searching homes or other civilian structures, and often carried out at night. Often referred to as "night raids".

Small arms: Weapons designed for individual use. They include, *inter alia*, revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns.[342]

Suicide attack (Suicide IED attack): UNAMA uses the term 'suicide IEDs' or 'suicide attacks' to include all attacks where the perpetrator used an IED, typically body-borne or vehicle-borne, intended to result in his or her death upon detonation. This also includes 'complex attacks' (see definition above).

Targeted killing: For the purposes of this report, 'targeted killing' is defined as intentional use of lethal force by Pro-Government Forces or Anti-Government Elements against a specific individual who is not in the

[341] See UNAMA Protection of Civilians in Armed Conflict Annual Report 2014 for definitions and details of engagement of members of national uprising movements in the conflict, available at: https://unama.unmissions.org/protection-of-civilians-reports.
[342] International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, Adopted by the United Nations General Assembly on 8 December 2005, A/CONF.192/15, accessible at: http://www.un.org/events/smallarms2006/pdf/international_instrument.pdf.

perpetrator's physical custody.[343] These incidents often involve a degree of pre-meditation. UNAMA documents civilian casualties arising directly and incidentally from such attacks.

Tashkil: Dari word meaning "structure" that refers to the official staffing table and equipment allocations authorized by the Government of Afghanistan for a particular Government entity, including security forces and civilian Government.

UNAMA: United Nations Assistance Mission in Afghanistan.

UXO: Unexploded Ordnance.

War Crimes: War crimes are serious violations of treaty or customary international humanitarian law. War crimes in non-international armed conflict are defined as serious violations of Common Article 3 of the Geneva Conventions and other laws and customs applicable in armed conflict not of an international character. War crimes include *inter alia* – with respect to those not, or no longer, participating in hostilities – violence to life and person, including murder, and intentionally directing attacks against the civilian population as such, or individual civilians.[344]

Zakat: Obligatory payments made annually as a proportion of one's wealth and used for charitable and religious purposes; regarded as a form of worship in Islam.
See *Annex I: Legal Framework* for more details.

[343] Although in most circumstances targeted killings violate the right to life, in the exceptional circumstance of armed conflict, they may be legal provided that relevant provisions of IHL and human rights law are respected. *See* United Nations General Assembly, Human Rights Council 14th Session, Agenda item 3, Report of the Special Rapporteur on Extra-Judicial, Summary or Arbitrary Executions, Philip Alston. Addendum, 'Study on Targeted Killings'. A/HRC/14/24/Add.6. 10 May 2010. In UNAMA, for database recording purposes, the category of targeted killings also includes some cases of killings where the victim was briefly in the perpetrator's custody at the time of the killing but the custody did not amount to an abduction, i.e. the person identified to be killed is stopped by armed individuals, their identity is confirmed, and then the attackers kill the person, commonly at checkpoints,
[344] ICC Statute, Article 8(2)(c),(e); ICRC Customary International Humanitarian Law, Rule 156.

ANNEX IV: PROVINCIAL BREAKDOWN OF CIVILIAN CASUALTIES

The table on the following page is organized in order of the province with the highest number of civilian casualties to the lowest for the period of 1 January to 31 December 202020. It contains the total number of civilian casualties documented in each of Afghanistan's 34 provinces during this period, the top three causes of civilian casualties in each province, and the percentage increase or decrease compared to 2019.

Province	Leading tactic or cause	Second highest tactic	Third highest tactic	Total civilian casualties	% Change from 2019
Kabul	Targeted Killings	Non-suicide IEDs	Suicide Attacks	817 (255 killed, 562 injured)	-48%
Balkh	Ground Engagements	Airstrikes	Non-suicide IEDs	712 (263 killed, 449 injured	+157%
Faryab	Ground Engagements	Targeted Killings	Airstrikes	576 (146 killed, 430 injured)	-13%
Nangarhar	Suicide Attacks	Non-suicide IEDs	Ground Engagements	576 (190 killed, 836 injured)	-46%
Kandahar	Non-suicide IEDs	Ground Engagements	Targeted Killings	540 (189 killed, 351 injured)	+16%
Kunduz	Ground Engagements	Airstrikes	Non-suicide IEDs	444 (194 killed, 250 injured)	-11%
Ghazni	Ground Engagements	Non-suicide IEDs	Targeted Killings	418 (183 killed, 235 injured)	-38%
Helmand	Ground Engagements	Non-suicide IEDs	Airstrikes	410 (214 killed, 196 injured)	-39%
Herat	Ground Engagements	Targeted Killings	Non-suicide IEDs	339 (124 killed, 215 injured)	-15%
Zabul	Non-suicide IEDs	Ground Engagements	Airstrikes	303 (120 killed, 183 injured)	-39%
Khost	Non-suicide IEDs	Targeted Killings	Complex Attacks	281 (56 killed, 225 injured)	+43%
Ghor	Non-suicide IEDs	Ground Engagements	Threats/Intimidation/Harassment	270 (59 killed, 211 injured)	+251%
Laghman	Ground Engagements	Non-suicide IEDs	Targeted Killings	267 (62 killed, 205 injured	-5%
Baghlan	Ground Engagements	Airstrikes	Non-suicide IEDs	253 (81 killed, 172 injured)	-28%
Takhar	Ground Engagements	Airstrikes	Targeted Killings	240 (88 killed, 152 injured)	+25%
Badghis	Ground Engagements	Targeted Killings	Non-suicide IEDs	221 (108 killed, 113 injured)	+37%
Paktya	Non-suicide IEDs	Targeted Killings	Ground Engagements	206 (62 killed, 144 injured)	-6%
Badakhshan	Ground Engagements	Targeted Killings	Non-suicide IEDs	186 (59 killed, 127 injured)	+75%
Uruzgan	Ground Engagements	Non-suicide IEDs	Airstrikes	182 (61 killed, 121 injured)	+26%
Logar	Suicide Attacks	Ground Engagements	Targeted Killings	171 (47 killed, 124 injured)	-22%
Kunar	Ground Engagements	Non-suicide IEDs	UXO/Landmines	170 (28 killed, 142 injured)	-34%
Sari Pul	Ground Engagements	Targeted Killings	Non-suicide IEDs	161 (56 killed, 105 injured)	-26%
Kapisa	Ground Engagements	Targeted Killings	Non-suicide IEDs	148 (42 killed, 106 injured)	+19
Wardak	Ground Engagements	Non-suicide IEDs	Targeted Killings	145 (55 killed, 90 injured	-21%
Samangan	Complex Attacks	UXO/Landmines	Targeted Killings	133 (12 killed, 121 injured)	+196%
Jawzjan	Ground Engagements	Non-suicide IEDs	UXO/Landmines	120 (47 killed, 73 injured)	-2%
Paktika	Non-suicide IEDs	Ground Engagements	Targeted Killings	119 (39 killed, 80 injured)	-29%
Farah	Ground Engagements	Non-suicide IEDs	Targeted Killings	114 (59 killed, 55 injured)	-22%
Bamyan	Non-suicide IEDs	UXO/Landmines	Targeted Killings	96 (22 killed, 74 injured)	+1,820%
Parwan	Targeted Killings	Ground Engagements	Non-suicide IEDs	76 (47 killed, 29 injured)	-69%
Daykundi	Non-suicide IEDs	Ground Engagements	Airstrikes	72 (42 killed, 30 injured)	+3%
Nimroz	Ground Engagements	Non-suicide IEDs	Escalation of Force	51 (24 killed, 27 injured)	-18%
Nuristan	Ground Engagements	N/A	N/A	3 (1 killed, 2 injured)	-86%
Panjshir	N/A	N/A	N/A	0 (0 killed, 0 injured)	0%

ANNEX V: RESPONSE BY THE GOVERNMENT OF AFGHANISTAN

د افغانستان اسلامی جمهوریت
د ملی امنیت د شورا دفتر

جمهوری اسلامی افغانستان
دفتر شورای امنیت ملی

Islamic Republic of Afghanistan

The Office of National Security Council

سترحقوقي مشاورين

په افغانستان کې د ملګرو ملتونو مرستندويه دفتر (يُوناما) محترمې اداري ته!

دنيکو هيلو په وړاندې کولو سره،

د ملي امنيت شورا دفتر د ملکي مرګ ژوبلې په هکله ستاسو راپور په ډېر غور او دقت سره مطالعه کړ. د افغانستان دولت د ټولو اړوندو نړيوالو ادارو څخه چې د ملکي خلکو د ژوند ژغورلو په اړه کار او فکر لري د هغوی د فعاليتونو قدرداني کوي او هيله مو دا وي چې د ملکي خلکو د مرګ ژوبلې د ارقامو په راټولولو کې د پوره پاملرنې او دقت څخه کار واخلئ.

د افغانستان حکومت د ټولو هغه ځمکنيو او هوايي بريدونو چې د ملکي خلکو ژوند په خطر کې اچوي، تل ډه ډه کړې ده. په داسي حال کې چې وسلوال مخالفين د افغان دفاعي او امنيتي ځواکونو سره په وسلوالو نښتو کې تل ملکي خلک د ځان سپر ګرځولي دي چې د دوی دغه کړنه د ملکي وګړو د مرګ ژوبلې ستر عامل شوي دي.

د يُوناما د راپور له مخې طالبان 45 ٪ سنله د ملکي مرګ ژوبلې مسؤليت په غاړه لري پداسي حال کې چې د افغانستان دولت په منظم ډول د ملکي مرګ ژوبلې شمېر او ارقام ثبتوي، زمونږ د محاسبې له مخې د طالبانو مسؤليت تر هغه څه لوړ دي چې تاسو يې يادونه کړې ځکه د طالبانو ترڅنګ اکثريتو ترهګرو ډولو ته دوی زمينه مساعده کړې چې تخريبي فعاليتونو ته دوام ورکړي. د بله طرفه په دوحه کې د سولې د خبرو د پيلېدو سره يو ځای، وسلوالو طالبانو په افغانستان کې د خبريالانو، مدني ټولنو او د بشر د حقونو پر غړو باندې حملې شروع کړې ترڅو د سولې او پخلاينې اوچت شوي غږ غلي او خاموشه کړي.

