

January 2023

THE HAZARA INQUIRY

# THE SITUATION OF THE HAZARA IN PAKISTAN



This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. This inquiry is an informal group of Members of both Houses with a common interest in a particular issue. The views expressed in this report are those of the inquiry.

© Hazara Inquiry

January 2023

## **About the Inquiry**

The Inquiry is a joint effort of cross-party Parliamentarians from both Houses and experts (the Inquiry Team) working together to reveal atrocities and promote justice for the Hazaras in Afghanistan and Pakistan.

## **Inquiry Team**

### ***Parliamentarians***

Lord Alton of Liverpool, Crossbench, House of Lords

Baroness Kennedy of The Shaws KC, Labour, House of Lords

Brendan O'Hara MP, SNP, House of Commons

Paul Bristow MP, Conservative, House of Commons

Chris Law MP, SNP, House of Commons

### ***Secretariat***

Dr Ewelina Ochab

Dr May Homira Rezai

Emily Foale

Jessica Templeman

Andy Bailey

Portia Berry Kilby

Morris Johns

International Bar Association's Human Rights Institute

Coalition for Genocide Response

### ***External advisors***

Prof. Javaid Rehman

Aarif Abraham

## **Executive Summary**

The situation of the Hazara in Pakistan is dire and continues to be exacerbated by the critical situation in Afghanistan. The Hazara in Pakistan are subjected to discrimination, persecution and social exclusion that have a profound effect on the community and its future. Some of the risk factors of atrocity crimes are clearly present, while further evidence is needed to provide a comprehensive analysis of the situation. Despite the limited evidence available, it is clear that the community requires assistance, and assistance that addresses the source of the problems encountered, rather than excludes the community from society even more.

## Contents

<b>I. Introduction</b>	<b>6</b>
1. The Inquiry	7
2. Methodology	8
3. Limitations	9
<b>II. The Situation of the Hazara in Pakistan</b>	<b>11</b>
1. Recent Attacks Against the Community	12
2. The Situation of the Hazara in Pakistan - Inquiry Findings	17
2.1. Attacks on the Hazara Community	17
2.2. Discrimination of the Hazara in Pakistan	19
2.3. Enforced Disappearance	20
3. The Movement of the Hazara	22
3.1. The Hazara Fleeing Pakistan	22
3.2. The Hazara Refugees in Pakistan	24
4. The Perpetrators of the Attacks	26
<b>III. The Risk of Genocide or Full Blown Genocide - Analysis</b>	<b>28</b>
1. Assessing the Serious Risk of Genocide	28
1.1. UN Framework of Analysis for Atrocity Crimes	28
1.2. The Jacob Blaustein Institute's Framework	32
2. Conclusion on the Situation	33
<b>IV. Conclusions and Recommendations</b>	<b>34</b>

## I. INTRODUCTION

The Hazara have suffered from extensive persecution and discrimination in Pakistan, which has been compounded by the August 2021 Taliban takeover in neighbouring Afghanistan.<sup>1</sup> The community is frequently targeted by militants with the most recent mass killing taking place in January 2021, when 11 coal miners belonging to the Hazara community were killed near Quetta.<sup>2</sup> Because of their Central Asian physical features, the Hazara are easily identifiable and this renders them vulnerable to attacks by Salafi/Wahabi extremist organisations in Pakistan who consider Shia to be non-Muslim. The Hazara have substantial claims of neglect, economic and political marginalisation, and discrimination by the Baluchistan and Federal Pakistani administration.<sup>3</sup> An example of how this discrimination plays out became apparent with the global Covid-19 pandemic. When the virus began to spread in Pakistan, the provincial government sealed off areas in which the Hazara are predominantly living, and put all Hazara members of the police on forced leave, accusing the community of having brought Covid-19 into Pakistan from Iran. This added to the stigmatisation and discrimination against members of this group.<sup>4</sup> A further example is the Hazara who fled Afghanistan after the Taliban takeover in August 2021 and took refuge in Pakistan. They are

---

<sup>1</sup> <https://www.refworld.org/docid/5ba0af627.html>.

<sup>2</sup> <https://www.dawn.com/news/1599527/gunmen-slaughter-11-coal-miners-in-balochistan>.

<sup>3</sup> <https://nchr.gov.pk/wp-content/uploads/2019/01/HAZARA-REPORT.pdf>.

<sup>4</sup> <https://www.uscirf.gov/news-room/releases-statements/uscirf-troubled-targeting-hazara-shia-pakistan-amid-coronavirus>.

reportedly being persecuted and harassed by the Pakistani authorities. These issues are considered more extensively below.

This report considers the situation of the Hazara community in Pakistan, focusing specifically on the situation from 2021 until now.

**Chapter II** presents the findings of the Inquiry, including the desktop research and the oral and written submissions received by the Inquiry Team.

**Chapter III** analyses the serious risk of genocide.

**Chapter IV** summarises the findings and makes recommendations.

## **1. The Inquiry**

The Inquiry is a joint effort of cross-party Parliamentarians from both Houses and experts (the Inquiry Team) working together to reveal atrocities and promote justice for the Hazaras in Afghanistan and Pakistan, including:

1. Assessing the risk of genocide to the Hazara community in Afghanistan and Pakistan following warnings from civil society groups since 2021, and following NATO's withdrawal from Afghanistan in August 2021;
2. Identifying key risks facing the Hazara community, as well as steps that can be taken to prevent further atrocities against the community;
3. Identifying steps that can be taken by the international community to protect Hazaras in Afghanistan and Pakistan.

While the Inquiry has been examining the situation of the Hazara in Pakistan and Afghanistan, this report focuses on Pakistan exclusively. The situation in Afghanistan is covered in a separate report.

