

AFGHANISTAN

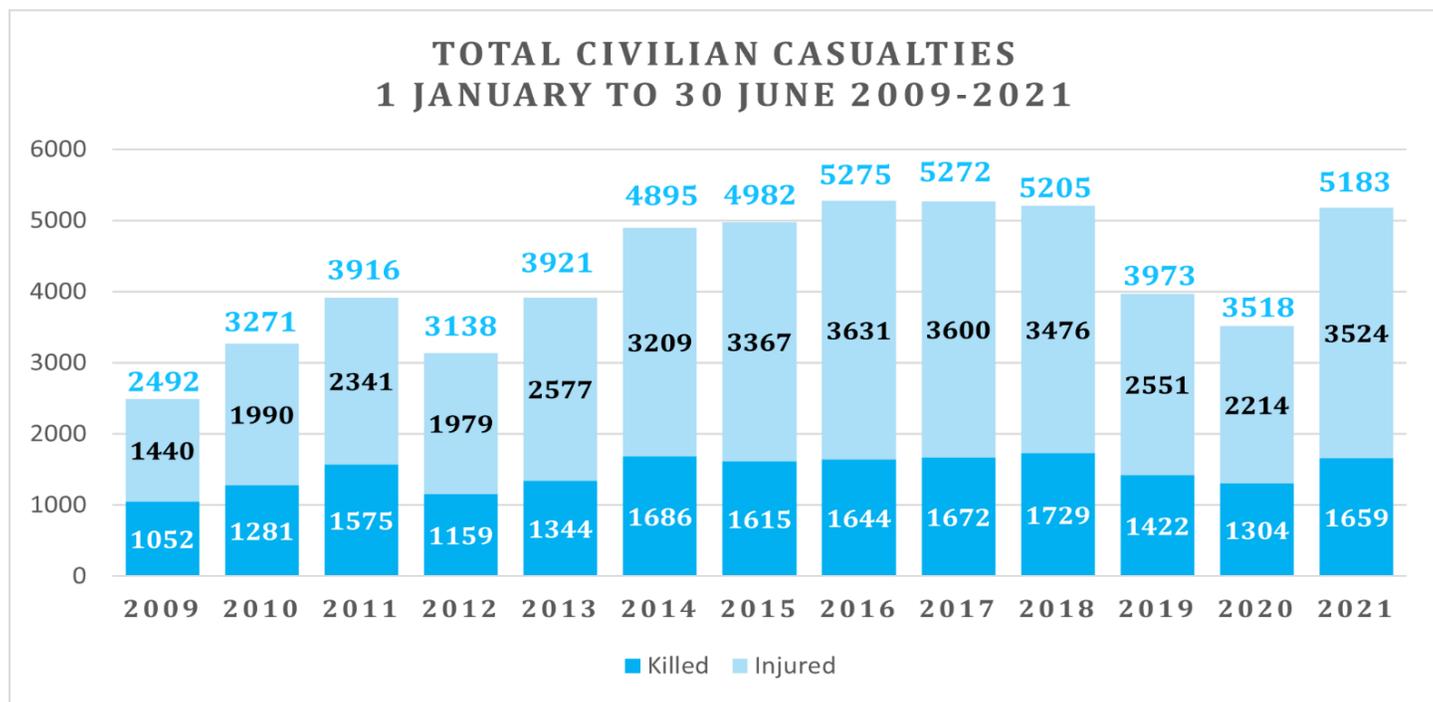
PROTECTION OF CIVILIANS IN ARMED CONFLICT MIDYEAR UPDATE: 1 JANUARY TO 30 JUNE 2021

Between 1 January and 30 June 2021, the United Nations Assistance Mission in Afghanistan (UNAMA) documented 5,183 civilian casualties (1,659 killed and 3,524 injured). The total number of civilians killed and injured increased by 47 per cent compared with the first half of 2020, reversing the trend of the past four years of decreasing civilian casualties in the first six months of the year, with civilian casualties rising again to the record levels seen in the first six months of 2014 to 2018.

Civilian casualties increased for women, girls, boys, and men. Of particular concern, UNAMA documented record numbers of girls and women killed and injured, as well as record numbers of overall child casualties. Compared with the first six months of 2020, the number of civilian female children (girls) and female adults (women) killed and injured each nearly doubled. Male child (boy) civilian casualties increased by 36 per

cent, and adult male (men) civilian casualties increased by 35 per cent.

During the first six months of 2021, and in comparison with the same period last year, UNAMA documented a nearly threefold increase in civilian casualties resulting from the use of non-suicide improvised explosive devices (IEDs) by Anti-Government Elements. This was the most civilian casualties caused by non-suicide IEDs in the first six months of a year since UNAMA began systematic documentation of civilian casualties in Afghanistan in 2009. Civilian casualties from ground engagements, attributed mainly to the Taliban and Afghan national security forces, also increased significantly. Targeted Killings¹ by Anti-Government Elements continued at similarly high levels. Airstrikes by Pro-Government Forces caused increased numbers of civilian casualties, mainly attributed to the Afghan Air Force.



¹ UNAMA targeted killing figures include both targeting of civilians and civilians incidentally impacted from targeting of other non-civilian individuals. See UNAMA Protection of Civilians Annual Report 2020 glossary for details.

UNAMA is concerned by the increased number of civilian casualties that have occurred since the announcements by international military forces in April, and then commencement shortly thereafter, of their withdrawal from Afghanistan, after which the Taliban captured a significant number of district administrative centres.

Between 1 May and 30 June 2021, UNAMA recorded 2,392 civilian casualties, nearly as many as were documented in the entire four preceding months.² The number of civilian casualties in May-June 2021 was the highest on record for those two months since UNAMA began systematic documentation in 2009. UNAMA further documented numerous instances of destruction of civilian property, which often resulted from battles for control of populated rural areas and fighting on the outskirts of district and provincial centres.