د ملي امنيت شورا دفتر په ۲۰۲۰ ميلادي کال کې د نړيوالي ټولنې د غوښتنو او ضرورت په خاطر د ملکي مرګ ژوبلې د مخنيوي او حد اقل ته راټيټولو په منظور يو لړ مهم فعاليتونه تر سره کړي دي چې په لاندې ډول ستاسو خدمت ته وړاندې کېږي:

په ۲۰۲۰ ميلادي کال کې د ملکي خلکو د ژوند ژغورلو په اړه د ملي امنيت شورا دفتر فعاليتونه په لاندې ډول دي:

1. د افغانستان د ملي امنيت شورا دفتر د ملکي تلفاتو د مخنيوي پاليسي، د ملي دفاع وزارت د ملکي تلفاتو او د هوايی ضرباتو پاليسی هغه عمد لاسته راوړنې دي چې عملا يې د ملکي تلفاتو په ټيټوالي کې مرسته کړې ده.
2. د ۲۰۲۰ ميلادی کال په جريان کې د ملي امنيت شورا دفتر د ملکي شهيدانو او زخميانو سره د نقدي مرستو او کومکي ځوړو طرز العمل تصويب او د جلالتمآب ولسمشر د لوړې منظور شو چې له مخې به يې د شهيد وارث ته سل زره افغانۍ او ټپي ته پنځوس زره افغانۍ ور کول کېږي؛

3. د افغانستان د اسلامي جمهوری دولت د کابینې د ۱۳۹۹/۰۸/۱۴ د پریکړې له مخې په ټولو ولایتونو کې د ملکي تلفاتو د دقیق راپور ورکولو لپاره د والي تر مشرۍ لاندې کوچنۍ کړۍ ایجاد کړي دي؛
4. د ملي امنیت شورا دفتر د جلالتمآب ولسمشر د هدایت سره سم د ملکي مرګ ژوبلو د قضیو د تعقیب طرحه جوړه کړه او عملا کار تري اخیستل کیږي. د دغه طرحې له مخې به د ملکي تلفاتو ټولو اړوند اندیښنو ته چې د نړیوالې ټولنې لپاره پیدا کیږي پر وخت ځواب ور کول کیږي؛
5. د افغانستان په ملي دفاع وزارت کې د ملکي تلفاتو د مخنیوي په خاطر نوی ټیم ایجاد کړل شو.
6. د ملکي تلفاتو د ژغورنې بورډ، کاري کمیټې رامنځ ته کړې چې عملا د موجوده پالیسیو څخه نظارت کوي ترڅو د ملکي تلفاتو ګراف حد اقل ته را ټیټ کړي؛
7. د کورنیو چارو په وزارت کې د کابل په سطحه د ملکي تلفاتو د مخنیو لپاره نوي یونیټونه جوړ شول؛
8. د ملي دفاع وزارت له لورې د شپنیو او خاصو عملیاتو لپاره ځانګړي طرز العمل او میکانیزم جوړ شو؛
9. په ۲۰۲۰ میلادی کال کې د افغانستان د ملي امنیت شورا دفتر د غیر نظامیانو د مرکز (CIVIC) سره د یوې موافقتنامې په ترڅ کې دغه اداري ته اجازه ور کړه چې د افغانستان په ټولو قول اردوګانو او د مارشال محمد قسیم فهیم په ملي نظامي اکاډمۍ کې و ټولو افسرانو، بریدملانو او اړوندو قومندانانو ته د ملکي مرګ ژوبلې د مخنیوي په هکله روزنه ور کړي؛
10. په ټېرو درو میاشتو کې د افغانستان ا.ج. د چارو د اداري له لورې د (۱۱۴) ملکي شهیدانو د وارثینو او د (۲۸۴) تنه ملکي ټپیانو سره (**دوویشت میلیونه شپږلکه او لس زره**) مرسته کړي ده.

Unofficial UNAMA Translation of the response by the Government of Afghanistan:

[*The National Emblem of Afghanistan*]

Islamic Republic of Afghanistan

The Office of National Security Council

Legal Affairs Unit

To the respected office of the United Nations Assistance Mission in Afghanistan (UNAMA)

The office of National Security Council carefully read your protection of civilians report. The Government of Afghanistan appreciates all those organizations who work on the issue of protection of civilians and kindly requests to accurately treat the number of civilians' casualties. During ground engagements and aerial attacks, Afghan government have always avoided any attack which may potentially cause civilian casualties. It is the Anti-Government Elements who always shelter in civilian houses and use them as shields during such attacks. That is the major cause of civilian casualties.

According to UNAMA's report, the Taliban is responsible for 45 per cent of all civilian casualties. It is important to mention that the Afghan government always record civilian casualties. And yet, according to our records, the number of civilian casualties is higher than the number you attribute to the Taliban because they have also paved the ground for other terrorist groups who continued to carry out attacks which caused destruction. On the other

hand, the Taliban, while participating in the Doha talks, also started targeting civil society, the media, and human rights defenders, so that they can silence the voices of peace.

During the year 2020, the Office of the National Security Council, in accordance with the international community has conducted a series of activities to avoid civilian casualties or minimize the number of civilian casualties. The activities are as below:

1. The Office of the National Security Council's civilian casualty avoidance policy, and the Ministry of Defence's protection of civilians and airstrike policy are among those actions which have practically supported to minimize the number of civilian casualties.
2. During 2020, the office of National Security Council, endorsed the compensation policy which was later approved by H.E Mr. President. The compensation package provides 100,000 AFS to killed victims and 50,000 AFS for wounded victims.
3. As per decision of the Cabinet of the Islamic Republic of Afghanistan, a unit under leadership of each provincial governor has been established, which is tasked to accurately report on civilian casualties.
4. As per H.E Mr. President's order, the Office of National Security Council has prepared a scheme to follow-up on civilian casualties. As per this scheme, all concerns raised by the international community will be responded in a timely manner.
5. A team on protection of civilians was established in the Ministry of Defence.
6. The Civilian Avoidance and Mitigation Board established working groups who will monitor the implementation of the policy in order to bring down the level of civilian casualties to the minimum.
7. Within Ministry of Interior, new units were established to look into civilian casualties occurring in the Kabul region.
8. For the Ministry of Défense, a code of conduct and mechanism to regulate the night and special raids were produced.
9. During 2020, the Office of the National Security Council signed an agreement with Civilians in Armed Conflict (CIVIC), in which is outlined that they provide protection of civilians training to all Afghan National Army Corps for all commanders, officers and personnel at the Marshal Fahim's Military Academy.
10. During the last three months [the Afghan months of Aqrab, Qows and Jadee], the Islamic Republic of Afghanistan has provided financial support to 114 relatives of killed victims and 284 wounded victims which amounted to 22, 617,000 AFS.

ANNEX VI: RESPONSE BY THE TALIBAN

Note: This response is included verbatim as received. References made herein are based on the draft copy of the report shared with parties, after which page numbers have changed and some figures have been updated.

د يوناما د ۲۰۲۰ميلادي کال د ملکي تلفاتو د کلني راپور په اړه د افغانستان اسلامي امارت د ملکي تلفاتو د مخنيوي او سمع شکاياتو کميسيون غبرګون

ښې چارې!

مننه کوو، چې د يوناما له لوري د ملکي تلفاتو کلنی راپور له موږ سره شريک کړل شو، د ملکي تلفاتو د مخنيوي او سمع شکاياتو کميسيون لخوا نوموړی راپور په دقيقه توګه وکتل شو، چې په ښکاره ډول ورځخه معلومه شوه، چې ياد راپور له حقائقو څخه عاري او بې تحقيقه جوړ شوی دی.

د يادولو وړ دی چې ياد راپور په اصـــل کې په ســـليقوي توګه عمداً د يو پلان په اســـاس د اکثره مرګ ژوبلې پېړه په اســـلامي امارت اچول شـــوی ده. چې هيڅ حقيقت نه لري، راپورونه يکې په کامله طريقه مبهم ذکر شـــوي دي او دقيق معلومات يکې نشته.

د لاندې دلائلو او ځوابونو پر اساس د يوناما له لوري ترتيب شوی راپور په کلکه ردوو.

۱ـــ يوناما د خپل د راپور په لومړی مخ کې د تائيد او د ثبوت معيار د عنوان لاندې ليکلي دي چې: [د ملکي وګړو د خوندیتوب په اړه د خپلو راپورونو لپاره، يوناما يوازې تائيد شوي ملکي تلفات شاملوي، ملکي تلفات د "تائيد شوي" په حيث هغه مهال ثبت کيږي، چې د يوناما له خوا د کتل شـــويو معلوماتو د بشـــپړتيا پر بنســـټ دا په ډاګه شـــوې وي، چې څرګند او قانع کوونکي شـــواهد شـــتون ولري، چې ملکي وګړي وژل شـــوي يا ژوبل شـــوي، د دغه معيار د پوره کولو لپاره يوناما لږ تر لږه دري مختلف او خپلواکه ســـرچينو ته اړتيا لري لکه قرباني، شـــاهدان، روغتيايي کارکوونکي، ځايي چارواکي، په جګړه کې د ښـــکېلو غاړو له خوا تاييد، قومي مشـــر او يا نورې ســـرچينې، چيرې چې شـــوني وي، معلومات د قربانيانو يا د پېښو د عيني شاهدانو او د پېښې د ځای د حقيقت موندنې د هڅو له لومړنيو سرچينو څخه تر لاسه کيږي، د حقيقت موندنې دغه ډول چارې د امنيتي محدوديتونو له امله چې لاس رسی اغيزمن کوي، تل شوني نه وي، په داسې شرايطو کې يوناما پر يو لږ تخنيکونو اتکا کوي چې د باوري شبکو له لارې چې تر شوني بريده پراخې ســـرچينې او معلومات کاروي معلومات راغونډ کړي، چې ټول يې د اعتبار او باور په موخه ارزول کيږي، په دغو تخنيکونو کې د پېښو په صحنو کې د راغونډ شويو ډيجټالي شواهدو لکه د ويډيوګانو، انځورونو او غږيزو ريکارډونو ارزونه، له روغتونونو او روغتيايي مرکزونو څخه ليدنې، د ملګرو ملتونو د امنيت او خوندیتوب د څانګې راپورونه، د دويم لاس ســـرچينو معلومات، د نا دولتي ادارو او د درېيم لوري له خوا راغونډ شـــوي معلومات او پخپله د جګړې ښکيلي خواوې شامل دي.]

ځواب: د راپور د مستند کېدلو لپاره دا مذکور مراجع د ملکي تلفاتو د مخنيوي او سمع شـکاياتو کمېسـيون هم په کلکه مراعات کوي، بلکې موږ له دې څخه په زيات کره والی باندې د ملکي تلفاتو راپور ثبت وو، بله دا چې زموږ تحقيقات د پېښې په وخت کې په عاجله توګه وي، مګر يوناما د خپل راپور مستندوالی د يادو مراجعو په اساس د پېښو څخه وروسته کوي.

