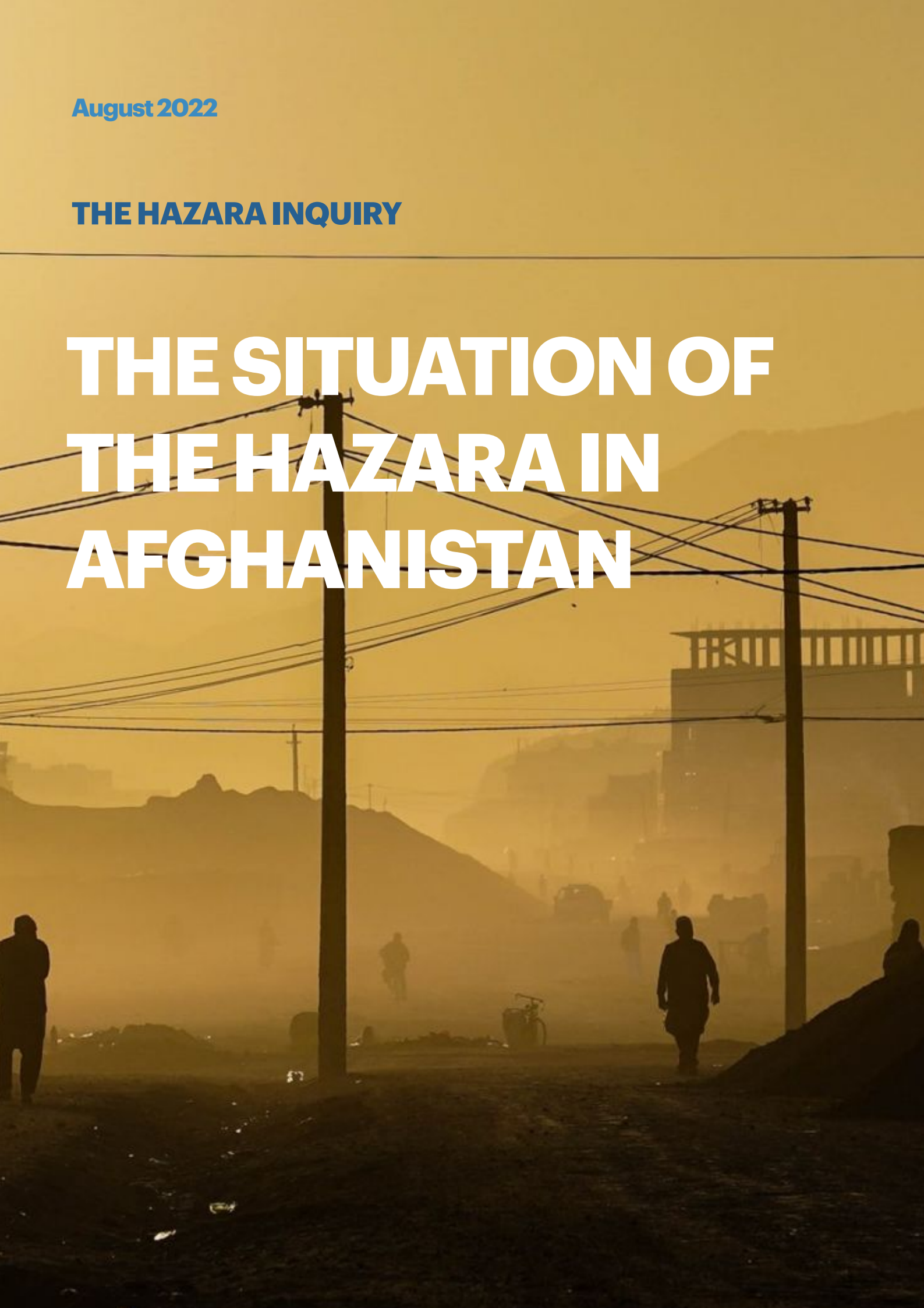


August 2022

THE HAZARA INQUIRY

THE SITUATION OF THE HAZARA IN AFGHANISTAN



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.