UNAMA is also concerned about the increasing number of reports of killing, ill-treatment, persecution and discrimination in communities affected by the current

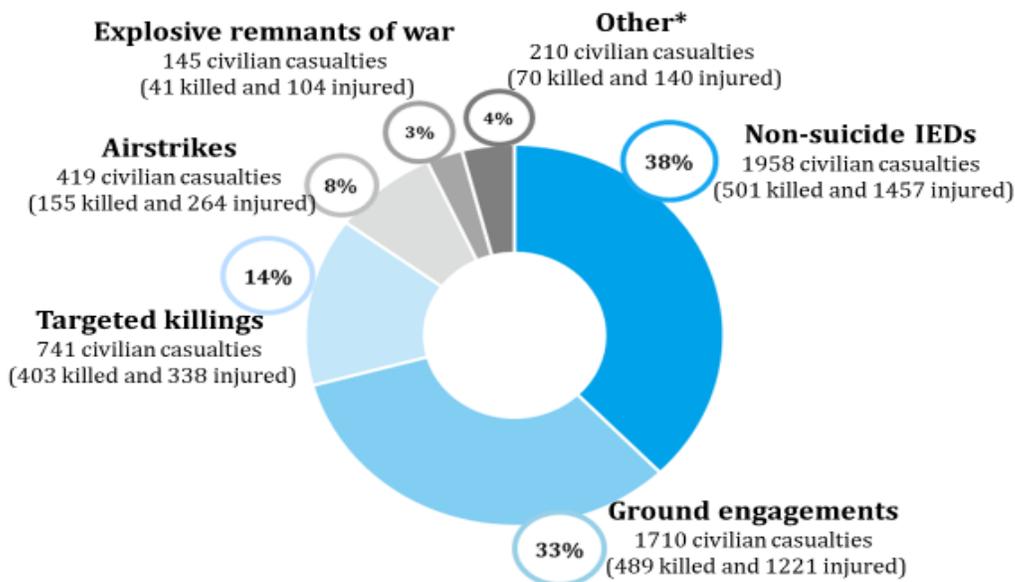
UNAMA documented a record number of civilian casualties in May-June 2021, nearly as many as in the four prior months combined

fighting and its aftermath. Especially during times of heightened conflict, all parties must respect the human rights and dignity of people and prevent such abuses and violations.

The continued, and increasing, impact of the fighting on civilians highlights the dismal failure of the parties to find any means of reducing harm to civilians during peace negotiations. Since September 2020 – the start of the Afghanistan Peace Negotiations – UNAMA documented a 46 per cent increase in civilian casualties in comparison to the same nine-month period a year earlier.³ The pursuit of a military solution will only increase the suffering of the Afghan people. Afghan leaders, with the support of the region and the

Civilian casualties by Incident Type

1 January to 30 June 2021



* 'Other' includes the following: 92 civilian casualties (14 killed, 78 injured) from suicide attacks; 40 civilian casualties (29 killed, 11 injured) from kidnapping/abductions; 38 civilian casualties (six killed, 32 injured) from threat/intimidation/harassment incidents; 26 civilian casualties (11 killed, 15 injured) from escalation of force/force protection incidents; eight civilians killed during search operations by pro-government forces; one civilian killed by a Taliban parallel justice structure punishment; one civilian injured during an incident of intentional damage to civilian property; and four civilian casualties (one killed and three injured) from other incident types.

² Between 1 Jan – 30 April 2021 UNAMA documented 2,791 civilian casualties.

³ From 1 October 2020 to 30 June 2021, UNAMA documented 7,982 civilian casualties (2,553 killed and 5,429 injured) in comparison to 5,449 civilian casualties (2,030 killed and 3,419 injured) in the same period a year earlier.

international community, must heed and answer the calls for peace from the people. For the people of Afghanistan, all efforts must be made by the parties to move away from the battlefield and back to the negotiating table.

Leading causes of civilian casualties

The use of non-suicide IEDs by Anti-Government Elements was the leading cause of civilian casualties in the first six months of 2021. They caused 38 per cent of all civilian casualties during the period, nearly triple the number of civilian casualties from these devices compared with the same period in 2020.

Ground engagements caused 33 per cent of all civilian casualties, with nearly all of these civilian casualties attributed to the Taliban and Afghan national security forces. The number of civilian casualties from ground engagements increased by 41 per cent compared with the first six months of 2020.

Targeted killings by Anti-Government Elements⁴ were the third leading cause of civilian casualties, responsible for 14 per cent of all civilian casualties

UNAMA again documented increases in the number of civilian casualties attributed to both the Taliban and the Afghan National Army

during the first six months of 2021, with similar numbers to those observed during the same period in 2020.

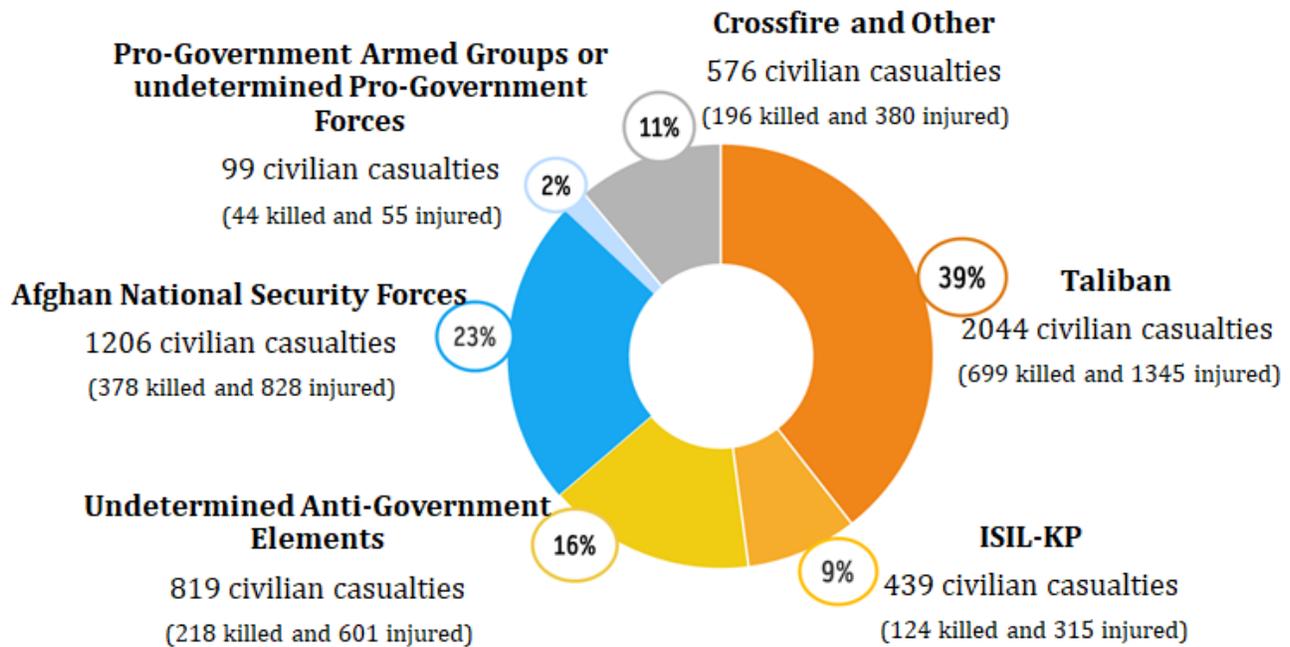
Airstrikes by Pro-Government Forces accounted for eight per cent of civilian casualties, nearly all attributed to the Afghan Air Force. Compared with the first half of 2020, the total number of civilians killed and injured in airstrikes increased by 33 per cent. Civilian casualties from Afghan Air Force airstrikes more than doubled as international military forces conducted far fewer airstrikes.