د راپور د کره والي او مستندوالی په لحاظ زموږ راپور په نسبت سره د يوناما راپور ته ډېر مستند وي، ځکه چې د يوناما لخوا که دغه مذکوری د تائيد طريقه کيږي نو په هغه ســـاحو کې کيږي چې د حکومت تر واک لاندې وي نو هلته حتماً د هغه کسانو څخه معلومات اخلي چې د امارت خلاف خلک وي نو دوی په عمدي توګه د اسلامي امارت په ضد راپور ورکوي، نو په دې صورت کې راپور د تائيد وړ نشي ګرزېدلی.

همداراز کوم اشخاص چې د کابل اداري د بمبار یا نورو عملیاتو له کبله زخمی شي او بیا د تداوي لپاره ښاري یا هغه ساحو ته انتقالیږي، چې د کابل اداري تر واک لاندې سیمه وي، نو که د دغو متضررینو څخه د تلفاتو او یا د پیښو پوښتنه وشي نو حتماً د ډار له کبله او یا د دي له کبله چې کوم امنیتي مشکل ورته جوړ نشي متضرر کس ټوله پېره په اسلامي امارت وراچوي، نو په دې صورت کې راپور د تائید وړ نشي ګرځېدلی.

د راپور د مستندوالي په خاطر یوناما د روغتیایي مراکزو څخه معلومات اخلي، چې د روغتیایي مراجعو څخه معلومات هم نشي کره کېدلی، ځکه اکثره روغتیایي مراکز په ښارونو او د کابل اداري تر واک لاندې سیمو کې وي، د دې لپاره چې د کابل اداري لخوا کوم مشکل ورته جوړ نشي نو حتمي ده، چې د امارت په ضد معلومات ورکوي.

همداراز د یوناما لخوا د تخنیکي وسائلو په مټ معلومات هم د کروالی معیار نه دی، ځکه یوناما کارکونکی د امنیتي ستونځو له کبله د ښارونو څخه نشي وتلی، نو حتمي به د ساحو څخه د هغه خلکو څخه ویډیویي او غږیز معلومات اخلی چې د کابل اداري پورې تړلي خلک وي.

همداراز د رسنیو څخه راپور اخیستل دا هم د کره والي معیار نشي کدای، ځکه رسنۍ په ښارونو کې مراکز لري او حتمي به د کابل اداري په طرفداري باندې راپور ورکوي.

بله دا چې د کومو قومي مشرانو او ملکانو لخوا معلومات کیږي نو دا مشران او ملکان د کابل اداري لخوا مؤظف شوي وي او د کابل اداري په طرفداري باندې د بعضي ملاحظاتو له کبله معلومات ورکوي.

د یادولو وړ ده چې کوم راپور د یوناما لخوا ترتیب کیږي باید د یوناما او زمونږ د کمیسیون تر منځ مخکې د نشر څخه مجلس وشي. او یو بل ته په تلفاتو باندې قناعت ورکړو. او بیا نشر شي. صرف په راپور غوښتلو یا راپور ورکولو باندې موضوع واقیعت بینه نشي کېدلی.

همداراز د یوناما په نسبت د اسلامي امارت د ملکي تلفاتو د مخنیوي او سمع شکایاتو کمپسیون لخوا د پیښې تحقیق په مستند ډول کیږي هغه دا چې اکثره هغه پیښې چې د اسلامي امارت په مفتوحه ساحو کې کیږي نو د اسلامي امارت مربوط کارکونکي یې په اسانه طریقه د متضررینو سره د ملاقاتونو، د ویډیویي او غږیز بڼه د مصاحبو او راپورونو راټولولو او د کلي د ملک، قومي مشرانو او عامو خلکو او د ساحې د نورو ټولو کره او مستند مراجعو څخه مکمل معلومات کولی شو، مګر یوناما دغو مراجعو ته په اساني سره لاس رسی نشي کولی، بلکې په نورو اتکاء کوي.

همداراز د ملکیانو د تلفاتو د مخنیوي لپاره د اسلامي امارت په رسمي چوکاټ کې یو خپلواک او صلاحیت لرونکی کمپسیون جوړ شوی دی، چې د ملکي مرګ ژوبلې په دقیقه توګه څیرنه کوو.

همداراز مونږ الحمد لله مسلمانان یو او د اسلامي عقیدې په لحاظ مونږ د ملکیاتو د تلفاتو په رابطه ډیر احتیاط او مستند والي ته ډېر جدیت لرو.

۲ــ یوناما د خپل راپور په (۴) مخ کې د جګړې له ښکیلو خوا وو سره د ملکي تلفاتو په شمیرو کې توپیرونه د عنوان لاندې لیکلي:

یوناما د دې یادونه کوي چې د دغې اداري د ملکي تلفاتو شمیر ښایي له هغو سره توپیر ولري کومې چې د جګړې د ښکیلو خواوو له لوري راغونډې شوي، یوناما موندلي چې د جګړې ښکیلي خواوې د یوناما د موندنو په پرتله په ثابت ډول د هغو ملکي تلفاتو په اړه چې د دوي د عملیاتو په پایله کې رامنځ ته شوي کم راپور ورکوي، د جګړې ښکیلي خواوې د معلوماتو د راغونډولو په خپلو میتودولوژي ګانو او په خورا مهم ډول د ملکي شخص د تعریف په حقوقي شننه کې له یوناما سره توپیر لري.

یوناما د ملکي شخص هغه تعریف تطبیقوي کوم چې د بشرپالنې نړیوال قانون منعکسوي، ملکي اشخاص د هغو په ځیر تعریف شوي، ځوک چې د جګړې د ښکیلو خواوو د وسله والو ځواکونو غړي نه وي، د داخلي وسله والي

جګړې په صـــورت کې، په دې کې د دولتي وســـله والو ځواکونو غړي او دغه راز د جګړې د غير دولتي خواوو د تنظيم شويو وسله والو ډلو غړي شامل دي، د منظم وسله والو ډلو غړي، په منحصر ډول د نادولتي ډلو وسله والي يا نظـامي ځـانګې پر غړو اطلاق کيږي، چيرې چې افراد نا دولتي ډلو ته بل ډول فعاليتونـه يا د ملاتړ نور شـــکلونـه وړاندې کوي، نوهغوي د منظم وسله والو ډلو غړي نه ګڼل کيږي، د بشرپالنې تر نړيوال قانون لاندې په جګړو کې د مســتقيم ګډون د نظريې په اړه د ســره صــليب د نړيوالې کميټې د تفســيري لارښــوونو پر بنســټ، چې په تعقيب يې د ملګرو ملتونو د بشري حقونو يو شمير ميکانيزمونه او ځارندوی ماموريتونه هم رامنځ ته شوي، "په منظم وسله

والو ډلو کې د انفرادي غړيتوب لپاره پريکنده معيار دا دی، چې يو شـخص د يوې ډلې لپاره په جګړو کې د هغه/هغې د مســتقيم ګډون لپاره يوه دوامداره دنده اشـغالوي، هغه کســان چې له وســله والې مخالفې ډلې ســره مرســته کوي په سياسي، مالي يا بل ډول؛ خو په منظم وسله واله ډله کې کوم دوامداره جګړه ييز فعاليت نه لري، د بشرپالنې تر نړيوال قانون لاندې د وســـله والې ډلې غړي نه ګڼل کيږي، د ملکيانو په ځير، هغوي له بريدونو خوندي دي، تر هغې چې هغوي په جګړو کې په مستقيم ډول ګډون نه وي کړی.

يوناما موندلي چې د جګړې ښـکيلې خواوې د هغه څه په پرتله چې د بشـرپالنې په نړيوال قانون کې منعکس شـوي په دواړو پاليسي او عمل کې د "ملکي شخص" خورا کوچنی تعريف کاروي، چې له امله يې د وګړو پراخه برخه د هدف ګرځوني ســره مخ شــوي، يوناما په دوامداره ډول د هغه تعريف په اړه چې د طالبانو له خوا کارول شــوي اندېښــنه څرګنده کړې او همدارنګه له دولت پلوه ځواکونو ســره د خپلو تعاملاتو پرمهال په زياته کچه ورته اندېښــنې په ډاګه کړي، د بشـــرپالنې د نړيوال قانون له معيارونو ســره په تعريفونو کې دغه توپيرونه په عام ډول د ملکي وګړو لپاره خوندي شــوی چاپېريال په منفي ډول اغيزمن کوي، او دغه راز د يوناما له خوا د مســتند شــويو په پرتله د جګړې د ښکيلو خواوو له لوري د راپور شويو ملکي تلفاتو د کم شمير د راپور لامل ګرځي.

ځواب: اسلامي امارت په مفتوحه ساحو کې د صحت او تعليم او تربيې افرادو ته اجازه ورکړي او موږه چې د کومو کسانو څخه خلاف يو هغوی د ملکيانو په څېر نه ګرځي بلکې دوی مسلح وي او يا مسلح کسان ورسره وي او ستاسو د تعريف په اساس که مذکور کسان چې تاسې ورته ملکيان وايي مسلح وي نو بيا د ملکيانو په جملې کې نه راځي.

۳ـــ يوناما د خپل راپور په (۸) او (۲) مخونو کې د کم عمره افرادو د استخدام په رابطه داسې ليکلي دي چې يوناما همدارنګه د جګړې د ښـــکيلو لورو په تيره بيا د طالبانو له خوا د ماشـــومانو د ګمارنې او کارونې مســـتندول جاري ساتلي.

ځواب: د افغانســتان اســلامي امارت د مشــرتابه عالي مقام د فرمان په اســاس د نظامي کمېســيون، د دعوت او ارشــاد کمېسيون له لارې د کم عمره کسانو په رابطه کوټلي اقدامات ترسره کړي، چې د خپلو صفونو په تصفيه کې يې جدي پاملرنه کړې او خپل صــفونه يې له ماشــومانو څخه ســاتلي دي، نو دا خبره صــحيح نه ده چې اســلامي امارت په خپلو ليکو کې کم عمره کســان اســتخداموي او يا يې د اســتخدام مخنيوي نه کوي، بلکې په جدي توګه يې دې موضــوع ته پاملرنه کړې ده.

اما د دې بالعکس د کابل اداره کې داسې اقدامات نه دي شوي، که وايي هغه هم تش په نامه دي، ځکه په ډېرو پوستو کې دوی د ماشومانو د استخدام سره سره ماشومان د بچه بازی او نورو ناوړو کارونو لپاره استخدام کړي دي، چې دا له هيڅاځخه پټه نه ده.