‘With the fall of the Afghan government in August 2021, the Taliban took over the control of Afghanistan once again and vanquished all the achievements of the last twenty years. Once again Hazaras found themselves in the same situation they faced in 1998 to 2001. Arbitrary arrest, mass killing, forced mass displacement and confiscation of people’s lands in Daikundi and Ghazni provinces are the evident examples of Hazaras’ persecution by the Taliban.’

- Azra Jafari, Afghan politician, the first female mayor in Afghanistan

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.

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Executive Summary

This report finds that Hazara in Afghanistan, as a religious and ethnic minority, are at serious risk of genocide at the hands of the Taliban and Islamic State–Khorasan Province (IS-K). This finding engages the responsibility of all states to protect the Hazara and prevent a possible genocide, under the UN Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention) and customary international law.

When the Taliban took control of Afghanistan in 2021, it significantly affected the situation faced by the Hazara and reversed the 20-year progress made in addressing the marginalisation and discrimination experienced by this minority group. The return to power of the Taliban has included brutal acts of violence against the Hazara throughout Afghanistan and a return of terror. The first half of 2022 has seen hundreds of members of the Hazara community killed and many more injured as a result of the targeted attacks, including bombings of Hazara schools, places of worship and other centres. This trend is likely to continue. There is a pressing need to provide the community with protection, in line with international obligations under the Genocide Convention.

While there is clear evidence of the atrocities against the Hazara, both in the public domain or received by this Inquiry, it is very likely that what is known is the tip of an iceberg. To date there has been no collection of evidence by any independent body. This is crucial to ensuring justice and accountability in the future.

As this report was being finalised in August 2022, IS-K claimed responsibility for several attacks that resulted in over 120 fatalities within a few days only. Further attacks are expected because of the inaction and impunity in response to the targeting of the Hazara.

Contents

I. Introduction	8
1. The Inquiry	11
2. Methodology	11
3. Limitations	13
II. The Situation of the Hazara in Afghanistan	14
1. Recent Attacks Against the Community	14
2. The Situation of the Hazara in Afghanistan - Inquiry Findings	25
2.1. Attacks on the Hazara Community	28
2.1.1. Attacks Resulting in Death	28
i. Attacks on Schools	29
ii. Attacks on Hospitals	30
iii. Attacks on Places of Worship	31
iv. Attacks on Protesters	33
vi. Other Attacks targeting the Hazara Community	34
2.1.2. Effect on the Communities	35
2.2. Forcible Displacement	35
2.3. Enforced Disappearance	36
2.4. Severe Restrictions of Rights	37
3. The Perpetrators of the Attacks	39
III. The Risk of Genocide or Full Blown Genocide - Analysis	41
1. Assessing the Serious Risk of Genocide	41
1.1. UN Framework of Analysis for Atrocity Crimes	41
1.2. The Jacob Blaustein Institute's Framework	45
1.3. Summary on the Serious Risk	46
2. Genocide against the Hazaras in Afghanistan	47
2.1. The Hazara as the Protected Group	48
2.2. Prohibited Acts Against the Community	49
(a) Killing Members of the Group	50
(b) Causing Serious Bodily or Mental Harm to Members of the Group	51

(c) Deliberately Inflicting on the Group Conditions of Life Calculated to Bring about its Physical Destruction in Whole or in Part	54
(d) Imposing Measures Intended to Prevent Births within the Group	55
(e) Forcibly Transferring Children of the Group to Another Group	56
2.3. Specific Intent to Destroy in Whole or in Part	56
2.4. Conclusions	59
IV. Conclusions and Recommendations	60
Appendix A: Written evidence submitted by a group of Hazara researchers and advocates	63
Appendix B: Experts Called for Oral Evidence Sessions	82

I. INTRODUCTION

As a subset of the Shia Muslim tradition, members of the Hazara group are often subjected to discrimination, marginalisation, and targeted attacks because of their ethnicity and religious affiliation. For well over a century, Hazaras have suffered persecution by the Afghan state as well as non-state actors such as the Taliban and other extremist groups. Over the last six years, attacks have increased, and extremist groups have targeted Hazara places of worship, schools, public gatherings, and even hospital and maternity wards in Kabul and other major cities across Afghanistan.