Attribution to parties to the conflict

Anti-Government Elements were responsible for nearly 64 per cent of the total civilian casualties: 39 per cent by Taliban, nearly nine per cent by Islamic State-

Civilian Casualties by Party to the Conflict

1 January to 30 June 2021



⁴ Nearly all targeted killing civilian casualties are attributed to Anti-Government Elements. See below section on tactics and incidents causing the most harm to civilians for further details. UNAMA targeted killing figures include both targeting of civilians and civilians incidentally impacted from targeting of other non-civilian individuals. See UNAMA Protection of Civilians Annual Report 2020 glossary for details.

Khorasan Province (ISIL-KP), and 16 per cent by undetermined Anti-Government Elements.

Pro-Government Forces were responsible for 25 per cent of civilian casualties: 23 per cent by Afghan national security forces, and almost two per cent by pro-Government armed groups and undetermined Pro-Government Forces.⁵

UNAMA attributed the remaining 11 per cent of civilian casualties to 'crossfire' during ground engagements, mainly between Afghan national security forces and Taliban, where the exact party responsible could not be determined (nine per cent) and 'other', mainly explosive remnants of war where the responsible party was unable to be determined (two percent).

The number of civilian casualties attributed to Anti-Government Elements increased by 63 per cent compared with the same period in 2020, while the number of civilian casualties attributed to Pro-Government Forces increased by 30 per cent.

Breaking it down further, UNAMA documented increases in the number of civilian casualties attributed to both the Taliban (up 36 per cent) and the Afghan National Army (up 45 per cent) during the first six months of 2021, with the Taliban responsible for 39 per cent of all civilian casualties,⁶ and the Afghan National Army responsible for 18 per cent of the total.⁷ Civilian casualties attributed to ISIL-KP made up nearly nine per cent of the total civilian casualties in the first six months of 2021, marking an increase of by 45 per cent compared to number documented in the same period in 2020.

Analysis of impact on women, men, girls and boys

UNAMA is very concerned at the significant increase in numbers of women, girls and boys who were either killed or injured, including record numbers of women and girls killed and injured, as well as record numbers

UNAMA remains deeply concerned about the continuation of attacks deliberately targeting civilians, including the resurgence of sectarian-motivated attacks

of overall child casualties between 1 January and 30 June 2021.

Women comprised 14 per cent of all civilian casualties during this period, with a total of 727 women casualties recorded (219 killed and 508 injured), an increase of 82 per cent compared with the first six months of 2020.⁸ Anti-Government Elements were responsible for 57 per cent of women casualties, while Pro-Government Forces were responsible for 31 per cent, and crossfire/other accounted for the remaining 12 per cent of women casualties. Ground engagements, the leading cause of women casualties during the first six months of 2021, caused 46 per cent of all women casualties. This was followed by non-suicide IEDs, responsible for 35 per cent, targeted killings (including targeting of men where women were incidentally impacted), responsible for nine per cent, and airstrikes, responsible for seven per cent of women casualties.

Of the 39 incidents of targeted killings that resulted in women casualties, women appeared to have been the main target in 18 of the incidents, resulting in four women killed and 25 women injured.⁹

Child casualties comprised 32 per cent of all civilian casualties, comprised of 20 per cent boys and 12 per cent girls. Between 1 January and 30 June 2021, UNAMA documented 1,682 child casualties (468 killed and 1,214 injured), a 55 per cent increase compared to the first six months of 2020.¹⁰ This included 622 girl casualties (171 killed and 451 injured) and 1,041 boy casualties (293 killed and 748 injured). Girl casualties

⁵ UNAMA attributed 68 civilian casualties (34 killed and 34 injured) to pro-Government armed groups. It further attributed 30 civilian casualties (9 killed and 21 injured) to undetermined Pro-Government Forces from airstrikes and 1 killed from deliberate killing.

⁶ UNAMA attributed 2,044 civilian casualties (699 killed and 1,345 injured) to the Taliban between 1 January and 30 June 2021.

⁷ UNAMA attributed 936 civilian casualties (292 killed and 644 injured) to the Afghan National Army (including the Afghan Air Force) between 1 January and 30 June 2021.

⁸ Between 1 January and 30 June 2020, UNAMA documented 400 women casualties (139 killed and 261 injured).

⁹ The women appeared to be targeted for the following reasons: (1) professional affiliation (ANP officers, penitentiary staff, judges, media professionals); (2) accused of supporting the Government or ANSF, spying for ANSF; (3) accused by the Taliban of "immoral conduct", adultery.

¹⁰ Between 1 January and 30 June 2020, UNAMA documented 1,083 child casualties (342 killed and 741 injured).

Civilian casualties from pressure-plate IEDs increased by 42 per cent in the first six months of 2021

nearly doubled, marking the highest level ever recorded by UNAMA, and boy casualties increased by 36 per cent.¹¹

Anti-Government Elements were responsible for 50 per cent of all child casualties, while Pro-Government Forces were responsible for 34 per cent, and crossfire during ground engagements accounted for 12 per cent of child casualties. Ground engagements caused 40 per cent of all child casualties, followed by non-suicide IEDs (36 per cent), airstrikes (11 per cent), and explosive remnants of war (seven per cent). Of concern, targeted killings (mainly targeting adults, where children were incidentally impacted), were responsible for five per cent of child casualties.