۴ـــ يوناما د خپل راپور په اتم (۸) مخ کې ليکی [پوهنې ته د ماشومانو د لاس رسي حق په ۲۰۲۰م کال کې د وسله والې جګړې له امله کمزوری شـوی، په تيره بيا پر ښـوونځيو او ښـوونکو د بريدونو له امله، دغه کار په عمده ډول د سوځولو او ځای پر ځای شويو چاوديدونکو توکو له لارې د ښوونځيو د ورانولو او د ښوونکو د هدفي وژنو په ګډون د دولت ضد عناصرو له خوا د مستقيمو بريدونو له امله رامنځ ته شوی. الخ]

ځواب: د یوناما د راپور دا پورتنۍ ادعاء بې اساسه بولو، چې هیڅ ثبوت نه لري، اسلامي امارت د تعلیم او تربیې د پراختیا لپاره د تعلیم او تربیې په نوم کمپسیون تاسیس کړی دی او مکاتبو ته یې رسماً اجازه ورکړي، بالعکس د کابل اداري لخوا په عملیاتو کې مکاتب تعلیمي اداري او مدارس او همداراز صحي مراکز په نښه شوي چې په تیر کال کې ۴۵ بریدونه خاص په مدارسو باندې ترسره شوي دي او مورِ سره یې مستند راپورونه موجود دي او همدا کړنې یې له نورو هیوادوالو او نړیوالو څخه هم نه دي پنا.

لاندې یې د ځینو پیښو یادونه کوو:

۱: ۲۰۲۰/۹/۸م

بلخ ولایت خاص بلخ بوکې سیمه کې مازدیګرمهال سه شنبه ۴ بجې د غرب غلامانو د تېر په څېر یو ځل بیا یوه دیني مدرسه د ډرون طیارې هدف وګرځوله، چې په ترڅ کې د مدرسې یو اطاق مکمل له منځه تللی او دنورو اطاقونو او د مسجد شیشی یې ماتې کړي او یو وړوکی حافظ محمدامین ولد ظاهر خان یې ټپي کړی.

۲: ۲۰۲۰/۸/۲۲م

د لغمان د قرغي ولسوالۍ اړوند د سرخکانو په ساحه کې د سعد ابن وقاص ــ رض ــ په دیني مدرسې د ملي امنیت عسکرو چاپه اچولې په خورا وحشت او ظلم سره یې ــ ۲۵ ــ کسان طالب العلمان نیولي له ځان سره یې وړي دي، چې اکثر یې کم عمره ماشومان دي، د پیښې پرمهال ځینې متعلمین تختیدلي دي، د مدرسې مهتمم، ګل رسول صاحب ته یې جدي اختار ورکړي دی چې استاذان او شاګردان به ټول نیسو زندان ته به یې لیږو د ویرې او وحشت فضا یې خلکو کې خپره کړي ده.

نورو دیني مدارسو ته یې هم لوی تشویش اچولی دی چې څه به کیږي حالات ترینګلي دي، هر سړی د خوف احساس کوي.

۳: ۲۰۲۰/۸/۲۵م

د بغلان ولایت بغلان مرکزي ولسوالۍ اړوند د بیکزادو سیمه کې د شپې یوه بجه د غرب غلامانو لخوا بمبار وشو چې له املې یې د زید بن ثابت رضی الله تعالی عنه مدرسه په مکمله توګه تخریب شوه او پرمهال یې د مدرسې پنځه ۵ تنه شاګردان په شهادت ورسیدل.

د شهیدانو نومونه په لاندې ډول دي: ۱ـ شهید مصطفی ولد نیک محمد ۲ـ شهید نجیب الله ولدعبدالله ۳ـ شهید عبیدالله ۴ـ شهید سهراب ولد پتنک ۵ــ شهید ابراهیم ولد شیرولي او څلورکسان زخمیان دي ۱ــ حافیظ الله ۲ــ نصرت الله۳ــ جان محمد ۴ـ او یوتن بل.

۴: ۲۰۲۰/۷/۱۲م

د لوګر ولایت مرکز اړوند د کلنکار په ساحه کې د تیرې چهار شنبې په ورځ په (۱۱) بجو د اجیرې اردو قطار د کابل او لوګر په سړک تیرې ده چې د دوی ټانک د سړک په غاړه د کلنګار جهادي لیسې خواته (۴) بیکناه ماشومان چې د مدرسې شاګردان ول په شهادت ورسول چې څلورواړه د یویی کورنۍ غړي ول.

۱ـ ۱۵ کلن قاري وهاب ولد ګلاب ۲ـ ۸ کلن قاري فواد ولد ګلاب ۳ـ ۱۲ کلن قاري رحیم الله ولد عبدالقیوم ۴ـ ۱۲کلن قاری مشتباح ولد احمد شاه

۵: ۲۰۲۰/۷/۲۶م

د خوست ولایت موسی خیلو ولسوالۍ اړوند په همدې ورځ مازدیګر شپږ ۶ بجې د زوړکوټ سراج العلوم مدرسه د کابل مزدورې اداري لخوا هغه مهال د هاوان په مرمۍ ولګیده چې مزدور دښمن د ملکیانو په کورونو د هاوان بې هدفه ډزې وکړې، چې له امله یې د مدرسې تعمیر او شیشې تخریب شوې.

۵ـــــ یوناما د خپل راپور په نهم (۹) مخ کې لیکي [هدفي وژنو، د ملکي وګړو په اصـــطلاح "ترور" په ګډون، په ۲۰۲۰م کال کې ۱۲۴۸ ملکي تلفات (۷۰۷ مړه او ۵۴۱ ټپیان) اړولي، چې د ۲۰۱۹م کال په پرتله د دغو بریدونو له امله د ملکي تلفاتو په شـمیر کې ۴۵ ســلنه زیاتوالی په ډاګه کوي، په دې کې د رســنیو د کارمندانو، د مدني ټولنې د فعالینو، د قضائیه قوې د غړو د حکومت د ملکي اداري، .....ملکي تلفاتو ۹۴ سلنه هغه یې دولت ضد عناصرو ته منســوب کړې، د دې له جملې څخه ۷۶۱ ملکي تلفات (۴۵۹ مړه او ۳۰۲ ټپیان) د هدفي وژنو له امله وو چې طالبانو ته منسوب شوي او د ۲۰۱۹ کال په پرتله ۲۲ سلنه زیاتوالي په ډاګه کوي.

ځواب: مونږ د یوناما په راپور کې د هدفي وژنو او ترور یاد تلفات ردوو، ځکه اکثره هدفي وژنې په هغه ســاحو کې کیږي چې د کابل اداري په ولکه کې دي، نو په حقیقت کې هدفي وژنې د کابل اداري او د کابل اداري د اســتخباراتو لخوا کیږي او یا دوی پکې پوره لاس لري، لکه د وحید مژده، د دکتور ایاز، د مولوي عزیزالله مفلح، د انجینر عاطف او د فرشته کوهستاني وغیره مړینې، مګر بالعکس یې پره په اسلامي امارت اچول د راپور نیګرتیا بولو او وایو چې په راپور کې د بې پرې توب اصل په نظرکې ندی نیول شوی.

د مرموزو قتلونو د تحقیق په رابطه د اســلامي امارت د مشــرتابه عالي مقام لخوا فرمامین صــادر شــوي دي، چې د اسلامي امارت ټول مجاهدین وربانديې په کلکه عمل کوي.

۶: یوناما د خپل راپور د جګړې ښــکیلو خواوو ته د ملکي تلفاتو منســوبونه د عنوان لاندې لیکي: [د ۲۰۲۰م کال د جنوري له ۱ نېټې څخه د ډیسمبر تر ۳۱ پورې، یوناما د ټولو ملکي تلفاتو ۶۲ سلنه دولت ضد عناصرو ته منسوب کړې چې د هغو له جملې څخه، ۴۵ سلنه یې طالبانو، اته ۸ سلنه یې د عراق او شام د اسلامي دولت – خراسان ولایت ډلې او نهه ۹ سلنه یې نامعلومو دولت ضد عناصرو ته منسوب شوي.

دولت پلوه ځواکونو په ۲۰۲۰م کال کې ۲۵ ســلنه ملکي تلفات اړولي، یوناما ۲۲ ســلنه ملکي تلفات افغان ملي امنیتي ځواکونو او یوه سلنه یې نړیوالو نظامي ځواکونو، دولت پلوه وسله والو ډلو او نامعلومو ګنو دولت پلوه ځواکونو ته په ترتیب سره منسوب کړې.

نهه ۹ سلنه ملکي تلفات د دولت ضد عناصرو او دولت پلوه ځواکونو ترمنځ د ځمکنیو نښتو له امله رامنځ ته شوي کوم چې نه شي کیدای کوم مشخص لوري ته منسوب کړای شي، د پولې په اوږدو نښتې چې پاکستاني نظامي ځواکونو ته منسوب شوي له دوه سلنې کم ملکي تلفات اړولي، پاتې دوه سلنه ملکي تلفات هیڅ لوري ته نه شوای منسوب کیدای او زیاتره هغه یې له جګړې څخه د پاتې شونو چاودیدونکو توکو له امله رامنځ ته شوي ملکي تلفات دي.]

ځواب: متأسفانه ستاسو راپور له هغو پیښو او سیمو څخه بشپړ معلومات نلري، چې د کابل اداري ځواکونه هره ورځ د ملکي خلکو پرکورونو، بازارونو، مساجدو، تعلیمي مراکزو او په نورو عام میشته سیمو کې، چاپې وهي، بمبارونه او د ثقیله اسلحو بریدونه ترسره کوي او

د ملکي وګړو په وړاندې نور ډول ډول مظالم تر ســره کوي، چې راپورونه یې هره ورځ په رســنیو کې خپریږي، په داسې حال کې دا معقوله نه ښکاري، چې بیادې هم زمونږ مجاهدین د ۴۵ سلنه ملکي تلفاتو مسئول وګڼل شي او دولت پلوه ځواکونوته دې ایله ۲۵ ســلنه منصــوب کړل شــي، نو دا معلومه شــوه، چې له کومو مراجعو څخه دوی خپل راپورونه راغونډ کړي دي او دوی یې د مستندوالي دعوی کوي چې مخکې دوی ورځخه یادونه کړې ده هغه مراجع مستند او بې طرفه منابع او مراجع نه دي، نو یاد راپور په مستندو راپورونو کې نه شمارل کیږي.