**While the Inquiry has been examining the situation of the Hazara in Pakistan and Afghanistan, this report focuses on Pakistan exclusively. The situation in Afghanistan is covered in a separate report.**

## 2. Methodology

The Inquiry Team has conducted an inquiry into the atrocity crimes perpetrated against the Hazara in Afghanistan and Pakistan since 2021, namely the period from shortly before the Taliban took over Afghanistan, until after it. The Inquiry took into consideration atrocities perpetrated by the Taliban, IS-K, and any other group targeting the Hazara people.

The Inquiry consisted of desktop research, open public consultations, reports and documentation submitted by NGOs, experts, and eyewitnesses, and oral hearings.

**Mapping research:** The Inquiry Team conducted desktop research into existing reports on atrocity crimes, and violations of international criminal law including prohibitions on genocide and crimes against humanity against the Hazara, focusing specifically on reports from 2021 but also including relevant reports from previous years and literature commenting on such violations. The Inquiry considered NGO reports, public governmental analyses and communiqué on the situation, scholarly articles, media articles, and other information in the public domain. The desktop research was to identify what is known of the atrocities and assess the shortfalls in knowledge to consider areas requiring further consideration.

**Public consultation:** The public consultation, open from March until the end of May 2022, was advertised on the Inquiry website, via the UK Freedom of Religion or Belief (FoRB) Forum and the International Religious Freedom (IRF) Roundtable, *among others*. The Inquiry Team reached out to relevant NGOs and experts, inviting them to contribute to the consultation.

**Oral hearings:** The oral hearings took place in April and May 2022. They were conducted by the Inquiry Team of Parliamentarians, with assistance from the Inquiry Team's secretariat. These oral hearings allowed the Inquiry Team to explore the evidence collected to date and obtain further information. All experts invited to participate in the oral hearings were also asked to send written submissions.

The Inquiry is not an end goal in itself, but a tool to prompt not only governments but also regional and international actors, to respond and continue efforts to advocate on behalf of, and with, the Hazara community.

### 3. Limitations

The Inquiry Team has limited capacity and resources to be able to conduct a full investigation into the situation of the Hazara. As such, the evidence collected and presented in the report is to be considered as a sample of the evidence available only.

Where necessary, the Inquiry Team identifies the gaps in knowledge that need to be addressed, including collecting and preserving evidence of the atrocities and/or specific aspects of the atrocities. While there is some reporting on the situations and the attacks against the Hazara, such data is often vague, and confusing (especially in different numbers of those affected by the attacks being reported).

## **THE HAZARA INQUIRY**

Collecting such data will enable a more comprehensive analysis of the situation. However, even this limited data is sufficient to make certain findings and identify needed responses.

## II. THE SITUATION OF THE HAZARA IN PAKISTAN

The exact number of Hazara in Pakistan is unknown. The US State Department reports that ‘Shia Muslims, including ethnic Hazara, Ismaili, and Bohra (a branch of Ismaili), are generally believed to make up 15-20%.<sup>5</sup> Dr Saleem Javed, a medical doctor by profession, and an ethnic Hazara from Quetta Pakistan, indicated in his oral testimony that ‘the Hazara of Pakistan constitute about 0.02% of the entire population of 230 million Pakistanis. The Hazaras are about half a million.’<sup>6</sup> Most of the Hazaras in Pakistan reside in Balochistan’s Quetta region in western Pakistan, close to the border with Afghanistan. As Dr Javed added, ‘of that half a million population, the majority of them, an absolute majority, live in Quetta city. Then there are traces of small communities living in other districts of Balochistan and other parts of Pakistan as well.’<sup>7</sup> As suggested in a written submission, ‘Hazaras are not native Pakistanis, but over the last century they have moved from Afghanistan to Pakistan and most of them live in Quetta.’<sup>8</sup>

The persecution of the Hazara in Pakistan is believed to have intensified during General Zia-ul-Haq’s tenure as president from the late 1970s to the 1980s, which was marked by a rise in violent sectarianism.<sup>9</sup> Persecution of the Hazara in Pakistan occurs within the country and at its border. Despite known dangers in Afghanistan, the Pakistani government has refused to take additional Hazara refugees, and since 2021,

---

<sup>5</sup> US State Department FoRB Report 2021. Available at: <https://www.state.gov/reports/2021-report-on-international-religious-freedom/pakistan/>.

<sup>6</sup> Oral evidence, Dr Saleem Javed, 17 May 2022.

<sup>7</sup> Oral evidence, Dr Saleem Javed, 17 May 2022.

<sup>8</sup> Written submission, Afzaly.

<sup>9</sup> <https://theprint.in/go-to-pakistan/why-hazaras-in-pakistans-quetta-have-refused-to-bury-11-coal-miners-killed-in-is-attack/581091/>.

nearly 500 Afghan Hazara have been deported back to Afghanistan after successfully escaping the Taliban.<sup>10</sup> A spokesman for the province said, '[w]e have returned them because the Pakistan government has not at this time made any camps to facilitate Afghan refugees... Our decision is that we will not allow them right now.'<sup>11</sup>

Returning the Hazara to Afghanistan poses a serious risk to their lives.<sup>12</sup>

## 1. Recent Attacks Against the Community

The Hazara have been subjected to dire treatment in Pakistan, with attacks against the community prevalent to this day. On 7 January 2021, 11 Hazara coal miners were killed by the IS in Pakistan.<sup>13</sup> On 18 January 2021, in an interview released by The World, the UN Special Rapporteur on Minority Issues, Professor Fernand de Varennes, reported on the horrific murder of 11 Hazara miners in Pakistan and emphasised the need to protect the Hazara from IS and others.<sup>14</sup> He stated, 'I think it is important to realise and to make clear and to raise awareness that the treatment of the Hazara is not just atrocities. These are atrocities where you have a group, a minority that is targeted.'<sup>15</sup> Commenting on the attack, an Afghan Shia Muslim leader holding talks with Pakistan's Foreign Minister, highlighted the growing trend in persecution stating, '[i]n Pakistan,

---

<sup>10</sup> <https://www.ids.ac.uk/opinions/from-afghanistan-to-pakistan-the-never-ending-ordeals-of-shia-hazaras/>.