Children were on at least one occasion deliberately targeted. The most shocking incident being the 8 May attack outside the Sayed ul-Shuhada school in Kabul city, which resulted in more than 300 civilian casualties, mostly girls and young women, for which no party claimed responsibility (see below section on deliberate targeting of civilians for details).

Men comprised 52 per cent of all civilian casualties in the first six months of 2021, marking a 35 per cent increase in the number of adult male civilians killed and injured compared with the same period in 2020.

DELIBERATE TARGETING OF CIVILIANS

UNAMA remains deeply concerned about the continuation of attacks deliberately targeting civilians by Anti-Government Elements, particularly through the use of IEDs and shootings, including targeting of human rights defenders, media workers, religious elders, civilian government workers, and humanitarian workers, and sectarian attacks targeting members of the Hazara ethnicity and Shi'a Muslim religious minority.¹²

The use of non-suicide IEDs by Anti-Government Elements in attacks directed against civilians was of particular concern. As a result of such attacks, UNAMA documented 737 civilian casualties (178 killed and 559 injured) in the first six months of 2021, more than four times the number of civilian casualties from such incidents compared with the same period in 2020.

UNAMA noted a resurgence of deliberate sectarian-motivated attacks against the Shi'a Muslim religious minority, most of whom also belong to the Hazara ethnic minority, nearly all claimed by ISIL-KP. These included a string of non-suicide IED attacks and shootings, including at least eight IEDs in May-June alone that targeted buses or similar vehicles carrying members of the Hazara community. In total, from all tactics between 1 January and 30 June 2021, UNAMA documented 20 incidents targeting Shia/Hazara, resulting in 500 civilian casualties (143 killed and 357 injured).

Nearly half of the civilian casualties from non-suicide IEDs directed against civilians came from a single attack - the 8 May attack on the Sayed ul-Shuhada high school in Kabul.

8 May attack against Sayed ul-Shuhada school in Kabul

On 8 May, around 16:20 hrs, as thousands of girls and young women exited the school following the completion of their classes for the day, a non-suicide vehicle-borne IED was detonated in front of an unmarked clinic gate next to the school. A few minutes later, a second IED detonation occurred nearer to the main gate of the school. A third IED detonation then occurred on a road leading away from the school. In total, the IED detonations killed at least 85 civilians (42 girls, 28 women, nine men, three boys, and three adults of unidentified sex) and injured at least a further 216 civilians (106 girls, 66 women, 24 men, and 20 boys). The attack occurred in a neighbourhood that is mainly inhabited by members of the Hazara community, and accordingly, nearly all of the victims belonged to the Hazara ethnic group and Shi'a Muslim religious minority. No group claimed responsibility for the attack. The National Directorate of Security opened an

¹¹ Between 1 January and 30 June 2020, UNAMA documented 316 girl casualties (171 killed and 451 injured) and 765 boy casualties (293 killed and 748 injured).

¹² Most Shi'a Muslims in Afghanistan are of Hazara ethnicity and form a minority of the primarily Sunni Muslim Afghan population.

investigation into the attack, the results of which had not yet been made available by the time of publication of this report. There was a strong community reaction to this outrageous attack, with many, including the Afghanistan Independent Human Rights Commission, calling for action to be taken by the United Nations, such as the appointment of an independent fact-finding body which could apportion responsibility for this and other similar attacks during recent months, as many have expressed concern about the ability of the Government to investigate and hold accountable those responsible.¹³ In her June statement to the UN Human Rights Council, the UN High Commissioner for Human Rights cited this attack as an especially shocking incident, and, noting the rapid deterioration of the situation, encouraged the Council to “increase its monitoring and to consider mechanisms for an effective prevention response.”¹⁴

During the first six months of 2021, targeted killings by Anti-Government Elements which deliberately targeted civilians continued at the same high levels as during the first six months of 2020, with nearly 300 civilians killed and nearly 200 injured in these attacks.¹⁵ Of particular concern was the ever-widening breadth of types of civilians targeted in such attacks, including humanitarian workers.

8 June attack on HALO trust humanitarian de-miners

On 8 June, near Shaikh Jalal village in Baghlan-e-Jadid district, Baghlan province, during the late evening, gunmen entered a camp run by the HALO Trust where more than 100 humanitarian deminers were stationed. The armed men gathered the deminers and took their belongings, including money and mobile phones, and indiscriminately shot at the deminers, killing 11 men

and injuring 15 others. ISIL-KP claimed responsibility for the attack.

15 June attack against polio vaccination workers

One week later, on 15 June, six male polio vaccinators were shot and killed and three others were wounded in five separate attacks in Jalalabad city, Khogyani and Sukhrod districts of Nangarhar province as they conducted door-to-door polio vaccinations. No group claimed responsibility for the attacks, which brought the number of polio vaccinators targeted and killed in Nangarhar province to a total of nine during the first six months of 2021. Earlier, on 30 March, ISIL-KP claimed responsibility for carrying out attacks that targeted and killed three female polio vaccinators.

UNAMA reminds Anti-Government Elements that attacks deliberately targeting civilians are prohibited under international law and may amount to war crimes.¹⁶ It calls on Anti-Government Elements to apply a definition of civilian that accords with international law and to immediately cease all targeting of civilians.

TACTICS AND INCIDENT TYPES CAUSING THE MOST HARM TO CIVILIANS

The use by Anti-Government Elements of non-suicide IEDs was the leading cause of civilian casualties during the first six months of 2021, as civilian casualties from these devices rose nearly threefold compared with the number of civilian casualties recorded from the devices in the first half of 2020.¹⁷ Non-suicide vehicle-borne IEDs and pressure-plate IEDs caused the majority of IED civilian harm, as UNAMA also documented a threefold increase in the number of civilian casualties attributed to these types of IEDs.¹⁸

¹³ See AIHRC statement available at: https://www.aihrc.org.af/home/press_release/9123

¹⁴ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27178&LangID=E>

¹⁵ Targeted/deliberate killings perpetrated by Anti-Government Elements where civilians were the intended target resulted in 457 civilian casualties (276 killed and 181 injured) during the first six months of 2021, similar to the number recorded in the first six months of 2020 when UNAMA documented 502 civilian casualties (271 killed and 231 injured) from such attacks.