In 2019, the then Acting Minister of Interior of Afghanistan, Massoud Andarabi, suggested that IS-Khorasan (IS-K) - an armed, regional affiliate of a terrorist organisation called the Islamic State, designated in the US as a terrorist organisation - posed a particular threat to the Hazara Shia community. This has also been noted by the UN Assistance Mission in Afghanistan (UNAMA), which has reported high levels of IS-K violence targeting Shia Muslims, most of whom were Hazara. For example, in 2018, UNAMA identified 19 incidents perpetrated by IS-K that led to 747 civilian casualties – 233 killed and 524 injured.¹ In 2019, there were 10 incidents resulting in 485 civilian casualties – 117 killed and 368 injured.²

The media and NGOs in the region have documented many more attacks against the Hazaras. For example, on 12 May 2020, three gunmen attacked a maternity clinic in a

¹United Nations Assisted Mission in Afghanistan, *Afghanistan: Protection of Civilians in Armed Conflict Annual Report 2018* (2019).

² As reported in the US State Department IRF Report 2019. Available at: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/afghanistan/>.

Hazara Shia neighbourhood in Kabul.³ They killed 24 people, including mothers, newborn babies, and one medical professional. No one claimed responsibility for the attack. On 6 March 2020, 32 members of the community were killed at a religious ceremony.⁴ IS-K claimed responsibility for the attack. On 24 October 2020, IS-K claimed responsibility for the bombing of an education centre in a Hazara neighbourhood in Kabul, which killed 40 people and injured 70 others.⁵ In its 2020 report, the US State Department emphasised the insufficient security in the region, which was reiterated by local Hazaras.⁶ Reportedly, the Afghan government sought to address the issue of security in the Dasht-e-Barchi area, western Kabul, a target of major attacks during the year. However, this did not materialise.

Subsequent months have seen an escalation of attacks constituting acute violations of international criminal law. Since the return of the Taliban to power in August 2021, targeted attacks on Hazaras in Afghanistan have increased, with Hazara places of worship and schools targeted in Kunduz⁷ and Kandahar in October 2021,⁸ and Kabul⁹

³Emma Graham-Harrison and Akhtar Mohammad Makoi, 'Newborns among 40 killed in attacks on Afghan hospital and funeral' *The Guardian* (London, 12 May 2020). Available at: <https://www.theguardian.com/world/2020/may/12/gunmen-attack-kabul-hospital-used-by-medecins-sans-frontieres>.

⁴ US State Department, IRF Report 2020, Afghanistan. Available at: <https://www.state.gov/wp-content/uploads/2021/05/240282-AFGHANISTAN-2020-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>.

⁵Human Rights Watch, 'Afghanistan: Surge in Islamic State Attacks on Shia' (5 October 2021). Available at: <https://www.hrw.org/node/380231/printable/print>.

⁶ US Department of State, '2019 Report on International Religious Freedom: Afghanistan' (Office of Religious Freedom, 2020). Available at: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/afghanistan/>.

⁷ Ehsanullah Ehsan and Ali M Latifi, 'Blood and pieces': Kunduz residents describe blast aftermath' *Al Jazeera* (9 October 2021). Available at: <https://www.aljazeera.com/news/2021/10/9/everyone-was-in-blood-bombing-at-kunduz-mosque-in-afghanistan>.

⁸ 'Islamic State claims mosque bombing in south Afghanistan' *AP News* (16 October 2021). Available at: <https://apnews.com/article/afghanistan-bombings-kabul-taliban-islamic-state-group-a04de5f6a1d5e24d2e7e2ac5acfd6caa>.

⁹ BBC News, 'Kabul blasts kill six and wound 20 at boys' school' (19 April 2022). Available at: <https://www.bbc.com/news/world-asia-61148248>.

and Mazar-i-Sharif, *among others*, in April 2022.¹⁰ As a result, hundreds of Hazaras, including Hazara children, have been killed, and many more injured. No one claimed responsibility for these attacks.

As Amnesty International has documented, the Taliban themselves have also committed atrocities against Hazaras, both shortly before, and since their return to power.¹¹

While this treatment of the Hazara in Afghanistan is a long-standing issue, the recent takeover by the Taliban poses a renewed threat to the community. As such, this report focuses on the situation of the community from 2021. Where it refers to older cases, it is to add context.