۷: یوناما د خپل راپور دولسم (۱۲) مخ کې لیکي: [یوناما ۱۲۰ ملکي تلفات (۸۹ مړه او ۳۱ ټپیان) نړیوال نظامي ځواکونو ته منسوب کړي، چې ۸۴ سلنه کمښت راغلي او د ملکي تلفاتو ترټولو کمه شمیره ده له هغه مهاله چې یوناما ۲۰۰۹ کال کې د سیستماتیک ثبت ولو کار پیل شوی. د ۲۰۲۰ کال په لومړیو دوو میاشتو کې، د نړیوال نظامي ځواکونو هوایی بریدونه په ۲۰۱۹ کال کې د ورته ملکي تلفاتو لامل شو. بیا وروسته، د متحده ایالاتو - طالبانو د ټرون له لاسلیک کیدو وروسته، د نړیوال نظامي ځواکونو ملکي تلفات ټول ودریدل.]

ځواب: نړیوالو ځواکونو د ۲۰۲۰م کال د اسلامي امارت سره تر ټرون وړاندې، په مذاکراتو کې د لاسته راوړنې په هدف، ګڼ شمیر ملکیانوته تلفات اړولی، چې مستند راپورونه یې زموږ سره ثبت دي او د نورو بادرکه نړیوالو، بالخصوص د افغان ملت څخه هم نه دي هیرشوي او له ټرون څخه وروسته هم یادو ځواکونو بسنه نه ده کړي، بلکي په ګڼو ولایتونو کې یې پرملکي خلکو هوایي بریدونه کړي دي، چې د دوی د ټرون د څارنې له کمیسیون سره باربار شریک شوي دي او هغوی تائید کړي، نو موږ پورته ادعا د حقیقت او عینی پیښو څخه صریح تخلف بولو او دا وینو چې په راپورکې له داخلو جهتونو سره د مور او میړې چلند شوی.

۸: یوناما د خپل راپور په (۴۲) مخ کې لیکلي دي: [ملکي وګړیو ته له سپکاوي او بې رحمۍ ډکو او غیر انسانی سزاګانو ورکول د ۲۰۲۰م کال د جنوري له ۱ نېټې څخه د ډیسیمبر میاشتې تر ۳۱ نېټې پورې، یوناما د طالبانو د موازي عدلي جوړښت لخوا له سپکاوي او بې رحمۍ نه د ډکو او غیر انسانی سزاګانو چې په هغو کې د غیر اخلاقي کړنو او زنا تورونه هم شامل وو پینځه پیښې مستند کړې.

په دغو سزاګانو کې څلور تنه ملکیان وژل شوي او دوه نور ټپیان شوي دي، په دغو پیښو کې د دریو نارینه وو او یوې ښځې اعدام او د دوو ښځو او یوه نارینه د وهلو پیښې شاملې وې، د ډبلګې په توګه، د جنوري میاشتې په ۱۹ نېټه، یوه مېرمن د خپلې مور د سترګو په وړاندې په لرګیو او وسپنیزو کیبلونو تر وهلو لاندې ووژل شوه او د یوه نارینه ګوتې او پښې د سزا په توګه د طالبانو لخوا د دې له کبله ور مات کړای شول چې ګواکې له خپلې مېرمنې پرته یې له بل چا سره نامشروع جنسي اړیکي درلودې، د جون میاشتې په ۲۶ نېټه په فاریاب ولایت کې، دوه تنه نارینه په عام محضر کې د سلګونو خلګو د سترګو په وړاندې چې ماشومان هم پکې وو، اعدام کړای شول، دا کار د طالبانو د موازي عدلي سیستم لخوا د عدالت د تطبیق په موخه د یوه جرم د 111سزا په توګه تر سره شول، هغه سزاګانې چې د دولت د مخالفینو لخوا خلګو ته ورکول کېږي، د افغانستان د قوانینو په اساس یو جنایت دی او همدارنګه له بشري حقوقو تېري او تر پښو لاندې کول ګڼل کېږي، په دې سربېره، سختې سزاګانې لکه اعدامول، له نړۍ والو بشر دوستانو حقوقو څخه سرغړونه ده او ښایي جنګي جنایت وګڼل شي، په عام محضر کې اعدامونه یو غیر انسانی عمل دی او د هغو خلګو چې د اعدام سزا ور اورول کېږي او د هغو کسانو چې د دې عمل لیدنه کوي په خاص ډول د ماشومانو د روحی ناروغیو د زیاتېدو سبب ګرزي، یوناما د دولت له مخالفو ځواکونو په کلکه غواړي چې ژر تر ژره د خلګو په وړاندې له بې رحمانه او غیر انساني او سپکوونکو کړنو او سزاګانو څخه لاس واخلي.]

ځواب: دا مبهم او غیر ثبوت شوي راپورونه هیڅ کله د منلو وړ نه دي، موږ یوناما ته په هرو دریو میاشتو کې (د یوناما له لوري طالبانوته منسوب شوي د ملکي تلفاتو غوره پیښې) چې په جدولي ډول زموږ سره شریک کېږي، په ځواب کې د دا ډول پیښو معلومات په تفصیل سره ورکړي دي، چې اکثره هغه پیښې وي، چې یا د خپل منځې ستونزو له امله، یا د نامعلومو اشخاصو، غلو او د کابل اداري د مفسدو غړو لخوا ترسره شوي وي، مګر په دې راپور کې په هغو ځوابونو اکتفا نه ده شوي، بلکې هم هغه پیښې بیرته پر مجاهدینو اچول شوي دي.

بله دا چې افغانستان کې اسلامي او افغاني محیط دی، دا محیط د اورپا او امریکا سره پرتله کول د دې معنی ورکوي چې یوناما د اسلامي او افغاني اصولو څخه هیڅ معلومات نه لري، زموږ په قضایي سیستم باندې چې په راپور کې کومه نیوکه شوې، دا د اسلام مقدس دین ته سپکاوی او پر اسلامي ارزښتونو نیوکه ده، زموږ قضائي سیستم اسلامي قضائي سیستم دی چې د عدل او انصاف څخه ډک دی او زموږ قضایي سیستم په الهي قانون بنا دی او الهي قانون د

ټولو انسانانو لپاره کافي او شافي او د عدل او انصاف څخه ډک او مملو قانون وي او دی، هیڅ وضعي قوانین او وضعي قضائي سیستمونه یې په عدل او انصاف کې مقابله نشي کولی.

د افسوس مقام دا دی چې یوناما په عمدي توګه د هغه اسلامي نظام پر خلاف یادونه کوي چې د کوم نظام لپاره مسلمانانو له پیړیو راهیسې قرباني ورکړي او ورکوي یې، نو هیله مو داده چې په خپلو راپورونو کې داسې څه ذکر نه کړئ، چې هغه په اسلامي ارزښتونو او قوانینو نیوکه وي، ځکه یو به مسلمانان عکس العمل ته مجبورشي او بل به د یوناما هیثیت او بې طرفي ته جدي صدمه ورسیږي.

۹: یوناما د خپل راپور په دولسم (۱۲) مخ کې لیکلي دي [ماشومانو ته د سخت زیان یو مثال د ۲۰۲۰ فبروري کې په شمال ختیځ سیمه کې پیښ شو، کله چې د طالبانو لخوا ګمارل شوو درې ماشومانو هڅه وکړه چې د کوژدې په یوه ګوند د هدف په وړاندې د ځان وژونکي برید هڅه وکړي، په لاره کې، یو ماشومانو په ناڅاپي ډول خپل چاودیدونکي مواد وچاوه ول ، هغه یې وواژه او دوه نور ماشومان یې ټپیان کړل.]

ځواب: په هغو پیښو کې چې د یوناما لخوا مورِته په هرو درېو میاشتو کې د جدول په شکل را لیږل کیږي، پورته یاده شوي پیښه هم ځواب شوي ده؛ خو متأسفانه چې دلته یې یوځل بیا یادونه شوې، په دې راپور کې یې هم په مبهمو پیښو باندې اتکاء کړي، یعنی په پورتنی پیښه کې دا معلومه نه ده چې دا د شمال ختیځې په کومه ساحه کې او په کومه نیټه ترسره شوې ده.

اسلامي امارت هیڅ کله هم د استشهادي عملیات لپاره ماشومانوته اجازه نه ورکوي او بیا په واده باندې! دا د هیڅ عقل او منطق سره برابره خبره نه ده مورِه یې یوځل بیا په کلکه ردوو.

۱۰ـــــ یوناما د خپل راپور په څلورویشتم (۲۴) مخ کې لیکلي دي: [یوناما د روغتیایی پاملرنې پرلپسې حملو سره اندیښنه لري چې د طالبانو لخوا مستقیم تاسیسات او محافظتي پرسونل په نښه کوي، په شمول د جبري کلینیک ټرل، هدفي وژنې، اختطافونه، او د تعبیه شوي چاودیدونکي توکي.]

ځواب: اسلامي امارت د صحت په رابطه خدماتو ته په خپلو مفتوحه سیمو کې اجازه ورکړې او د اصولو په چوکاټ یې کې په دوامداره توګه یې خپله مرسته ورسره جاري ساتلې، معلومه ده چې د صحت په رابطه هیڅ مشکل د امارت په پالسیو کې وجود نه لري، بالعکس د کابل اداري لخوا د هیواد په مختلفو سیمو کې به کلینکونو بمبار او د ثقیله اسلحو ډزې شوې دي، چې له کبله یې روغتیایي مراکزو او کلینکونو ته زیانونه رسېدلي دي، طبي پرسونل پکې شهیدان او زخمیان شوي دي، زمونږ د دقیقې محاسبې له مخې په تیرکال کې (۱۵) کلینیکونه او مکاتب د دښمن لخوا عمدا تربریدونو لاندې راغلي، دا ټولو ته معلومه ده چې اسلامي امارت د صحي مراکزو حفاظت کوي او کړی یې دی.

۱۱ـ یوناما د خپل راپور په شپږ ویشتم (۲۶) مخ کې لیکلي: [سږکال د ۲۰۱۹م په پرتله د پیښو په شمیر کې ۱۶ سلنه کمښت ښودل شوی، یوناما د ښووني او روزنې په تاسیساتو او پرسونل د مستقیم بریدونو دوام ته اندیښنه لري چې د دولت ضد عناصرو لخوا ترسره شوي، چې دا په ۲۰۲۰م کې د ۳۶ پیښو مجموعه وه. د کال په جریان کې، طالبانو په ښوونه او روزنه ۱۶ مستقیم بریدونه ترسره کړي، پشمول د اور وژنې ، ځای پر ځای شوي چاودیدونکي توکي، ګواښونه، اختطافونه، او د پرسونل هدفي وژنې دی. د مثال په توګه، د جولای په ۱۵ په تخار ولایت کې، طالبانو په یوه ښوونځي کې اور واچاو، په بشپړه توګه یې د کتابتون او لابراتوار په ګډون ودانۍ ویجاړه کړه. داعالي لیسه مخکې د ۱۰۰۰ هلکانو او انجونو ته تعلیمات برابرول.]