¹⁶ Non-international armed conflicts are regulated by treaty law, in particular Article 3 Common to the Four Geneva Conventions of 1949 (“Common Article 3”) and Additional Protocol II thereto, as well as customary international humanitarian law. War crimes include the commission of the acts prohibited by Common Article 3(1) against those not taking part in hostilities, including violence to life and person; the acts prohibited by Additional Protocol II, Article 4(2); and attacks intentionally directed at civilians or civilian objects. See ICC Statute, Articles 8(2)(c), 8(2)(e)(i); ICRC Customary International Law Study, Rule 156.

¹⁷ Between 1 January and 30 June 2021, UNAMA documented 1,958 civilian casualties (501 killed and 1,457 injured) from non-suicide IEDs, compared with 698 civilian casualties (222 killed and 476 injured) from non-suicide IEDs during the same period in 2020.

¹⁸ Between 1 January and 30 June 2021, UNAMA documented 1,002 civilian casualties (316 killed and 686 injured) from non-suicide vehicle-borne IEDs and pressure-plate IEDs, compared with 357 civilian casualties (170 killed and 187 injured) during the same period in 2020.

The use of pressure-plate IEDs, nearly all by the Taliban, resulted in 42 per cent more civilian casualties in the first six months of 2021 than during the same period in 2020.¹⁹ Pressure plate-IEDs function as victim-activated devices, triggered by any person stepping on them - including children - or any vehicle driving over them. Anti-Government Elements continued to plant pressure-plate IEDs in public areas frequented by civilians. UNAMA documented many incidents where the devices were emplaced on the roads leading into areas under the control of Anti-Government Elements, as well as left in and around civilian homes in villages from which they had recently departed. For example, on 9 May, in Tarnak wa Jaldak district, Zabul province, a passenger bus travelling from Kabul to Kandahar struck a pressure-plate IED, killing 11 civilians (one boy, three women, and seven men) and injuring 40 others (12 children, six women and 22 men). UNAMA also documented dozens of civilian casualties in Arghandab district of Kandahar province in the first months of 2021 following the Taliban expulsion from the area by Afghan national security forces.

UNAMA emphasizes that, as victim-activated devices, the use of pressure-plate IEDs may violate international humanitarian law by virtue of their indiscriminate nature.²⁰ Once emplaced and activated, the user of a pressure-plate IED has no ability to direct its effects towards a particular target, placing civilians at severe risk. UNAMA reiterates its call on the Taliban to permanently ban the use of these indiscriminate devices and reminds the Taliban of commitments on this by its former leader, Mullah Omar.²¹

UNAMA documented a 41 per cent increase in civilian casualties from ground engagements; women and children were disproportionately impacted by the increased harm to civilians from both sides

Non-suicide vehicle-borne IEDs caused an alarming more than tenfold increase in civilian casualties compared with the number of civilian casualties from these devices during the first six months of 2020.²² Near three-fourths of all civilian casualties from non-suicide vehicle-borne IEDs during the first six months of 2021 came from two attacks – the 8 May attack on the Sayed ul-Shuhada school in Kabul which resulted in more than 300 civilian casualties (see above section on deliberate targeting of civilians for details) and the 30 April attack in Pul-e-Alam, Logar province at the Azra People’s Guesthouse.

In the 30 April Logar incident, a vehicle laden with explosives was parked in the middle of the yard of a guesthouse, and was detonated during Iftar (when a meal to break the day’s fast in the month of Ramadan was being shared by a group of people). The explosion resulted in the killing of four civilian men and the injury of 118 other civilians (28 boys, 11 girls, 11 women, and 68 men). It further caused extensive damage to the provincial hospital, houses, shops, and a local radio station. Reportedly 20 security forces, believed to have been the target of the attack, were also killed. No group claimed responsibility for either attack.

¹⁹ Between 1 January and 30 June 2021, pressure-plate IEDs caused 454 civilian casualties (216 killed and 238 injured), compared with 319 civilian casualties (160 killed and 159 injured) during the same period in 2020.

²⁰ Implicit in Common Article 3; Additional Protocol II, Articles 4, 13. For indiscriminate attacks, see also Additional Protocol I, Articles 51 (not applicable to non-international armed conflict but accepted as customary international law – see ICRC Customary International Law Study Rule 11); *Prosecutor v. Dusko Tadić*, IT-94-1, Appeals Chamber Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 2 October 1995, para. 127. With respect to the obligation to take all feasible precautions in the choice of means and methods of warfare with a view to avoiding incidental loss of civilian life, injury to civilians, and damage to civilian objects, see also Additional Protocol I, Article 57(2)(a)(ii) (not applicable to non-international armed conflict but accepted as customary international law – see ICRC Customary International Humanitarian Law Study, Rule 17).

²¹ 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. Yet, the Taliban have continued to use pressure-plate IEDs that function as improvised anti-personnel mines.

²² Between 1 January and 30 June 2021, UNAMA documented 548 civilian casualties (100 killed and 448 injured) from non-suicide vehicle-borne IEDs, compared with 38 civilian casualties (10 killed and 28 injured) in the same period in 2020.

UNAMA urges Anti-Government Elements to cease the use of IEDs in areas with a civilian presence. International humanitarian law requires all parties to the conflict to respect the principles of distinction and proportionality and to take all feasible precautions to minimize incidental civilian deaths, injury or damage to civilian property.²³ UNAMA reiterates that IED attacks intentionally targeting civilians may amount to war crimes.

Ground engagements during the first six months of 2021, mainly between the Taliban and Afghan national security forces, resulted in a 41 per cent increase in civilian casualties compared with the first six months of 2020. The use of indirect weapons – mainly mortars and artillery – continued to cause the majority (more than 60 per cent) of ground engagement civilian casualties in Afghanistan. The locations where these weapons were used continued to raise serious concerns regarding the protection of civilians and civilian objects in the vicinity of where the weapons are aimed. Women and children continued to suffer disproportionately from the use of these weapons in populated areas, comprising nearly two-thirds of civilian casualties from indirect fire during ground engagements, mainly from the munition impacting them while they took shelter in their homes.