The situation of the Hazara has not received the attention it requires. On 27 September 2021, the Prosecutor of the International Criminal Court (ICC), Karim A. A. Khan QC, filed an application seeking authorisation for the Office of the Prosecutor (OTP) to resume its investigation - suspended in 2019 - into the Situation in the Islamic Republic of Afghanistan.¹² The focus of this inquiry are crimes allegedly committed by the Taliban and the IS-K. This provides an opportunity to engage the ICC on the situation of the Hazara.

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

¹⁰ Reuters, 'Deadly blasts claimed by ISIS hit northern Afghan cities' *NBC News* (22 April 2022). Available at: <https://www.nbcnews.com/news/world/afghanistan-shiite-mosque-explosion-islamic-state-rcna25522>.

¹¹ Amnesty International, 'Afghanistan: Taliban responsible for brutal massacre of Hazara men – new investigation' (19 August 2021). Available at: <https://www.amnesty.org/en/latest/news/2021/08/afghanistan-taliban-responsible-for-brutal-massacre-of-hazara-men-new-investigation/>.

¹² International Criminal Court, 'Statement of the Prosecutor of the International Criminal Court, Karim A. A. Khan QC, following the application for an expedited order under article 18(2) seeking authorisation to resume investigations in the Situation in Afghanistan' (27 September 2021). Available at: <https://www.icc-cpi.int/Pages/item.aspx?name=2021-09-27-otp-statement-afghanistan>.

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

Chapter III analyses the serious risk of genocide and the elements of the legal definition 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 (but also in 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 Afghanistan exclusively. The situation in Pakistan 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 to after it. The Inquiry took into

consideration atrocities perpetrated by the Taliban, IS-K, and any other group targeting Hazara people. The Inquiry consisted of desktop research, open public consultations, reports and documentation submitted by NGOs and eyewitnesses, and oral hearings.

Mapping research: The Inquiry Team conducted desktop research into existing reports on atrocity crimes, 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 by collecting and preserving evidence of the atrocities and/or specific aspects of the atrocities. Among others, while there is some reporting on the situations, and especially, on the attacks against the Hazara, such data is often vague, and confusing (especially in the different numbers of those affected by the attacks).

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 AFGHANISTAN

The Hazara are an ethnic but also a religious numeric minority group in Afghanistan. As emphasised in the written submission by CRIED, the Hazara are a ‘distinct ethnic group (...) they often have distinct facial features, for example indicated cheekbones, and a Mongolian physiognomy, making them easily identifiable from other ethnic groups of Afghanistan such as Pashtuns, Uzbeks, and Tajiks.’¹³

The exact number of members of the Hazara community in Afghanistan is unknown. In mid-2021, the US State Department assessed the total population in Afghanistan as 37.5 million.¹⁴ According to Pew Forum’s 2009 assessment, Sunni Muslims constitute approximately 80-85% of the population, and Shia approximately 10-15%.¹⁵ The US State Department notes that, according to religious community leaders, approximately 90% of the Shia population are ethnic Hazaras.¹⁶ This demographic assessment does not take into consideration the population movement as a result of the Taliban takeover. As a result of the dire situation of the community in Afghanistan, as exacerbated by the Taliban takeover, many members of the community have fled to neighbouring countries, including Pakistan.

This section discusses the situation of the Hazara, and the findings of the Inquiry, before they are analysed in the next section.

1. Recent Attacks Against the Community

¹³ Written submission, Coalition for Religious Equality and Inclusive Development (CREID), May 2022.

¹⁴ US Department of State, ‘2021 Report on International Religious Freedom: Afghanistan’ (Office of Religious Freedom, 2022).

¹⁵ Ibid.

¹⁶ Ibid.