<sup>11</sup> <https://www.aljazeera.com/news/2021/9/20/fleeing-afghan-hazaras-face-uncertain-future-in-pakistan>.

<sup>12</sup> See the Hazara Inquiry report on Afghanistan from 2022.

<sup>13</sup> Ibid.

<sup>14</sup> <https://theworld.org/stories/2021-01-18/un-rapporteur-emphasizes-responsibility-protect-vulnerable-hazaras>.

<sup>15</sup> Ibid.

more than 500 Hazaras have been killed in such attacks since 2014, according to the National Commission for Human Rights.<sup>16</sup>

On 5 April 2021, *The Guardian* released an article which detailed the killings of the Hazara in Pakistan stating, 'from 2009 to 2014, nearly 1,000 Hazaras died in sectarian violence. Thousands have been injured.' It also reported that since 2013, 'at least 509 Hazara have been murdered for their faith.'<sup>17</sup> In describing their living conditions, one interviewed Hazara said, '**We are living in two prisons. Our men and young can't go outside. If they go, they will be killed. Our graveyards are full of young men with barely any space left... We are tired of carrying their coffins. Every year we dig mass graves.**'<sup>18</sup> Following the killings of the coal miners, and in protest of the killings and the ongoing persecution, the community staged a protest, refusing to bury the bodies until Prime Minister Imran Khan came to meet them in person. In response, he 'told them to refrain from "blackmailing the premier", even as he denounced the attack.'<sup>19</sup>

The Hazara face persecution in Pakistan, ranging from, 'facing enormous difficulties in exercising their fundamental rights to having limited social opportunities due to fear of violence.'<sup>20</sup> Human Rights Watch reports that the Hazara have been forced into virtual ghettoisation in the Hazara neighbourhoods of Quetta's Marriabad and Hazara Town.<sup>21</sup> Abigail Miriam Fernandez, a research associate at the School of Conflict and Security Studies at the National Institute of Advanced Studies in India, comments that '**this enforced ghettoisation and isolation has restricted movement and created**

---

<sup>16</sup> Ibid.

<sup>17</sup> <https://www.theguardian.com/global-development/2021/apr/05/mass-graves-pakistan-shia-minority-hazara-slaughter-imran-khan>.

<sup>18</sup> Ibid.

<sup>19</sup> <https://www.dawn.com/news/1650030>.

<sup>20</sup> [https://pakistanreader.org/view\\_articles.php?url=The%20Hazaras%20in%20Pakistan%20have%20faced%20endless%20persecution%20despite%20state%20measures%20to%20protect%20the%20community&recordNo=223](https://pakistanreader.org/view_articles.php?url=The%20Hazaras%20in%20Pakistan%20have%20faced%20endless%20persecution%20despite%20state%20measures%20to%20protect%20the%20community&recordNo=223).

<sup>21</sup> <https://www.hrw.org/news/2018/04/30/pakistans-hazara-community-under-attack>.

**economic hardships and affected access to basic health and education services.**

Most of them refrain from stepping outside of their areas around the city because their distinct facial features make them easily recognisable targets.’<sup>22</sup> As she adds, ‘**apart from the external threats, the Hazaras fear for their lives even within their own ghettoised towns.**’<sup>23</sup>

On 17 March 2022, Asian News International (ANI) published an article in which religious scholars condemned the persecution of the Hazara in Muslim countries such as Pakistan and Afghanistan.<sup>24</sup>

The situation of the Hazara in Pakistan only deteriorated as the Hazara from Afghanistan began to flee to Pakistan in 2021. In getting to Pakistan, the Hazara faced immense barriers and discrimination. Some paid smugglers to enter Pakistan; others waited for days to cross safely. Those with official documentation were frequently turned away or assaulted. Many have been deported back to Afghanistan to face unknown fates upon their arrival. To escape the growing violence against the Hazara, especially in the Quetta region of Pakistan where the Hazara Democratic Party estimated that some 3,000 Hazara have been killed due to sectarian violence, some Hazara youth have taken the decision to attempt to flee to safety in Europe or Australia. This perilous journey leaves them particularly vulnerable.<sup>25</sup> Reportedly, ‘informal research [suggests] that there have been more than 1,500 people killed, or drowned in the water while travelling illegally from Indonesia to Australia and New

---

<sup>22</sup> [https://pakistanreader.org/view\\_articles.php?url=The%20Hazaras%20in%20Pakistan%20have%20faced%20endless%20persecution%20despite%20state%20measures%20to%20protect%20the%20community&recordNo=223](https://pakistanreader.org/view_articles.php?url=The%20Hazaras%20in%20Pakistan%20have%20faced%20endless%20persecution%20despite%20state%20measures%20to%20protect%20the%20community&recordNo=223).

<sup>23</sup> Ibid.

<sup>24</sup> <https://www.aninews.in/news/world/asia/religious-scholars-condemn-persecution-of-shia-hazara-minorities-in-islamic-countries20211211131406/>.

<sup>25</sup><https://theprint.in/world/fearing-persecution-in-pakistan-hazara-youths-undertake-perilous-journeys-to-australia-europe/831921/>.