ځواب: د یوناما د راپور دا برخه هم بې اساسه دی، اسلامی امارت د ښوونې او روزنې ملاتړ کوي او په همدې هدف یې یو مستقل د تعلیم او تربې کمیسیون تأسیس کړی دی، هیڅ کله چاته په تعلیمي تاسیساتو او پرسونل باندې د برید کولو اجازه نه ورکوي بلکې په کلکه توګه یې مخنیوی کوي.

بله دا چې د تخار ذکر شوې پېښه په ښار کې شوې او اسلامي امارت په هغه وخت کې رد کړې ده، مګر د کابل اداره قصدي داسي اعمال او ګړني ترسره کوي ترڅو يې پره پرمجاهدينو ور واچوي، متأسفانه د يوناما اداره بغير د دې چې کره او مستند معلومات ترلاسه کړي، اسلامي امارت ته د دا ډول پېښو په مسئوليت منسوبولو کې د کابل اداري سره همکاره شي.

۱۲: يوناما د خپل راپور په يوځلويښتم (۴۱) مخ کې ليکي : [د جګړې اړوند، د ملکي وګړيو برمته کول او تښتونې، د دولت مخالف ځواکونه په خاصه توګه طالبان، په ۲۰۲۰م کال کې د ملکي وګړو برمته کولو او تښتونو ته دوام ورکړی چې شمېره يې د تېر کال له تښتونو سره برابره وه. د دغو تښتونو په مټ طالبانو ملکي خلک له خپلې آزادۍ ځخه بې برخې، او د برمته کولو په مهال ټپيان او ووژلي دي.]

ځواب: اسلامي امارت هيڅ کله برمته او اختطاف ته اجازه نه ورکوي، بلکې، د يوناما په ګډون ټولوته معلومه ده، چې په تيرکال کې ګڼ شمير اختطاف چيان د اسلامي امارت د مجاهدينو لخوا ونيول شول او برمته شوي اشخاص د هغوی له منګولو ځخه خوشي کړل شول، د داسي واقعاتو د ښه ثبوت لپاره ګڼ شمير ويډيوګاني په رسنيو کې نشر شوي دي، چې هرڅوک کولی شي لاس رسی ورته وکړي.

همداراز ټولو خلکوته ښکاره ده، چې په دې ډول پېښو کې اکثره د کابل اداري چارواکو لاس وي او حتی په ځينو پېښو کې له خپل نظامي لباس او رنجرموټرو ځخه هم استفاده کوي او کله چې د دې اداري د کوم اورګان له لوري اختطاف چيان ونيول شي، په ډير کم وخت کې بيرته خوشي کړل شي، چې په ځلونو په دې اړه د ولس اعتراضونه رسنيوته راوتلي دي.

که د سلامي امارت له لوري د دښمن د اشخاصو نيول کيدل او يا د هغو کسان نيول چې د دښمن د غړيتوب شک پرې ګيږي په اختطافي پېښو کې حسابوئ، نو بيا خو پکاردە، چې د کابل اداري له لوري د چاپو پرمهال او د عامو لارو په اړدوکې د ملکي وګړو نيول هم په دې راپور کې درج کړي، چې هره ورځ د هيواد په ګوټ ګوټ کې په سلهاو کسان نيول کيږي او وروسته د ځو روپيو په بدل کې خوشی کيږي.

۱۳: يو ناما د خپل راپور په (۴۳) مخ کې ليکلي: [د ۲۰۲۰ زيږديز کال په اوږدو کې، يوناما په پر له پسې توګه داسي شواهد تر لاسه کړل چې د دولت مخالف ځواکونه په خاصه توګه طالبان د ملکي خګو ژوند په خطر کې اچوي. دا کار په خاص ډول په جبری ډول د نظامي موخو لپاره د ملکي کورنو او نورو ملکي تاسيساتو د کارولو او له ملکي خلګو د مرستې غوښتل او د هغوی د تحريک او هڅولو په مټ هغوی د دولت پلوه ځواکونو تر برید لاندې راولي.

يوناما د ملکي خلګو په منځ کې د طالبانو د پټېدلو ډېرې داسي پېښې تائيد کړې چې په هغو کې له ملکي کورونو ځخه د نظامي موخو او له هغه ځايه د نظامي پلانونو او بريدونو ترسره کول، او همدارنګه د دولت پلوه ځواکونو په وړاندې د جګړو په مهال په ملکي کورونو کې د پناه اخيستل شامل وو. د ښلګې په توګه د فبروری په ۷ نېټه د بلخ ولايت په چهاربولک ولسوالی کې افغان امنيتي ځواکونو د طالبانو په وړاندې چې په ملکي کورونو کې ځای په ځای شوي وو له درندو وسلو کار واخيست. د درندو وسلو يوه ګولی په يوه کور ولګېده چې په ترڅ کې يې دوه نجونې، دوه هلکان او دوه نارنيه ټپيان شول او کور يې ويجاړ شو. د سبتمبر مياشتې په ۲۶ نېټه د ارزګان ولايت په کيزاب ولسوالی کې په يوه کور کې د دولتي ځواکونو د هاوان مرمی ولګېده چې له امله يې يوه مېرمن سخته ټپي شوه. تر پېښې ځو شېبې وړاندې، طالبان نوموړي کور ته په زور ور ننوتي وو. خلګو هڅه کوله چې خپل ارزښتمن توکي له ځان سره واخلي او و تښتي خو د هاوان ګولی ولګېده او پېښه يې را منځ ته کړه. د اکتوبر مياشتې په ۱۹ نېټه د بلخ ولايت په دولت آباد ولسوالی کې طالبان يوه کور ته ننوتل او د کور ځښتن يې اړ ايست چې هغو ته ډوډۍ چمتو کړی.

ځواب: مورِ د یوناما په راپور کې دا او دیته ورته ادعا وي بې اساسه بولو، د اسلامي امارت مجاهدین هیڅ کله هم نه د ملکي خلکو په کورونو کې سنګر نسي او نه د ډوډۍ لپاره د چا کورته په زوره ورننوزي، بلکې دا د کابل د اداري یو منفي پروپاګند دی چې د یوناما لخواهم بدرګه شوی.

د افغانستان ملت یو مجاهد ملت دی او په خپله د دې مبارزې برخه دي، د شرعي مکلفیت پراساس په هره ممکنه لاره د دې جهادي صف مرسته کوي، د دې ضرورت نه پیښیږي چې له چا څخه دې ډوډۍ په زوره وغوښتل شي، بلکې په هره سیمه کې ډیر داسې خلک وي، چې مجاهدته د ثواب په نیت ډوډۍ ورکوي او کوشش کوي، چې په دې مبارزه کې په یو ډول له دوی سره ځان شریک کړي.

بالعکس د کابل اداري د ځواکونو لخوا په کلیو، د خلکو په کورونو، صحي مراکزو او مکاتبو کې پوستې جوړې شوې دي او ډیر داسې انځورونه او ویډیوګانې د دوی لخوا خپورې شوي دي، چې د خپلو عملیاتو په جریان کې د نښتو پرمهال د ملکي خلکو کورونوته ننوتلي او له هغه ځای څخه جنګیږي، یواځې جنګیدل څه چې په زوره د سیمې په خلکو خپل ټپیان د جنګ له سهنې څخه باسي او نور ډول ډول کار ورڅخه اخلي، ډیرځله خو د تګ پرمهال په کورکې شته قیمتي اجناس له ځان سره وړي او کورونه لوټ کړي.

۱۴: یوناما د خپل راپور په (۳۲) مخ کې ذکر کړي، چې په تیر ۲۰۲۰م کال کې د طالبانو له لوري ۱۳ هغه فدایي بریدونه ترسره شوي، چې عامو خلکوته پکې مرګ ژوبله اوښتې؛ خو طالبانو د ۴ بریدونو مسئول منلی دی.

ځواب: ستاسو په راپور کې د ۱۳ فدایي بریدونو پرې پرطالبانو اچول شوي، سره له دې چې تاسو خپله وایي چې اسلامي امارت په همدې پیښو کې د ۴ پیښو مسئولیت پرغاړه اخیستی، نو د ۹ پیښو مسئولیت د چا په تائید پر مجاهدینو اچوئ؟ معلومه خبره ده، چې د دښمن لخوا څه ویل کیږي هغه په خپل راپور کې لیکلئ، دښمن خو په سپین سترګې سره ډیرې هغه پیښې هم اسلامي امارت ته منسوب کولې، چې د داعیش وسله والې ډلې یې په ښکاره یوځل مسئولیت پرغاړه اخیستی وو.

نو ځکه مورِ د یوناما دغه راپور ردوو، بې پرې یې نه بولو او په ریښتوني توګه د ملکي وګړو د تلفاتو د مخنیوي په هدف نه راته ښکاري.

د یوناما په ګډون له ټول بشرپالو ادارو څخه چې د ملکي خلکو د مرګ ژوبلې په اړه راپورونه خپروي، هیله لرو، چې په خپلو راپورونو کې د بې پرې توب اصل په نظرکې وساتي او خپل راپور په ریښتوني او دقیقو ارقامو چمتو کړي، ترڅو په داسې راپورونو د بې ګناه انسانانو د مرګ ژوبلې مخه ونیسو.

مګر که د ملکي تلفاتو له موضوع څخه سیاسي استفادې ته دوام ورکوو، نو بیا نشو کولی چې خپل هدف ته ورسیږو، بلکې پرځای به یې هغو خلکوته برأت او جرأت ورکړو، چې ملکي وګړوته په بې پروایي سره عمداً مرګ ژوبله اړوي. مننه

Unofficial UNAMA Translation of the response by the Taliban:

The Taliban Civilian Protection and Complaint Hearing Commission response to UNAMA Protection of Civilians 2020 Annual Report

Hello,

We appreciate that UNAMA shared with us the annual civilian casualties report, the civilian casualties' prevention and complaint hearing commission reviewed the report carefully, which explicitly indicates the said report is far from truth and compiled without investigation.

This is worthy to mention the report deliberately planned to attribute majority of civilian casualties to the Islamic Emirate. It has no basses in truth, not factual and the mentioned reports are entirely vague and does not contain accurate information.

Based on the following reasons and answers we categorically reject the prepared report of UNAMA.