In a statement made in May 2021, Emeritus Professor William Maley of The Australian National University, an expert on Afghanistan, and the Hazara, stated that Hazaras are at special risk as an ethnic minority, noting that ‘there is a long history of persecution of, and discrimination against, members of the Hazara [Shia] minority in Afghanistan.’¹⁷ While persecution and attacks against the Hazara are long-standing, they have risen over recent years. Between 2015-2016, there was a sharp increase in Hazara abduction and targeting, recorded in 20 separate incidents, with 146 individuals being kidnapped.¹⁸ Commenting on the attacks, Maley stated that the trends, ‘make nonsense of any suggestion that such attacks on Hazaras Shia constitute isolated incidents.’¹⁹ Maley warned that after the 2020 US-Taliban agreement, ‘targeting Hazaras could be a device by which other groups might seek to establish their credentials in the eyes of the Taliban and their associates in groups such as the Haqqani network[Islamist militant organisation].’²⁰ The withdrawal of US troops in 2021 has only heightened risks for the community. This is evident in a number of incidents in 2021 and also 2022.

On 9 June 2021, a group of masked gunmen stormed the HALO Trust camp in Baghlan province in northern Afghanistan. Gathering workers together, they demanded to know if any Hazara were present in the group. Upon denial, 10 people were killed, and at least 16 others injured. IS-K claimed responsibility.²¹ Four days later, on 13 June 2021, an increased number of attacks on the Hazaras were reported, with analysts reporting

¹⁷ Professor William Maley, ‘On the Return of the Hazaras to Afghanistan’ (Australian National University, May 2021) 7. Available at: <https://www.refugeecouncil.org.au/wp-content/uploads/2021/05/Maley-Hazaras-19.5.21.pdf>.

¹⁸ Hazara Research Collective, Written Submission to the International Relations and Defence Committee: The UK and Afghanistan, Call for Evidence (6 September 2020). Available at: <https://committees.parliament.uk/writtenevidence/11165/pdf/>.

¹⁹ Maley, ‘On the Return of the Hazaras’ (Australian National University, 2021) 8.

²⁰ Ibid., 7.

²¹ ‘Ten mine-clearing workers killed in Afghanistan gun attack’ *Al Jazeera* (9 June 2021). Available at: <https://www.aljazeera.com/news/2021/6/9/gunmen-kill-10-mine-clearing-workers-in-northern-afghanistan>.

that IS was using the attacks to divide the country along ethnic lines.²² Following the increased targeting and attacks, in July 2021, Genocide Watch issued a genocide emergency warning for Afghanistan, highlighting the targeting of Shia Hazaras and the 8 May Kabul school attack that left 90 children dead, most of whom belonged to the Hazara community. Genocide Watch warned, ‘although neither the Taliban nor IS-K took responsibility for the attack, **such specific targeting of the Hazara religious minority is a portent of an approaching genocide.**’²³

Other organisations, including the UNAMA, reported an increase in attacks on the Hazara community including ‘at least eight [improvised explosive device] IEDs in May-June [2021] alone that targeted buses or similar vehicles carrying members of the Hazara community. In total, between 1 January and 30 June 2021, UNAMA documented 20 incidents targeting Shia/Hazara, resulting in 500 civilian casualties (143 killed and 357 injured).’²⁴ By August 2021, other organisations including South Asian Voices, Amnesty International, and the US Holocaust Memorial, were reporting Hazara specific targeting and attacks by IS and other affiliate groups.

On 21 August 2021, Amnesty International published a report shedding light on the mass killings of the Hazaras by the Taliban.²⁵ The report was based on interviews with eyewitnesses, and a review of photographic evidence in the aftermath of killings in the village of Mundarakht, in the Ghazni province of Afghanistan. According to their

²² Fatimah Hossaini and Ali M Latifi ‘Kabul Hazara neighbourhood stunned by wave of attacks’ *Al Jazeera* (13 June 2021). Available at: <https://www.aljazeera.com/news/2021/6/13/anger-as-afghanistan-mourns-death-of-car-blast-victims>.

²³ Genocide Watch, ‘Genocide Emergency: Afghanistan July 2021.’ Available at: https://www.genocidewatch.com/_files/ugd/e15208_73486a01257f4d00b08380ddb501ba82.pdf.

²⁴ UNAMA, ‘Afghanistan Protection of Civilians in Armed Conflict Mid Year Update: 1 January to 30 June 2021’ (July 2021). Available at: https://unama.unmissions.org/sites/default/files/unama_poc_midyear_report_2021_26_july.pdf.