For example, on 20 June, in Dawlatabad district, Balkh province, six civilians were killed (three girls, two boys, and one woman) and two civilians were injured (one girl and one boy) when mortars fired during a ground engagement hit a civilian home. On the same day, mortars also landed in the bazaar in the same village, setting fire to and destroying 50 local shops. The civilian casualties from the mortars were unable to be attributed to either party due to the locations from which both were firing. Accordingly UNAMA attributed

Women and children comprised two-thirds of ground engagement indirect fire civilian casualties, mainly from mortars and artillery impacting on their homes as they took shelter there

the casualties to the Afghan national security forces (Afghan National Police, Afghan National Army, and National Directorate of Security) and Anti-Government Elements (Taliban), who were all involved in the battle at the time. UNAMA documented hundreds of similar incidents throughout Afghanistan in the first six months of 2021.

Targeted killings continued to be the third leading cause of civilian casualties in Afghanistan, resulting in 741 civilian casualties (403 killed and 338 injured) between 1 January and 30 June 2021,²⁴ a slight increase compared with the same period in 2020.²⁵ Of these, 457 civilian casualties resulted from targeted killings directed against civilians by Anti-Government Elements (see above section on deliberate targeting of civilians).²⁶ In the remainder of the targeted killings, even when civilians were not the target of these attacks, indiscriminate use of weapons and failure to take necessary precautions caused civilians in the proximity to be incidentally harmed. For example, on 3 May, in Farah city, an attack by Anti-Government Elements against a high-ranking member of the Afghan national security forces was carried out in a crowded place in the city. In addition to those targeted, 19 civilians including 10 boys, one woman and eight men in the area were also injured.

Finally, airstrikes, particularly by the Afghan Air Force, continued to be of concern as the number of civilian

²³ Implicit in Common Article 3; Additional Protocol II, Articles 4, 13. For indiscriminate attacks, see Additional Protocol I, Articles 51 (not applicable to non-international armed conflict but accepted as customary international law – see ICRC Customary International Law Study Rule 11); *Prosecutor v. Dusko Tadić*, IT-94-1, Appeals Chamber Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 2 October 1995, para. 127. For disproportionate attacks, see Additional Protocol I, Articles 85(3)(b) (not applicable to non-international armed conflict but accepted as customary international law – see ICRC Customary International Law Study Rule 14). For precautions, see also Additional Protocol I, Article 57 (not applicable to non-international armed conflict but accepted as customary international law – see ICRC Customary International Humanitarian Law, Rules 15-22).

²⁴ Of the 741 civilian casualties from targeted killings, 52 civilian casualties (31 killed and 21 injured) were attributed to Pro-Government Forces. These targeted killing figures include both targeting of civilians and civilians incidentally impacted from targeting of other non-civilian individuals. See UNAMA Protection of Civilians Annual Report 2020 glossary for details.

²⁵ Between 1 January and 30 June 2020, UNAMA documented 733 civilian casualties (395 killed and 338 injured) from targeted killings.

²⁶ In addition, in the first six months of 2021 UNAMA documented deliberate killings by Pro-Government Forces which resulted in 34 civilian casualties (22 killed and 12 injured).

UNAMA documented more than double the number of civilian casualties from airstrikes by the Afghan Air Force compared with the same period in 2020

casualties from them continued to increase. Overall, UNAMA documented a 33 per cent increase in civilian casualties from airstrikes in the first six months of 2021. While airstrikes killed 11 per cent fewer civilians, they injured 87 per cent more civilians, resulting in a 33 per cent rise in total civilian casualties (20 fewer killed and 123 more injured) in the first six months of the year compared to the same period in 2020. The majority of the airstrike incidents causing civilian harm recorded by UNAMA were attributable to the Afghan Air Force.²⁷

The Afghan Air Force has taken on the primary role of air support for Pro-Government Forces amidst the reduction in airstrikes by international military forces since March 2020 and increased fighting between Afghan national security forces and the Taliban. This has resulted in a significant increase in the number of requests for airstrikes to be carried out: the Afghan Air Force reported that the number of strikes requested increased from 1,364 in the first six months of 2020 to 4,253 in the first six months of 2021. Moreover, the Afghan Air Force has reported that out of the 4,253 targets presented for airstrikes between 1 January and 30 June 2021, it decided not to undertake 266 airstrikes due to the proximity of civilians and public facilities to the proposed target, including 26 occasions where such determinations were made after the flight was already underway.²⁸ While such mitigating measures to protect civilians are well noted, UNAMA remains very concerned that the number of civilian casualties from Afghan Air Force airstrikes more than doubled compared with the same period in 2020.²⁹

In one incident, on 27 May, in Sayaad district, Sar-e-Pul province, an airstrike carried out by the Afghan Air

Force, reportedly targeting a local Taliban leader's residence and guesthouse, resulted in killing of seven civilians (three girls, two women, one boy, and one man) and injury of six civilians (five women and one boy).

Amidst the significant increase in airstrikes conducted by the Afghan Air Force, UNAMA urges the Afghan National Army and its Air Force to review targeting practices and ensure that adequate measures are in place for the investigation of incidents causing harm to civilians, with the aim of learning lessons from such incidents to mitigate harm in future operations and of holding accountable those responsible.

Positive developments

The first six months of 2021 also marked the continuation of positive trends from 2020 where, in contrast to previous years, there was a dearth of civilian casualties caused by two incident types – airstrikes by international military forces and suicide attacks by Anti-Government Elements. As noted in UNAMA's 2020 protection of civilians reports and the first quarter 2021 update, these incident types have caused significantly fewer civilian casualties since the 29 February 2020 United States-Taliban agreement. Suicide attacks caused 92 civilian casualties (14 killed and 78 injured) in the first six months of 2021, compared with 154 civilian casualties (28 killed and 126 injured) during the same period in 2020. UNAMA similarly did not verify any airstrike by international military forces that resulted in civilian casualties during the first six months of 2021.³⁰

MAY-JUNE 2021

In April 2021, announcements began concerning the withdrawal of international military forces from Afghanistan, with all eventually confirming that they

²⁷ At the time of the publication of this report, UNAMA attributed eight airstrike incidents causing 30 civilian casualties (9 killed and 21 injured) to undetermined Pro-Government Forces from 1 January to 30 June 2021. UNAMA had not yet completed the deconfliction for some of these incidents with the Afghan Air Force and international military forces by the time of publication, and accordingly, attribution may still change. UNAMA also continued to follow-up on other allegations of incidents by international military forces causing civilian harm.

²⁸ Letter from Afghan Air Force General Command, 6 July 2021, on file with UNAMA Human Rights.