1. On first page of the UNAMA report under the title of Verification and the standard of proof it is stated: [For the purposes of its reports on the protection of civilians, UNAMA only includes verified civilian casualties. Civilian casualties are recorded as 'verified' where, based on the totality of the information reviewed by UNAMA, it has determined that there is 'clear and convincing' evidence that civilians have been killed or injured. In order to meet this standard, UNAMA requires at least three different and independent types of sources, i.e., victim, witness, medical practitioners, local authorities, confirmation by a party to the conflict, community leader or other sources. Wherever possible, information is obtained from the primary accounts of victims and/or witnesses of the incident and through on-site fact-finding. These forms of fact-finding are not always possible, primarily due to security-related constraints affecting access. In such instances, UNAMA relies on a range of techniques to gain information through reliable networks using as wide a range of sources and information as possible, all of which are evaluated for credibility and reliability. These techniques include examination of digital evidence gathered at the scene of incidents such as still and video images as well as audio recordings; visits to hospitals and medical facilities; reports of the United Nations Department of Safety and Security and other United Nations entities; accounts by secondary sources; information gathered by non-governmental organizations and other third parties; and the parties to the conflict themselves.]

Answer: The Civilian casualties' prevention and complaint hearing commission strictly observes these references and even more authentically documents incidents; however, our investigation is conducted following the incident rapidly while UNAMA documents based on the references after the incidents.

Our report and documentation accuracy is higher compared to UNAMA, because UNAMA follows the methodology of verification in areas under control of Government, where information must be gained from individuals against the Emirate and they report intentionally against Islamic Emirate and such report cannot be relied on.

Additionally, those people who sustained injuries as a result of airstrikes and operations of the Kabul administration and referred to urban or areas under the Kabul Administration Control, if the victims are asked about casualties, then the victims would attribute to Islamic Emirate due to fear and to evade safety risks, therefore the report cannot be relied upon.

For incident verification UNAMA gains information from health facilities, while health facilities cannot be relied upon as well, because most of the health facilities in urban areas or under the Kabul administration control areas, to avoid any foreseen problems from Kabul administration side, they provide information against the Emirate.

Similarly, UNAMA verification through technical/digital instruments is not reliable, due to security constraints UNAMA staff cannot go beyond cities and to acquire videos and voice recording from sources that are affiliated to the Kabul administration.

Similarly reports from media sources verification cannot be accurate, because media outlets' centres are in cities and their reports would be pro-Kabul Administration.

On the other hand, the tribal elders and communities' chiefs are assigned by the Kabul administration and they provide pro-Kabul Administration information for keeping in views certain remarks.

It is noteworthy to mention that when UNAMA drafts the report, there should be meeting between UNAMA and our commission prior launch of the report. After satisfying each other on casualties and then report should be published. Only asking for reports or sharing cannot be realistic approach.

As well Islamic Emirate Civilian Casualties prevention and complaint hearing commission accurately documents incidents compared to UNAMA, because most of the incidents occurred in conquered areas of Islamic Emirate which enables Islamic Emirate members to conduct meeting easily with victims, collect videos and voice record and can get information from village chief, tribal elders, ordinary people and other recognized sources, but UNAMA does not have easy access to these sources but relies on others.

Similarly, the Islamic Emirate established an independent and authorised commission to prevent civilian casualties, which accurately investigates civilians' deaths and injuries.

Praise to Allah we are Muslims and based on Islamic creed we take civilian casualty seriously and its documentation.

2. UNAMA states on page 4 of its report regarding differences in civilian casualty figures with parties to the conflict:

UNAMA notes that its civilian casualty figures may differ from those compiled by the parties to the conflict. UNAMA has found that the parties to the conflict consistently report fewer civilian casualties resulting from their operations as compared to findings by UNAMA. The parties to the conflict differ from UNAMA in their information-gathering methodologies and, crucially, in their legal analysis as to the definition of civilian.

[UNAMA applies a definition of civilian that reflects international humanitarian law. Civilians are defined as persons who are not members of the armed forces of the parties to the conflict. In the context of non-international armed conflicts, this includes members of State armed forces as well as members of organized armed groups of non-State parties to the conflict, 'Members of organized armed groups' refers exclusively to the members of the armed or military wing of non-state parties, whereas individuals performing other types of activities and providing other forms of support for the non-State parties would not be considered members of organized armed groups. Based on the interpretative guidance of the International Committee of the Red Cross on the notion of direct participation in hostilities under international humanitarian law, which has been followed by a number of United Nations human rights mechanisms and monitoring missions, "the decisive criterion for individual membership in an organized armed group is whether a person assumes a continuous function for the group involving his or her direct participation in hostilities". Individuals who are supporting an armed opposition group – politically, financially or otherwise - but who do not have a continuous combat function in the organized armed group, are therefore not considered to be members of the armed group within the meaning of international humanitarian law. As civilians they are protected from attacks, unless and for such time as they directly participate in the hostilities.]

UNAMA has found that the parties to the conflict apply a narrower definition of "civilian", both in policy and in practice, than what is reflected in international humanitarian law, which results in a wider segment of the population being subject to targeting as well as flawed implementation of the principles of precaution and proportionality. UNAMA has consistently raised concern about the definition of civilian applied by the Taliban and is increasingly addressing similar concerns in its engagement with Pro-Government Forces. These differences in definitions from the standards of international humanitarian law negatively affect the overall protective environment for civilians, and also contribute to lower civilian casualty figures reported by the parties to the conflict than documented by UNAMA.

Answer: The Islamic Emirate has allowed health and education personnel in the areas under its control. We are against those who do not behave as civilians, who are armed or have armed persons with them. According to your definition, if the mentioned persons - who you refer to as civilians - are armed, then they cannot be called civilians.

3. In pages 8 and 2 of its report, on the recruitment of children, UNAMA has noted that it continues the documentation of the recruitment and use of children by parties to the conflict, mainly the Taliban.

Answer: The Islamic Emirate of Afghanistan, based on the decree of the Supreme Leader, has taken serious steps through the Military Commission and the *Dawah* (Proselytization) and Guidance Commission to address the issue of children and have kept its ranks clear of children. Therefore, it is not true that the Islamic Emirate is recruiting children in its ranks or has not prevented their recruitment; it has taken the issue seriously.

On the contrary, no such measures have been taken by the Kabul administration. If there are any, they will be just so-called measures because in many check posts, not only have they recruited children, but recruited them for *Bacha Bazi* and other abuses and it is no secret.

4. In page 8 of its report, UNAMA has written "The right of children to education continued to be compromised by the armed conflict in 2020, especially due to attacks on schools and teachers. This was mainly due to direct attacks by Anti-Government Elements, including the destruction of schools through arson and IEDs, and targeted killings of teachers."

Answer: The above claim in UNAMA's report is baseless and is lacking evidence. The Islamic Emirate has established the Education Commission for the advancement of education and has officially permitted schools. On the contrary, the Kabul administration during its operations targeted schools and *Madrassas* (religious schools) as well as health centers. In the past year, 45 attacks were carried out on *Madrassas*, and the evidence-based reports of these attacks are available, as such these actions are not hidden from local population and the international community.

Below are some of these incidents:

1. 8/9/2020

At around 5pm, on Tuesday, in Boka area of Khas Balkh, Balkh province, a group of slaves of the west once again targeted a religious *Madrassa* with a drone, as a result of which one room of the *Madrassa* was completely destroyed and the glasses of other rooms including the Mosque were broken and a young student Hafiz Mohammad Amin son of Zahir Khan was injured.

2. 22/8/2020

The National Directorate of Security (NDS) forces raided the Saad Ibn Waqas *Madrassa* in the Surkhakan area of Qarghaee district of Laghman province and quite brutally arrested and have taken with them 25 students, most of whom were children. At the time of the incident, some students fled. The Head of the *Madrassa*, Gul Rasool Sahib, was warned by NDS that all students and teachers should be arrested and sent to prison, which has created an atmosphere of fear and terror among the people. Other *Madrassas* are also worried about what will happen next, the situation isn't good, and everyone is scared.

3. 25/8/2020

At 1am, Bekzado area of Baghlan Markazi district, Baghlan province was bombed by the slaves of the west, as a result of which Zaid bin Sabit *Madrassa* was completely destroyed and five students of the *Madrassa* were martyred. The names of the martyrs are as follows: "Mustafa son of Naik Mohammad, Najibullah son of Abdullah, Obaidullah, Sohrab son of Patang and Ibrahim son of Shirwali. Four others were injured whose names are "Hafizullah, Nasratullah, Jan Mohammad and one other".

4. 12/7/2020

At 11 am, Wednesday, in Klankar area of the center of Logar province, a convoy of the puppet army was passing on Kabul-Logar highway when one of the military tanks killed four innocent students of Kalangar Jihadi *Madrassa,* all of whom belonged to one family. "15-year-old Qari Wahab son of Gulab, 8-year-old Qari Fawad son of Gulab, 12-year old Qari Rahimullah son of Abdul Qayum and 12-year old Qari Mushtabah son of Ahmad Shah."

5. 26/7/2020

At 6pm, in Musa Khel district of Khost province, the Zurkot Siraj-ul-Uloom *Madrassa* was hit by a mortar shell fired by the puppet Kabul administration when the enemy fired indiscriminately at the houses of the civilians. The building of the *Madrassa* and glasses were damaged.

5. On page 9 of its report, UNAMA has written "Targeted killings, including so-called "assassinations" of civilians, caused 1,248 civilian casualties (707 killed and 541 injured) in 2020, marking a 45 per cent increase in the number of civilian casualties from these attacks compared with 2019. These included the deliberate killing of civilians, including media workers, civil society activists and members of the judiciary and the civilian government administration…… attributed 94 per cent of these civilian casualties to Anti-Government Elements. Of these, 761 civilian casualties (459 killed and 302 injured) were from targeted killings attributed to the Taliban, a 22 per cent increase from 2019."

Answer: We reject UNAMA report on targeted killings and assassinations, because most of targeted killings are occurring under the control of Kabul administration areas. In fact, targeted killings are carried out by the Kabul administration and the Kabul intelligence agency, or they are fully involved in that, like the killing of Wahid Muzhda, Dr. Ayaz Niazi, Mawlawi Azizullah Mufleh, Eng. Atef and Farishta Kuhistani and etc….but vice versa, blaming the Islamic Emirate is the shortcoming of the report and we say, the principal of impartially was not considered in this report.

With regard to the mysterious murders research, a decree has been issued by the Islamic Emirate leadership office, that all the Mujahideen of the Islamic Emirate follow that.

6: UNAMA, in its report under the tile of attribution of civilian casualties to the parties of the conflict written that, from January 2020 to 31 December, UNAMA attributed 62 per cent of civilian casualties to the AGEs, among from that, 45 per cent attributed to Taliban and Eight percent attributed to ISK and UNAMA could not attribute the remaining Nine per cent of civilian casualties, and has attributed this to undetermined Anti-government elements.