²⁵ Amnesty International, ‘Afghanistan: Taliban responsible for brutal massacre of Hazara men – new investigation’ (19 August 2021). Available at: <https://www.amnesty.org/en/latest/news/2021/08/afghanistan-taliban-responsible-for-brutal-massacre-of-hazara-men-new-investigation/>.

findings, on 3 July 2021, 30 families fled their homes to avoid the escalating conflict between government and Taliban forces in the area. When a group returned to the village on 4 July to collect supplies, they found that Taliban fighters had looted their homes and were waiting for their return. A 45-year-old man was taken from his home and brutally tortured, including, his legs and arms were broken, he was shot in the right leg, his hair pulled out, his face beat with a blunt object.²⁶ Jaffar, a 63-year-old man, was strangled with his own scarf after being accused of working for the government. Others were severely tortured and beaten.²⁷ The killings occurred over two days. Six men were shot, and three tortured to death.²⁸

Two days after Amnesty International's report was published, the US Holocaust Memorial Museum published a statement on the serious risk of genocide and crimes against humanity against the Hazara.²⁹ The statement highlighted the targeting of Hazara by IS-K beginning in 2015 and warned:

The longstanding persecution of the Hazara continues today, as there has been a recent resurgence of attacks on the community. Hazara schools and religious sites have been bombed, medical clinics targeted, and Hazara civilians murdered by the Taliban or [IS-K]. On May 8, 2021, a suicide bombing of a high school killed 85 Hazara civilians, mostly schoolgirls, and wounded more than 240. One year earlier [IS-K] claimed responsibility for an attack on a maternity hospital in the predominantly Hazara Dasht-e-Barchi neighbourhood of Kabul that killed 24 people, including mothers and newborns. **Now that the Taliban**

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹United States Holocaust Memorial Museum, 'Museum Statement on the Hazara' (23 August 2021). Available at: <https://www.ushmm.org/information/press/press-releases/museum-statement-on-the-hazara>.

has retaken control of the country, the Hazara face an even greater risk of attack.³⁰

On 26 August 2021, Yale Macmillan Centre published an article which detailed the history of attacks against Hazaras and their vulnerable situation since the Taliban took over, highlighting door-to-door killings carried out in the Hazara populated Malistan district, the west of Daykundi Province. The Macmillan Center stated that the attacks against the Hazaras could constitute genocide, emphasising that the attacks primarily occurred due to Hazara ethnic and religious identity: 'If attacks continued along the lines established in the past, one might equally impute that they are being undertaken with an intent to destroy.'³¹ On 28 August 2021, a clip was circulated on Twitter which appeared to show a direct threat to Hazara from the Taliban. In the clip, Taliban representatives can be seen saying '**if we get our orders from our Amir Sahib, not a single one will survive.**'³²

On 31 August 2021, Taliban fighters are said to have killed 13 Shia Hazaras in Daykundi Province. The Taliban denied the allegation.³³

In September 2021, Professor Ellen Kennedy, Executive Director of World Without Genocide, emphasised the US Holocaust Memorial Museum warning of the serious risk of genocide against the Hazara community, and reiterated the words of Human Rights

³⁰ Ibid.

³¹ David J Simon and Joshua Lam, 'Protecting Afghanistan's Hazara People Under Taliban Rule' *Yale Macmillan Centre* (August 2021). Available at: <https://macmillan.yale.edu/news/protecting-afghanistans-hazara-people-under-taliban-rule>.

³² Ihtesham Afghan (@IhteshamAfghan), 'The Taliban is threatening Hazara and have been saying that if we get orders from our Amir Sahib, not a single one will survive. That is why we say that they are terrorists and they have no religion. They are beasts in human form.' (28 August 2021). Available at: <https://twitter.com/IhteshamAfghan/status/1431575295216308228>.

³³ US Department of State, '2021 Report on International Religious Freedom: Afghanistan' (Office of Religious Freedom, 2022)

Watch, urging the UN Human Rights Council to investigate the mass killings of Hazaras as genocide.³⁴

In September 2021, CREID reported that the targeting of Hazaras continues to increase.³⁵ On 18 September 2021, an explosive device detonated in Sarak-e Chehel Metra of the Erfani Township, wounding two people, for which IS-K claimed responsibility.³⁶ This was the first of a series of bombings in Kabul targeting the Hazara. At the same time, other attacks continued.