²⁹ Between 1 January and 30 June 2021, UNAMA documented 389 civilian casualties (146 killed and 243 injured) from 80 Afghan Air Force airstrikes, compared with 191 civilian casualties (87 killed and 104 injured) from 36 incidents during the same period in 2020.

³⁰ UNAMA notes that some incidents attributed to undetermined Pro-Government Forces remained pending deconfliction. See footnote 26.

would complete their withdrawals by September 2021.³¹

Between 1 May and 30 June 2021, amidst significant changes in the security landscape, UNAMA documented the highest number of civilian casualties recorded in May-June of any year since it began systematic documentation in 2009. Civilian casualty levels slightly surpassed those seen in 2017, previously the highest levels recorded in May-June.

Between 1 May and 30 June 2021, UNAMA documented 2,392 civilian casualties (783 killed and 1,609 injured), mainly resulting from non-suicide IEDs (40 per cent) and ground engagements (32 per cent). Of particular concern, Anti-Government Elements caused more civilian casualties from the use of non-suicide IEDs during May-June 2021 than in the prior four months combined, and the same was also true for Afghan Air Force airstrikes - although overall airstrikes caused far fewer civilian casualties. In addition, ground engagements caused nearly the same number of civilian casualties in May-June 2021 as they did during the entire previous four months of January-April 2021.

While control of many district administrative centres changed hands during this period, sometimes based upon arrangements between parties and civilians in the area, there was also a significant amount of fighting that occurred in and around civilian populated areas. Civilians suffered from being near areas that were newly contested, whether by Taliban moving into these areas, or by Afghan national security forces attempting to re-take territory. This resulted in frequent reports from different parts of the country, many of which were later verified, of civilian casualties and destruction of civilian property and infrastructure by indiscriminate mortar and rocket fire.

Afghans faced increased conflict amidst the third wave of COVID-19 pandemic and a government-declared

More than 200,000 Afghans were displaced due to the conflict, as they feared worsening conditions and treatment amidst continued changes in territorial control

drought, which resulted in the displacement of more than 200,000 Afghan civilians during the first six months of 2021.³² Indiscriminate shelling during ground engagements, the use of IEDs including victim-activated pressure-plate IEDs, and airstrikes, all of which took place in populated areas, contributed not only to a high number of civilian casualties, but also to an increased fear among the population of the battle coming to their doorstep. Families were displaced from their homes due to the conflict, whether forcibly due to fighting nearby, or following pre-emptive decisions to relocate in anticipation of the situation growing worse.

EID-UL-FITR CEASEFIRE 13-15 MAY

Unilateral ceasefires were declared by the Government and the Taliban, respectively, for the celebration of Eid-ul-Fitr, marking the end of the holy month of Ramadan. During the period for which the ceasefires were declared, 13-15 May, UNAMA documented a total of 99 civilian casualties (38 killed and 61 injured), more than half of which resulted from two attacks claimed by ISIL-KP. The first ISIL-KP claimed attack occurred on 13 May in Zer-e-Dawra area of Kunduz city, when a remote-detonated IED exploded under a table outside a shop on a main road where many civilians were preparing for their Eid celebrations, resulting in the killing of two civilians (one boy and one man) and the injury of a further 15 civilians (two girls, one boy, and 12 men). The second incident occurred in Shakar dara district, Kabul province the following day, 14 May, when an IED was detonated at a Sufi mosque during Friday prayers,

³¹ See NATO Statement from 14 April 2021 https://www.nato.int/cps/en/natohq/official_texts/183146.htm?selectedLocale=en; Statement of the President of the United States from 14 April 2021 <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/04/14/remarks-by-president-biden-on-the-way-forward-in-afghanistan/>; Statement of the United Kingdom Defence Secretary from 14 April 2021 <https://www.gov.uk/government/news/defence-secretary-statement-on-uk-forces-in-afghanistan>; Announcement by the Ministry of Defence of Germany https://twitter.com/BMVG_Bundeswehr/status/1382647467569774594?form=MY01SV&OCID=MY01SV

³² See OCHA Afghanistan Weekly Humanitarian Update (21-27 June 2021), citing the verified displacement of 205,386 people due to conflict so far in 2021. Available at: https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/afghanistan_humanitarian_weekly_27_june_2021.pdf

resulting in the killing of 10 civilians (two boys and 8 men) and the injury of a further 25 civilians (four boys and 21 men).

With the exception of three civilian casualties caused by explosive remnants of war, the remaining 44 civilian casualties documented during Eid days all came from IEDs attributed to Taliban or undetermined Anti-Government Elements for which it could not be determined whether the device had been emplaced prior to or during the ceasefire period. The majority of these incidents involved pressure-plate IEDs. UNAMA did not document any civilian casualties attributed to Pro-Government Forces during the Eid ceasefire period.

ATTACKS ON SCHOOLS AND HEALTHCARE

UNAMA remains concerned about the continuation of attacks on health and education facilities and workers that occurred during the first six months of 2021. These included both direct attacks against, and fighting causing incidental damage to, schools, hospitals, and their personnel. These attacks are especially horrendous, considering the context of the continuing COVID-19 pandemic, the start of the roll-out of related vaccines, and the backlog in polio vaccinations due to COVID-19.³³ UNAMA reminds Anti-Government Elements that medical facilities and units, as well as medical personnel, including vaccinators, are additionally afforded special protection under international humanitarian law.³⁴

With respect to attacks on schools, UNAMA documented a total of 16 incidents of direct targeting of schools and personnel, and a further 26 incidents in which schools or education personnel were incidentally impacted. Of these, the most egregious attack targeted students as they ended their classes at the Sayed ul-Shuhada school in Kabul city on 8 May, resulting in more than 300 civilian casualties (see

above section on deliberate targeting of civilians for further details).

Parties to the conflict also continued to conduct attacks against healthcare facilities and workers. During the first six months of 2021, UNAMA documented 28 incidents of direct targeting of healthcare facilities or workers, resulting in 12 civilians killed and 13 more injured, and a further 24 incidents where healthcare facilities or personnel were incidentally impacted. Of specific concern was the organised attacks by Anti-Government Elements on the polio vaccination campaign in Jalalabad in March and June (see above chapter on deliberate targeting of civilians for details).