Zealand or two other islands just to save their lives because they find no opportunity of life in Pakistan.’<sup>26</sup>

Despite these concerns, the UK Government, in its Guidance: Country Policy and Information Note: Hazaras, Pakistan, July 2022 (updated 25 July 2022) suggests that **‘Hazaras are not at risk of persecution or serious harm from the state. While some Hazara face official discrimination**, in general, this is not likely to be sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm.’<sup>27</sup> It further added that **‘Hazaras are unlikely to be at real risk of persecution or serious harm by non-state actors**. Overall the number and frequency of incidents, relative to the size of the population of Hazaras living in Pakistan, is low.’<sup>28</sup>

At the same time, the US State Department has been presenting a very different picture from the analysis of its British counterparts. In their 2021 Human Rights report, the US State Department indicated that:

‘Sectarian militants continued to target members of the Hazara ethnic minority, who are largely Shia Muslim, in Quetta, Balochistan. **Hazaras also continued to face discrimination and threats of violence**. According to press reports and other sources, Hazaras were unable to move freely outside of Quetta’s two Hazara-populated enclaves. Community members complained that increased security measures had turned their neighbourhoods into ghettos, resulting in economic exploitation. Consumer goods in those enclaves were available only at inflated prices, and Hazaras reported an inability to find employment or

---

<sup>26</sup> Oral evidence, Fatima Atif, 17 June 2022.

<sup>27</sup> See <https://www.gov.uk/government/publications/pakistan-country-policy-and-information-notes/country-policy-and-information-note-hazaras-pakistan-july-2022-accessible>.

<sup>28</sup> Ibid.

pursue higher education. Hazara contacts reported increased surveillance by authorities due to the arrival of Hazaras from Afghanistan following the August 2021 Taliban takeover.

Community members also alleged government agencies discriminated against Hazaras in issuing identification cards and passports. Authorities provided enhanced security for Shia religious processions but confined the public observances to the Hazara enclaves.<sup>29</sup>

Another US State Department report focused on religious freedom in Pakistan in 2021, identified that '**Armed sectarian groups, including factions of the Tehreek-e-Taliban Pakistan (TTP), and ISIS-Khorasan (ISIS-K), continued to stage attacks targeting Shia Muslims, including the predominantly Shia ethnic Hazara community.**'<sup>30</sup> It is unclear why the British and the US analyses are in such a strong contrast.

---

<sup>29</sup> See <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/pakistan/>.

<sup>30</sup> See <https://www.state.gov/reports/2021-report-on-international-religious-freedom/pakistan/>.

## 2. The Situation of the Hazara in Pakistan - Inquiry Findings

The below section summarises some of the findings of the Hazara Inquiry into the situation of Hazaras, focused on Pakistan only.

### 2.1. Attacks on the Hazara Community

The Hazara are subjected to widespread attacks in Pakistan, however, to this date, there has been no independent inquiry into the situation that could help to identify the true nature and scale of the situation. Indeed, Fatema Atif, human rights advocate, said in her oral testimony that the true numbers of those killed in Quetta, whether in bombings or those fleeing to other countries, are unknown. Furthermore, Fatima Atif raised the issue that mainstream media does not appropriately cover attacks against Hazara and their general situation in Pakistan and Afghanistan. However, the reported numbers run into hundreds and thousands.

The data on targeted attacks against the community varies. Pakistan's National Commission for Human Rights (NCHR) reported that at least 2,000 Hazaras have been killed in terrorist-related incidents and targeted killings between 1999 and late 2017.<sup>31</sup> The South Asia Terrorism Portal (SATP) recorded 383 deaths due to attacks between 2006 and 2021.<sup>32</sup>

**An independent inquiry into the attacks against the Hazara in Pakistan is urgently needed, and one that will include a fact-finding element and is able to collect and**

---

<sup>31</sup> See <https://www.gov.uk/government/publications/pakistan-country-policy-and-information-notes/country-policy-and-information-note-hazaras-pakistan-july-2022-accessible>.

<sup>32</sup> Ibid.

**preserve the evidence of such attacks.** Dr Saleem Javid testified that the targeting of the Hazara increased over time:

‘It started with, for instance in 1998, targeting the son of the former Pakistan Army Chief General Musa Khan. His son was killed in Karachi in bright daylight. **It was a direct message to the Hazara that we can start here by killing the strongest of you and then just a few months later, the Hazara Education Minister was targeted.** He survived the assassination attempt, but his guard and driver were killed. And it continued for some time, the targeted attacks, specifically targeting the leaders, the professionals, and the high-profile Hazaras. When they found a shortage of high-profile Hazaras, they then went on with the next target. The next target was to attack the business centres owned by the Hazaras. The markets, the retailers, the car retailers, stores. The trends of stores and different business hubs where the Hazara had some sort of dominance so they started targeting the owners of these businesses.’<sup>33</sup>

Inayat Balkhi, a political analyst, testified that he came to the UK in 2007 on a student visa and was very committed to his education. In 2009 his cousin, who at the time was the chairman of his town’s Hazara community, was killed in a terrorist attack. With others, he then protested in front of the High Commission of Pakistan in the UK to urge the Pakistani government to take action in response to this 2009 attack. Nothing was done on the part of the Pakistani government. Sectarian groups in Pakistan continued to openly organise anti-Hazara rallies where they explicitly threatened to wipe out all Hazara and Shias in Pakistan.

Prof. Javid Rehman testified in the oral hearing that ‘in the last couple of years we have seen individuals being targeted. For example, they've been taken out from buses

---

<sup>33</sup> Oral evidence, Dr Saleem Javid, 17 May 2022.

or other places, and their identification noted and they have been shot dead because they are visible or their ID cards tell us that they belong to this minority group.’<sup>34</sup>

## 2.2. Discrimination of the Hazara in Pakistan

The Hazara are subjected to wide-ranging discrimination in Pakistan. The discrimination against the Hazara is deeply rooted. Professor Javaid Rehman, a professor of law, in an oral hearing, raised the issue of education in Pakistan. He emphasised that the youth are indoctrinated against the Hazara, and Shias in general, as they are propagated as non-Muslims. This indoctrination leads to the general hostility against Shias and the Hazara in Pakistan that, in turn, leads to the Hazara being restricted in their daily activities, including movement. Professor Rehman emphasised that it is not only the state but also the general population that is hostile to this minority group. Fatima Atif agreed that the issue of education must be addressed as a matter of urgency.