In 2020, the pro-government forces caused 25 per cent of civilian casualties, UNAMA attributed 22 per cent of civilian casualties to ANSF and attributed One per cent to IM, pro-government forces and unknow number of pro-government forces respectively.

Nine per cent of the civilian casualties caused as a result of ground engagement between AGEs & PGFs which can't be attributed to any specific warring party. Cross-border incidents attributed to the Pakistani military forces caused less than Two per cent of civilian casualties. The remaining two per cent of civilian casualties could not be attributed to any party and consisted mostly of civilian casualties from explosive remnants of war.

Answer**:** Unfortunately, your report doesn't have complete information of the incidents and areas where the Kabul Administration is conducting search operations, bombardments and using heavy weaponries on civilian's homes, Bazaars, Mosques, educational centers and other public residential areas, and committing other kinds of oppressions against civilians, that the media is reporting it every day, so it's not reasonable to attribute 45 per cent of civilian casualties to the Mujahideen and only 25 per cent of civilian casualties to Pro-government forces.

Therefore, it turns out that from the sources that they collect their information, and claim its authenticity, which has been mentioned before as reliable, are not authentic and impartial, therefore this report cannot be counted as an evidence-based report.

7: UNAMA writes on page (12): [UNAMA attributed 120 civilian casualties (89 killed and 31 injured) to international military forces, a decrease of 84 per cent and the lowest number of civilian casualties since UNAMA started its systematic documentation in 2009. In the first two months of 2020, international military forces airstrikes caused a similar number of civilian casualties as in 2019. Thereafter, following the signing of the of the United States – Taliban agreement, civilian casualties from international military forces airstrikes all but ceased].

Answer: International military forces, before signing the agreement with the Taliban in 2020, for the aim of negotiations, committed a large number of civilian casualties ,for which the documentary reports are recorded with us and this has not been forgotten by other internationals, especially the Afghan nation, and after the agreement, they (international military) also in a large number of provinces, conducted aerial attacks on civilian's homes which have been shared many times with their monitoring commission and they confirmed. So, we consider the above claim as a clear violation of fact and in the report, internal aspects have not been treated fairly.

8: From 1 January to 31 December 2020, UNAMA documented five incidents of cruel inhuman or degrading punishment from decisions taken by the parallel justice structure of the Taliban, including in relation to purported transgression of moral or gender norms, such as extramarital relations. These punishments resulted in the killing of four civilians and injuring of two others. The incidents included four executions of three men and a woman, and the beating of two women and one man.

For example, on 19 January, a woman was killed by being beaten with sticks and metal cables and strangulation in front of her mother's eyes, and the fingers and legs of a man were broken as part of a Taliban-ordered punishment for an alleged sexual relationship outside of marriage. On 26 June, in Faryab province, two men were publicly executed in front of hundreds of people, including children, as part of their punishment for alleged crimes as part of the "judgement" of the parallel justice structure of the Taliban.

Punishments carried out by Anti-Government Elements are criminal acts pursuant to the laws of Afghanistan and amount to human rights violations and abuses. Moreover, severe punishments such as executions constitute serious violations of international humanitarian law that may amount to war crimes. Public executions are particularly dehumanizing and increase the mental trauma of persons sentenced to death, as well as those who witness these events, especially children. UNAMA urges Anti-Government Elements to immediately cease imposing cruel, inhuman or degrading treatment or punishments on individuals.

Answer: This vague and unproven report is not acceptable; we share our quarterly (three months) report with UNAMA regarding the civilian casualties attributed to Taliban by UNAMA accordingly and provide such incident information with details; most of them have happened because of their internal problems, or unknown people, thieves or corrupt members of the Kabul administration, but in this report, they weren't satisfied with those answers and the same incidents were attributed to the Mujahideen.

Yes, as Afghanistan is an Islamic and Afghani environment, comparing this environment with America and Europe means that UNAMA doesn't have any information regarding Afghani and Islamic principles. In this report, criticizing on our Judicial system is an insult to Islam's holy religion and Islamic values. Our judicial system is an Islamic Judicial system which is full of justice and fairness. Our judicial system is based on divine law and this divine law is enough for all human beings and no constitutional law and legal judicial system can compete with its justice and fairness.

Unfortunately, UNAMA deliberately opposes the Islamic system for which Muslims have been sacrificing for centuries, so we hope they don't mention such things in their reports which is criticism on Islamic value and rules, because from one side, a Muslim will be forced to react and on the other, it will seriously damage the status and credibility of UNAMA.

9: UNAMA stated on page 12 of the report, rigorous impacts on children, example, in February 2020, this happened in north-east , when the Taliban recruited three children attempted commit suicide attack on an engagement ceremony, on the way one child detonated his explosive accidentally which killed him and injured two others.

Answer**:** The UNAMA quarterly incidents table that we receive, the above-mentioned incidents was answered, but regretfully this is brought again, the report relied on vague incidents, for instance this is not clear where and when the incident happened in the north eastern region.

Islamic Emirate never allows children to conduct martyrdom attacks, and particularly not on weddings! This is a contradiction with wisdom and logic and therefore we categorically reject it.

10: UNAMA stated on page 24 of the report: UNAMA is concerned about consistent attacks on health care personnel, that Taliban directly attack the facilities and its protection personnel, including clinic coercive closures, Targeted killings, abduction and IEDs.

Answer: Taliban has allowed healthcare services in their area of control and has always supported them in an accepted framework. It is clear that there aren't any problems in terms of healthcare from the Taliban end. Contrarily, the Kabul Administration has bombarded and used heavy artillery against healthcare centres in different locations of the country. As a result, clinics and health centres have been damaged and health personnel have been killed and injured. As per our accurate calculation, during the previous year, 15 clinics and schools have directly been targeted by enemy forces. It is obvious to all that of the Islamic Emirate has always protected the healthcare centres and will continue to do so.

11. UNAMA in its report, 26th page has mentioned that {this year attack on education shows a 16 per cent decrease compared with 2019. UNAMA has expressed concern over attacks by AGEs against education facilities which were reported as 36 incidents. During the year, Taliban has carried 16 direct attacks against education, including burning, IED, targeted deliberate killings as well as abduction of personnel. For instance, on 15th July, Taliban burned down a school in Takhar, damaging the school and burned books and equipment. This high school provided education to 1000 students.

Answer: This report from UNAMA is baseless. Islamic Emirate has never disturbed the education sector, and yet to protect education, we have created a specific education commission in which it will not allow anyone to attack education centres and which also supports education strongly. Nevertheless, the Takhar incident happened in the city and Taliban rejected the claim at the time of the incident. The Kabul administration intentionally does such acts, so that they may attribute such incidents to Taliban. Unfortunately, instead of having verified and concrete information, UNAMA, by attributing this incident to us, is showing its support to the Kabul Administration.

12. UNAMA in its report, page 41 has mentioned that: {conflict related abduction; AGEs in particular Taliban have continued to targeted and abducted civilians which shows same number as reported in previous year. As such, the Taliban have taken the freedom of civilians and caused death to civilians}

Answer: it is clear for all, including UNAMA that the Islamic Emirate has never abducted civilians and does not allow abduction, and yet Taliban arrested a number of kidnappers and released the kidnapped civilians. To prove it, everyone has seen many video clips pertaining to this very issue.

Moreover, it is clear for all that Kabul administration personnel are involved in abduction of civilians and even that they have used their military uniforms and Ranger vehicles to abduct civilians. When they arrested the kidnappers, they released them after a short while. For this, on many occasions, people have raised their voice against this issue.

If capturing members of the enemy is considered, under doubt for being part of the enemy, as kidnapping or abduction, then it is necessary to also consider the Kabul administration's everyday capturing of civilians on the highways and during night raids as abductions. Only to be freed for a bribe.

13. UNAMA in its report, page 43 has mentioned that {During the year 2020, UNAMA continued to document incidents in which Anti-Government Elements, especially the Taliban, put civilians at risk. This occurred especially through the use of homes and other civilian infrastructure for military purposes and by forcing, supporting and instigating actions of civilians that put them at risk of attack by Pro-Government Forces.

UNAMA verified multiple instances of the Taliban intermingling with the civilian population, including the use of residential homes for military purposes, including as sites from which they planned operations and launched attacks, and places in which they took shelter during engagements with Pro-Government Forces. For example, on 7 February, in Chaharbolak district, Balkh province, Afghan national security forces used indirect fire to target the Taliban, who had taken cover in civilian residences. Indirect fire hit one of the houses, injuring two girls, two boys, and two men, and damaging the house. 26 September, Gizab district, Uruzgan province, an adult woman was seriously injured after a mortar round from Afghan national security forces landed inside the house. Moments earlier, the Taliban had forcefully entered the house. While the residents were trying to collect their valuables and escape, the mortar hit. In19 October Balkh province, Dawlatabad district, Taliban entered inside a house and forced the houseowner to prepare food for them}

Answer: We strongly reject this claim and claims such as this. The Taliban have never used civilian houses and have never entered their houses forcefully. It is obvious that this claim is from Kabul administration propaganda and UNAMA is escorting it.

The Afghan nation is a Mujaheed nation and as per their religious responsibilities, they support Mujahedeen in all ways possible. There is no necessity of taking food by force and there are plenty who voluntarily provide food for Mujahedeen so that they are also helping our efforts.

Conversely, it is the Kabul administration forces who forcibly enter into the houses, clinics and schools and use them as trenches. They even use the civilian population to transport their wounded personnel and force them to leave their house and once doing so, they fight from their houses. There are plenty of video clips of this. They also loot the civilians' houses and take away the civilians' valuables from their residences.

14. UNAMA in its report, page 32 has mentioned that: {Taliban have carried 13 suicide and complex attacks, impacting civilians. Out of which Taliban have claimed responsibility for only four incidents}

Answer: you mentioned 13 suicide attacks and yet you say that Taliban have claimed of four incidents, then to whom you attribute the remaining nine incidents? So, it is clear that you mentioned the claims that is made by the enemy. They have also clearly attributed incident, which was claimed by *Daesh*, but the enemy attributed this to the Taliban. Therefore, we do reject this claim made by UNAMA and we do not believe this is based on protection of civilians.

Including UNAMA, we call on all humanitarian organizations who provide protection of civilians' reports to consider the impartiality principle and avoid reporting on false information. By this you can protect civilians and avoid further casualties.

But if we continue to use it as political tool, we cannot achieve our goals, we acquit and give courage to those who commit civilian casualties.

Thank you.