PROTECTION OF CIVILIAN PROPERTY AND HUMAN RIGHTS AMIDST TERRITORIAL CONTROL CHANGES

As territorial control shifted during the first six months of 2021, especially in the months of May and June, UNAMA documented concerning developments with respect to the treatment of civilians and civilian property, including intentional destruction of civilian property and infrastructure, and attacks that appeared to intentionally target objects indispensable to the survival of the civilian population, as well as reports suggesting the implementation of a number of restrictions on individuals' rights.

In May and June 2021, UNAMA verified the destruction and looting of civilian homes, schools, clinics, electricity and mobile phone towers, city water supplies, bridges, shops, and residential apartment buildings.³⁵ The vast majority of incidents of intentional destruction of civilian property that UNAMA verified were attributed to or done with the complicity of Taliban fighters after they took control of a new area.

UNAMA reiterates that under international humanitarian law, any object which is not a military objective is a civilian object and cannot be the subject of attack.³⁶ It is incumbent upon the parties to do everything feasible to verify that targets are military

³³ See, <https://www.unicef.org/press-releases/polio-vaccination-campaigns-resume-afghanistan-and-pakistan-after-covid-19>.

³⁴ See Article 11, Additional Protocol II and ICRC Customary International Law Study, rules 25, 28, 35. See also <https://www.icrc.org/en/document/ihl-covid-19-vaccinations-territory>

³⁵ Although outside of the reporting period for this report, UNAMA notes that such reports continued to be verified in July including at the time of publication.

³⁶ See ICRC Customary International Law Study, rule 7. In order to constitute a military objective, an object must satisfy a two-pronged test. It must, by its nature, location, purpose or use make an effective contribution to military action and its destruction, capture or neutralisation, in the circumstances ruling at the time must offer a definite military advantage (ICRC Customary International Law Study, rule 8).

objectives.³⁷ In case of doubt whether an object which is normally dedicated to civilian purposes (e.g. a place of worship, a house or other dwelling, a school) is a military objective, it shall be considered as a civilian object.³⁸

In addition to the fear of being harmed by the ever-spreading conflict, UNAMA has received reports from communities suggesting the implementation of a number of restrictions on individuals' rights by the Taliban, including those affecting personal and social freedoms in newly captured areas. These reports exacerbate the fears of many as to how their rights may be respected, how they may be treated, and how their ability to conduct their daily activities may be affected if Taliban control their areas. Communities have expressed fears for certain segments of society, including women, ethnic and religious minorities, human rights defenders and those who speak out against Taliban practices.

These reports, if verified, directly contradict several statements issued publicly by Taliban leadership, including promises to respect and protect humanitarian workers and employees of international organisations, former employees of international military forces, civilians more generally, civilian property, and promises to hold accountable any Taliban fighters who abuse civilians.³⁹ UNAMA reminds the Taliban that it is important to ensure the implementation of these statements and to demonstrate its commitment to protecting civilians through actions and through accountability demonstrated to communities, especially those in areas where it has recently come to control the territory.

UNAMA is also concerned with the resurgence of pro-Government armed groups, with information surfacing about Government support for, and issuance of weapons to, civilian members of the population for the purpose of collective self-defence. The use of irregular armed groups operating outside a well-defined chain of command increases the risk that such groups exploit a fragile security environment, further compounding the

protection risks faced by civilians and the possibility of human rights abuses.

For example, on 5 June, in Taloqan city, Takhar province, members of a pro-Government armed group killed four civilian men, and abducted 20 civilians, holding them for two nights, after accusing the men of supporting the Taliban, with whom the armed group had recently engaged in an armed clash. UNAMA urges the Government once again to disband pro-Government armed groups and dismantle the political patronage of such groups. UNAMA reiterates that the members of such groups should be integrated into national security forces so that they may be held accountable for their conduct through the established military structures.

GOVERNMENT POLICIES AND MECHANISMS

UNAMA acknowledges that continued efforts were undertaken to ensure that policies relating to the protection of civilians were implemented even amidst increased fighting and changes in tactics which have resulted in increased civilian harm.

During the first six months of 2021, the Government of Afghanistan continued to work on harmonization of civilian casualty tracking within the national security forces by continuing work on a unified mechanism for review and investigation of civilian casualty incidents, and completed work on a revised system for victim assistance. On 20 June, the Government also launched its security-sector-wide Child Protection Policy. UNAMA will continue to work with the Government to support the implementation of the new Child Protection Policy, as well as to complete the work to establish the new civilian casualty mechanism.

In the UN Secretary-General's 2020 Annual Report on Children and Armed Conflict, the Afghan National Police (including Afghan Local Police)⁴⁰ were conditionally de-listed in the annexes to the report, and accordingly no longer are listed as a party to the conflict responsible for recruitment and use of children. UNAMA looks forward to continuing work with the

³⁷ See ICRC Customary International Law Study, rules 16, 8, 10, 1.

³⁸ See ICRC Customary International Law Study, rule 10.

³⁹ Statements available at <https://alemarahenglish.net/?p=47278>, <https://alemarahenglish.net/?p=47541>, last accessed on 12 July 2021.

⁴⁰ The Afghan Local Police were formally disbanded by the end of 2020. See UNAMA Protection of Civilians Annual Report 2020 for further details. UNAMA also notes, however, discussions that began in June 2021 about reviving the Afghan Local Police already.

Government to complete the remaining steps in the Action Plan, which is required in order for the Afghan National Police not to be re-added to the list. UNAMA also notes that in the same report, the Secretary-General has listed the Afghan National Army for killing and maiming of children. The Afghan National Army is listed in Annex B, which acknowledges listed parties that have put in place measures during the reporting period aimed at improving the protection of children. UNAMA will continue to support the Government as it prepares a plan to address killing and maiming of children. UNAMA recalls additionally that Taliban and affiliated groups remain listed for recruitment and use of children, killing and maiming of children, attacks on schools and hospitals, and abduction, and ISIL-KP remain listed for recruitment and use of children, killing and maiming of children, and attacks on schools and hospitals.

For more detailed information, please consult the UNAMA annual reports on the protection of civilians in armed conflict, available at:

<http://unama.unmissions.org/protection-of-civilians-reports>

METHODOLOGY

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 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. Where UNAMA is not satisfied with the reliability and credibility 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 the limitations inherent in the operating environment, particularly considering the recent challenges posed by the COVID-19 pandemic and related measures.