Fatima Atif, in an oral hearing, testified that Hazara in Pakistan are not only discriminated against but also ‘socially isolated and boycotted.’<sup>35</sup> Among others, as Fatima Atif pointed out, several non-Hazaras show unwillingness to travel with Hazara and refuse to sit next to them in public transport. Many Hazaras are said to lose their jobs because of their identity. **‘There is an unannounced, unofficial social boycott against them.’**<sup>36</sup>

This isolation is omnipresent. Dr Saleem Javed, a medical professional and member of the Hazara community, explained what it means to live in the Hazara enclaves:

---

<sup>34</sup> Oral evidence, Prof. Javaid Rehman, 4 May 2022.

<sup>35</sup> Oral evidence, Fatima Atif, 17 June 2022.

<sup>36</sup> Ibid.

**'the Government of Pakistan** instead of protecting the Hazaras, **placed the Hazaras into two enclaves and erected a wall like the Berlin Wall.** They put one entry and one exit. There are paramilitary forces at the checkpoint, at the entry and exit. They check everyone's ID card before letting them in or out and asking them about their timing of coming back. No non-Hazaras are allowed to enter. Hazaras that want to travel outside Quetta have to apply for a "no objection" certificate from the local authorities to go to e.g. Karachi or any other part of Pakistan. **Such certificates were usually not issued because they would and could not provide security.** The Hazara who want to go to buy vegetables from the vegetable market or other raw materials outside the Hazara enclaves have to call the police authority and coordinate with them. They have to coordinate with each other and then the police would say OK, all of you should be at e.g. 7:00 o'clock in the morning, we will come and we will take you to the vegetable market. **So instead of going after the terrorists, the Hazaras are marginalised and put into a camp.'**<sup>37</sup>

### 2.3. Enforced Disappearance

The attacks, discrimination and isolation of the Hazara in Pakistan have a significant effect on the community. As Fatima Atif indicated, there is deep trauma and fear among the Hazara community. 'Hazaras carry fear and pain in their hearts from a very young age as they already experience so much persecution and never lived in peace. Many members of the Hazara community suffer from psychological issues because of that living situation.'<sup>38</sup> As Fatima Atif explained, her mother is still petrified whenever she hears an ambulance, even though she no longer lives in Pakistan. Fatima Atif testified on the trauma of those forced to flee Quetta to other parts of Pakistan, and

---

<sup>37</sup> Oral evidence, Dr Saleem Javed, 17 May 2022.

<sup>38</sup> Oral evidence, Fatima Atif, 17 June 2022.

those forced to flee to other countries, in order to escape persecution. They are forced to flee and do not feel that they have sufficient opportunities. The loss of their family and friends from attacks, but also from their heritage and homeland, constitute a huge psychological trauma that burdens the community globally.

The attacks on the community, discrimination, harassment and other acts result in helplessness felt by members of the community and have a devastating effect on the morale of the community. Hazara who recently arrived from Afghanistan, as well as the local community, feel equally helpless. As most arrive without any official papers from Pakistan or Afghanistan, they are often exploited by local people and businesses. With the ever-present threat of deportation, they are in no position to bargain for their labour, conditions of living or any assistance.

Dr Saleem Javed expressed the need to investigate who exactly are the assailants against the Hazara, what their motivations are, and why the Pakistani government has done nothing at all against them so far. Dr Saleem Javed recounted how terrorists shot Hazaras from a bus, posted this attack on Facebook and YouTube, and walked away from the scene as they knew that nothing would happen to them and that they would enjoy impunity. Furthermore, he emphasised that a further inquiry must be conducted into the issue of why journalists reporting on the Hazara situation are not being protected.

Dr Saleem Javed said that the Chief of Justice in Pakistan did call the situation a genocide against the Hazara, but when the Supreme Court called for security officials to appear and give an account of the situation of the Hazara in the country, nobody appeared.

According to Dr Saleem Javed, the Government of Pakistan at times has been publicly mocking the community.<sup>39</sup> Professor Javaid Rehman indicated that the Pakistani

---

<sup>39</sup> Oral evidence, Dr Saleem Javed, 17 May 2022.

government nurtures terrorist groups (responsible for attacks on the Hazara) in their country by working with them and having agreements with them, such as with the Therik-i-Taliba. This sort of nurturing and support has led this specific group to being the third most powerful organisation in Pakistan. This relationship between the Pakistani government and terrorist groups is concerning and needs to be addressed. Professor Javaid Rehman further added that this is a very complex situation. The Hazara are obviously the target of these groups, but Shias all over the country, in general, have been targeted by these organisations.<sup>40</sup>

Professor Javaid Rehman suggested that the international community has allowed Pakistan too much; there must be greater international accountability, including in how the government allocates international funding. Professor Javaid Rehman suggested that funds provided to Pakistan from the British government should be marked to provide assistance to the Hazara. Targeted aid from the UN and the British government should be provided for the Hazara so as to counteract this community's ongoing economic deprivation and effective 'economic persecution.'

### **3. The Movement of the Hazara**

#### **3.1. The Hazara Fleeing Pakistan**

Increasing ghettoisation of Hazaras in one particular part of Quetta leads to a sense of economic, social, cultural and political isolation. One way of coping with this marginalisation is to migrate and start a new life abroad. Fatima Atif emphasised that not all Hazara can be relocated to protect them. Furthermore, not all Hazara want to be relocated. It is only those living in areas with the highest risks of bombings that normally make the decision to flee. She stressed that she has concerns in relation to

---

<sup>40</sup> Oral evidence, Professor Javaid Rehman, 17 May 2022.

her own personal safety. She emphasised that the more people know of her as a Hazara and Hazara helper, the more danger she is in.

Fatema Atif testified that '[The Hazara] were forced to leave the city because there were many challenges. Almost 99% of opportunities for jobs and businesses ended for the Hazara community.'<sup>41</sup> Now, Fatema Atif testified,

'many Hazaras have been forced to flee Quetta to other parts of Pakistan, because of the dire economic situation. All the opportunities for students to go to colleges and universities ended for Hazara community students because there were, specifically, some incidents targeting the communities. The buses which used to pick up the Hazara students from their locality were targeted. Education ended for Hazara so there was no life security. Business and job opportunities finished. ... **The Hazara community was physically bound in those two localities and they could not go out. Going out from these small areas meant that there was no security. They are isolated socially.**'<sup>42</sup>

Dr Ibrahimimi suggested that 'the social and political condition of the Hazaras have completely transformed over the past two decades. They have been forced to isolate themselves in these two specific neighbourhoods, which are increasingly looking like a ghetto. Where they are in isolation, socially, economically, politically from the rest of the city.'<sup>43</sup>

The conditions in Quetta worsened due to the humanitarian crisis unfolding in Afghanistan.

---

<sup>41</sup> Oral evidence, Fatema Atif, 17 May 2022.

<sup>42</sup> Ibid.

<sup>43</sup> Oral evidence, Dr Niamatullah Ibrahimimi, 4 May 2022.

## 3.2. The Hazara Refugees in Pakistan

As a result of the deteriorating situation in Afghanistan, and as the Taliban was taking over, many Hazara have been fleeing to Pakistan where they face an uncertain future and possible refoulement. As submitted by Coalition for Religious Equality and Inclusive Development (CREID), which conducted in-depth research into the issue,

Pakistan authorities have refused to acknowledge the presence of new refugees from Afghanistan and have launched a crackdown against refugees, including Shia Hazaras, who arrived in Pakistan after the Taliban takeover on 15 August 2021<sup>44</sup>.

As a result, Shi'a Hazara refugees, who are easily identifiable due to their distinct facial features, are hiding from the authorities to avoid detention and deportation.

Humanitarian support to Shia Hazara refugees in Pakistan is a matter of serious concern as humanitarian organisations are facing pressure from the state, therefore, their outreach is limited.

As a result, Shia Hazara refugees could not get registered with UNHCR's local partners and are struggling to access education, work and health, and have restricted mobility.

Shia Hazara refugees and helpers reported that humanitarian organisations are ignoring their needs and local cultural, religious and political sensitivities of Shi'a Hazaras vis-à-vis Sunni Pashtuns dynamics.

---

<sup>44</sup> Refugees who came in the 1980s and 1990s through UNCHR's programme have been officially accepted in Pakistan.

Shia Hazara refugees are also suspicious of local humanitarian organisations, reporting that refugee data were leaked to the Pakistani authorities and this led to some 350 Shia Hazara refugees being deported back to Afghanistan.<sup>45</sup>

As reported by CREID, 'on 15 September, the Balochistan authorities criminalised anyone offering refuge to Afghan refugees and warned of strict repercussions. They also deported more than 500 refugees.'<sup>46</sup> CREID submitted evidence to state that 'despite the long history of Shi'a Hazara persecution in Afghanistan, the Balochistan authorities in Pakistan have denied refuge to Shi'a Hazara refugees on humanitarian grounds. On 15 September 2021, they issued a notification to act against those who are assisting the new Afghan refugees<sup>47</sup>. As a result, the local *imam bargahs* (Shia congregation centres), who were hosting the refugees, were threatened with raids and detentions if they are found to be hosting refugees<sup>48</sup>. Some individual helpers, who were facilitating the Shi'a Hazara refugees, informed us during the interviews that they were detained and harassed by the authorities.'<sup>49</sup>

The Pakistani government has officially denied having any Afghan refugee camps or assistance and criminalised supporting Afghan refugees. 'As a result, the authorities have raided local mosques hosting refugees.' One refugee reported that after two weeks of seeking refuge at a mosque, 'we were told to find somewhere else otherwise we will be taken by the police.'<sup>50</sup> Another person reported that 'those whose Tazkiras

---

<sup>45</sup> Written submission, CREID.

<sup>46</sup> Ibid.

<sup>47</sup> <https://www.samaaenglish.tv/news/2021/09/balochistan-to-punish-residents-offering-refuge-to-afghans/>.

<sup>48</sup> <https://www.ids.ac.uk/opinions/from-afghanistan-to-pakistan-the-never-ending-ordeals-of-shia-hazaras/>.

<sup>49</sup> Written submission, CREID.

<sup>50</sup> Ibid.

(Afghan ID card) were from Qandahar (mostly Pashtuns) were allowed to cross while people from other provinces (mostly Hazaras) were denied entry... the trafficker told me to introduce myself as someone's son so that I can cross the border.'<sup>51</sup>

Fatima Atif has worked with Hazara refugees in Pakistan. Upon their arrival in Pakistan, the Hazara often do not have any papers. Hundreds of families have come to Pakistan as refugees as a result of the situation in Afghanistan. They are kept in community halls, given basic food to survive, and some used clothes. Fatima Atif shared some of the stories of Hazara refugees fleeing to Pakistan and other countries, including many drowning while trying to seek a safe haven.

#### 4. The Perpetrators of the Attacks

As identified by the US State Department, the Hazara in Pakistan are subjected to attacks by armed sectarian groups, including factions of the Tehreek-e-Taliban Pakistan (TTP), and IS-Khorasan (IS-K).<sup>52</sup> The Australian Department of Foreign Affairs and Trade reports that 'various anti-Shia sectarian groups operate in Pakistan, among them Lashkar-e-Jhangvi (LeJ), a radical Sunni militant group that follows the Deobandi school of Islam. LeJ seeks to eradicate Shi'a influence from Pakistan. The group has carried out numerous deadly attacks on Shia communities (including targeted attacks against Hazaras), places of worship and leaders, as well as against other religious minorities including Christians, Hindus and Ahmadis.'<sup>53</sup>

The perpetrators of the attacks enjoy impunity. Despite some press coverage, many such cases are **rarely investigated, let alone prosecuted.**

---

<sup>51</sup> <https://creid.ac/blog/2021/10/19/from-afghanistan-to-pakistan-the-never-ending-ordeals-of-shia-hazaras/>.

<sup>52</sup> US State Department, FoRB Report 2021, <https://www.state.gov/reports/2021-report-on-international-religious-freedom/pakistan/>.

<sup>53</sup> <https://www.ecoi.net/en/file/local/2067350/country-information-report-pakistan.pdf>.

Fatima Atif indicated that throughout the past 25 years in Pakistan, a pattern has manifested itself where a political party, that is not in government, would express sympathy with the Hazara community, express their support and promise change if they come into power etc. Once a party does get into government, however, they deny any assurances made earlier and demonstrate indifference to the situation of the Hazara. For example, after the 2013 attacks when the Hazara community refused to bury the victims' bodies, a group of women said that they would bury the bodies if Imran Khan agreed to a meeting with the Hazara community. Khan called this blackmailing on the part of these women and the Hazara community more broadly; said that they would have to bury the dead bodies before he comes. This refusal of Khan to meet with the Hazaras stood in great contrast to his voluntary meetings with the community before he came into power.

Fatima Atif commented that her observation over the past 25 years is that whenever there is a violent incident against the Hazara in Pakistan, there is a protest in response. There were numerous protests and manifestations of solidarity amongst Hazaras and their friends; even international protests took place. According to Fatima Atif, such protests help highlight the maltreatment of the Hazara. However, such protests do not translate into action.

## III. THE RISK OF GENOCIDE OR FULL BLOWN

### GENOCIDE - ANALYSIS

This section aims to assess the serious risk of genocide, using the UN Framework of Analysis for Atrocity Crimes<sup>54</sup> and the Jacob Blaustein Institute's Framework.<sup>55</sup>

#### 1. Assessing the Serious Risk of Genocide

There are several risk factors of genocide (but also atrocity crimes) more broadly that are relevant here. The analysis focuses on the situation from 2021, unless other and older situations are of relevance, for example, where the issue of past atrocities and impunity is considered.

##### 1.1. UN Framework of Analysis for Atrocity Crimes

The below focuses on risk factors 9 and 10, as they are specific to genocide.

Risk factor 9 relates to intergroup tensions or patterns of discrimination against protected groups.

**Risk factor 9.1** relates to past or present serious discriminatory, segregational, restrictive or exclusionary practices, policies or legislation against protected groups. Such past and present serious discriminatory practices are clearly visible in the above-discussed evidence and include severe restrictions on the rights of the Hazara community, excluding members of the community from the general public, segregation and ghettoisation of the community.

---

<sup>54</sup>United Nations, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (2014).

<sup>55</sup>Jacob Blaustein Institute for the Advancement of Human Rights, *Compilation of Risk Factors and Legal Norms for the Prevention of Genocide* (New York 2011).

**Risk factor 9.2** concerns the denial of the existence of protected groups or of recognition of elements of their identity. The Inquiry has not seen such evidence. On the contrary, the Hazara identity appears to be recognised but only to enable discrimination and persecution of the community.

**Risk factor 9.3** relates to the history of atrocity crimes committed with impunity against protected groups. As explained above, the attacks against the community are rarely investigated and prosecuted and there is a general atmosphere of impunity for the targeting of the Hazara. Dr Saleem Javed said that the state is essentially expressing an unwillingness to rectify the situation of the Hazara. According to him, the Pakistani state policy is to bring about a demographic change within the country by ‘eliminating’ the Hazaras. Dr Saleem Javed indicated that the military has given assurances of safety to the Hazara community, but fear still persists. Authorities erected walls around neighbourhoods of the Hazara community. These have checkpoints with paramilitaries. No non-Hazaras are allowed in. People who want to go outside the ‘zone’ first needed a no-objection certificate. If people want to go shopping, they had to call the police and coordinate an escort. Dr Saleem Javed testified that this way Hazaras, who were marginalised and targeted, were essentially ‘put into jail,’ and not the terrorists harming this community.

Dr Saleem Javed also testified that the level of impunity stretches so far that targeted killings of Hazara have been streamed live online on social media, with no fear of repercussions:

‘They broadcasted their killing. When they stopped a bus, they identified the Hazaras through their ID cards and then they pulled them down off the bus and made them stand in line. They shot them at a blank point while broadcasting it live on Facebook and YouTube. And the videos are still available, so they do not even fear [anything]. [...] It shows how they know that the state is not going to

protect the Hazaras. **The former Chief Justice of Pakistan called this the Hazara genocide, and he asked the relevant authorities to appear before the Supreme Court of Pakistan and explain why the community is not being protected and not to my surprise, but to everyone else's surprise, nobody appeared.**<sup>56</sup>

Fatima Atif indicated that the Hazara are mainly in a reactive mode in relation to seeking justice and accountability. According to her, wherever there is an incident, Hazaras go onto the streets and engage in activism and then 'go home' until another attack occurs and the cycle repeats itself. No legal steps for redress for the Hazara community have been taken. This is despite the fact that terrorist groups have been publicly claiming killings against the Hazara. Fatima Atif emphasised that if no legal steps are taken against the perpetrators, including militias, then one could draw the conclusion that maybe these groups can be seen as being supported by Pakistani agencies and the Pakistani government.

**Risk factor 9.4** concerns 'past or present serious tensions or conflicts between protected groups or with the State, with regard to access to rights and resources, socioeconomic disparities, participation in decision-making processes, security, expressions of group identity or perceptions about the targeted group.' The rights of the Hazara are significantly limited, the community is excluded from participation in decision-making processes and excluded from the community more broadly.

**Risk factor 9.6** concerns the 'lack of national mechanisms or initiatives to deal with identity-based tensions or conflict.' There are no national mechanisms or initiatives that have engaged with the situation of the Hazara. There have been no promises to establish such a mechanism, let alone recognition of the nature and scale of the issue.

---

<sup>56</sup> Oral evidence, Saleem Javed, 17 May 2022.

**Risk factor 10** deals with signs of an intent to destroy in whole or in part a protected group. **Risk factor 10.1** concerns 'official documents, political manifests, media records, or any other documentation through which a direct intent, or incitement, to target a protected group is revealed or can be inferred in a way that the implicit message could reasonably lead to acts of destruction against that group.' The Inquiry has not seen such evidence. However, the issue would require further consideration once more evidence is available.

**Risk factor 10.2** refers to the targeted physical elimination, rapid or gradual, of members of a protected group, including only selected parts of it, which could bring about the destruction of the group. The Inquiry suggests that further inquiry is needed here, including the collection and preservation of evidence of the attacks on the Hazara community.

**Risk factor 10.3** concerns 'widespread or systematic discriminatory or targeted practices or violence against the lives, freedom or physical and moral integrity of a protected group, even if not yet reaching the level of elimination.' The above section contains information on some such attacks against the community.

**Risk factor 10.4** refers to the development of policies or measures that seriously affect the reproductive rights of women or that contemplate the separation or forcible transfer of children belonging to protected groups. The Inquiry has seen no such evidence to date.

**Risk factor 10.5** concerns 'methods or practices of violence that are particularly harmful against or that dehumanise a protected group, that reveal an intention to cause humiliation, fear or terror to fragment the group, or that reveal an intention to change its identity.' Among others, the segregation and ghettoisation of the community may have this effect.

## 1.2. The Jacob Blaustein Institute's Framework

The relevant discrimination-related factors from the Jacob Blaustein Institute's Framework that are relevant for the case of the Hazara in Pakistan include:

- *The systematic denial of or severe restrictions on access to education.*
- *The systematic denial of or severe restrictions on access to health care.*
- *The systematic denial of or severe restrictions on the right to freedom of movement.*
- *Compulsory identification of members of a particular group against their will.*
- *The severe and systematic demonization of a particular group by the state or non-state actors with a view to inciting persecution and violence.*
- *The systematic denial or severe restrictions against members of a particular group on the right to enjoy their own culture, to profess and practice their own religion, or to use their own language.*
- *The systematic destruction of cultural, religious, and sacred sites.*
- *Documentary evidence of a state policy demonstrating intent to destroy in whole or in part a particular group.*

Among the risk factors related to violations of the right to life and personal integrity, as relevant to the case of the Hazara, are:

- *The systematic arbitrary detention of members of a particular group.*
- *Systematic torture of members of a particular group on the basis of their membership in such a group.*

- *The systematic killing of members of a particular group.*

## **2. Conclusion on the Situation**

As it is clear from the above, there is some evidence of the presence of various risk factors. However, more evidence is needed for a more comprehensive analysis of the situation. While the Inquiry was mandated to consider the risk factors of genocide in the case of Hazara in Pakistan, the evidence collected by the Inquiry is insufficient to conduct an analysis of genocide at this stage. While some evidence of the presence of risk factors of atrocity crimes is available, further evidence is needed to enable a comprehensive analysis of the issue.

## IV. CONCLUSIONS AND RECOMMENDATIONS

The situation of the Hazara in Pakistan is dire and continues to be exacerbated by the critical situation in Afghanistan. The Hazara in Pakistan are subjected to discrimination, persecution and social exclusion that have a profound effect on the community and its future. Some of the risk factors of atrocity crimes are clearly present, while further evidence is needed to provide a comprehensive analysis of the situation. Despite the limited evidence available, it is clear that the community requires assistance, and assistance that addresses the source of the problems encountered, rather than excludes the community from society even more.

The Hazara inquiry identified the following recommendations:

- For the Pakistani Government:
  - To recognise the Hazara community as a vulnerable group, and that they are specifically targeted in Pakistan;
  - To ensure that the rights of all members of the Hazara community are ensured, implemented and adequately protected;
  - To ensure that all attacks against members of the Hazara community are duly investigated and those responsible brought to justice;
  - To ensure that all educational texts are reviewed and any messages that incite violence against the community or marginalise the community, are removed;
  - To provide assistance to Hazara refugees from Afghanistan, including by assisting their outward journey to safety.
  - To ensure that members of the Hazara can enjoy all human rights affirmed in the Constitution of Pakistan.

- To issue the newly arrived refugees from Afghanistan with the necessary documents, and to enable them to work and study in Pakistan.
  
- For the UK Government:
  - To recognise the Hazara community as a vulnerable group, specifically targeted in Pakistan;
  - To engage in a dialogue with the Pakistani Government and raise the situation of the Hazara and the need to afford them all constitutional protections available to everyone in the country;
  - To provide the Pakistani Government with technical and capacity assistance to ensure comprehensive investigations and prosecutions of the perpetrators;
  - To ensure that some of the UK Aid provided to Pakistan is designated to assist the Hazara community and Hazara refugees;
  - To ensure that the UK provides Hazaras at risk with visas and to prioritise Shia Hazaras refugees for its settlement programme in the UK.<sup>57</sup>
  - to engage the Pakistani government and ensure that the money provided to Afghanistan's neighbouring countries to facilitate and settle refugees in the third countries is to also help the Hazara fleeing Afghanistan. Therefore, it is important to pursue if the neighbouring countries have accepted or received the aid and establish how they are facilitating the refugees from Afghanistan. <sup>58</sup>
  - to engage with the UNHCR to expedite the registration process of the refugees, including examining the registration process led by UNHCR in

---

<sup>57</sup> CREID recommendation.

<sup>58</sup> CREID recommendation.

Pakistan and devising a strategy to expedite the registration of refugees.<sup>59</sup>

---

<sup>59</sup> CREID recommendation.

<https://www.hazarainquiry.com/>



(Photo credit: Darius Krause, [pexels.com](https://www.pexels.com/))