On 5 October 2021, 13 Hazaras in Daykundi province were unlawfully killed by Taliban fighters when they refused to surrender, including two civilians and eleven former members of the Afghan National Defence Security Forces (ANDSF). The two civilians are said to have been killed as they attempted to flee, including a 17-year-old girl.³⁷ Through October 2021, the Taliban continued to forcefully evict Hazaras from their homes and villages, including Jamilah and 'her six children [who] live out in the open, exposed to the elements, with little food or water.'³⁸ It is estimated that some 700 Hazara were evicted from Daikundi province, forcing many to leave without reaping

³⁴ Ellen J Kennedy, 'Targeted for genocide in Afghanistan: The Hazaras' *MinnPost* (7 September 2021). Available at: <https://www.minnpost.com/community-voices/2021/09/targeted-for-genocide-in-afghanistan-the-hazaras/>.

³⁵ Maryam Kanwer and Jaffa A Mirza, 'Scared and hiding: Shi'a Hazaras of Afghanistan fear renewed Taliban persecution' *Institute of Development Studies* (15 September 2021). Available at: <https://www.ids.ac.uk/opinions/scared-and-hiding-shia-hazaras-of-afghanistan-fear-renewed-taliban-persecution/>.

³⁶ Afghanistan Analyst Network, 'A Community Under Attack: How successive governments failed west Kabul and the Hazaras who live there' (17 January 2022). Available at: <https://www.afghanistan-analysts.org/en/reports/war-and-peace/a-community-under-attack-how-successive-governments-failed-west-kabul-and-the-hazaras-who-live-there/>.

³⁷ Amnesty International, 'Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province – new investigation' (5 October 2021). Available at: <https://www.amnesty.org/en/latest/news/2021/10/afghanistan-13-hazara-killed-by-taliban-fighters-in-daykundi-province-new-investigation/>.

³⁸ Gulamaiz Sharifi and Abubakar Siddique, 'Afghan Hazaras Fear The Worst After Forced Taliban Evictions' *Ganhara* (6 October 2021). Available at: <https://gandhara.rferl.org/a/afghanistan-hazaras-taliban/31496224.html>; Shereena Qazi, 'Why are Hazaras being evicted from their homes in Afghanistan's Daikundi?' *TRTWorld* (29 September 2021). Available at: <https://www.trtworld.com/magazine/why-are-hazaras-being-evicted-from-their-homes-in-afghanistan-s-daikundi-50324>.

the harvest, and exploding the community to the risk of starvation.³⁹ Evictions were carried out with little to no notice, just ahead of harsh winter months in Afghanistan. Following earlier evictions from Daikundi, Uruzgan, and Kandahar provinces, many thousands of Hazara from the southern Helmand province and the northern Balkh province remain internally displaced.⁴⁰

On 8 October 2021, 151 civilians were killed and over 200 were injured by an IS suicide bomber at the Hazara Gozar-e-Sayed Abad Mosque in Kunduz.⁴¹ On 15 October 2021, IS-K bombed the Bibi Fatima Mosque in Kandahar, killing 63 people and injuring 90 others.⁴² Following the attack, '[IS] issued a statement saying it would target Shia in their homes and centres "in every way, from slaughtering their necks to scattering their limbs... and the news of [IS] attacks... in the temples of the [Shia] and their gatherings is not hidden from anyone, from Baghdad to Khorasan."' ⁴³

In November 2021, another series of attacks by IS-K targeted Hazaras in Kabul. On 13 November 2021, a magnetic bomb was detonated by IS-K, killing six civilians and injuring at least seven others, including journalist Hamid Saighani, and a National Statistics and Information Authority (NSIA) staffer, Habibullah Yusufi.⁴⁴ Two days later

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Sakineh Amiri, 'Continued targeted attacks on Hazaras in Afghanistan; The death toll in Kunduz is high' *Kabul Now* (10 October 2021). Available at: <https://www.etilaatroz.com/132067/continued-targeted-attacks-on-hazaras-in-afghanistan/>.

⁴² Jalil Ronaq, '62 killed and 90 wounded in the attack on the "Imam of the Fatimid court"; "Continued attacks on minorities are worrying" *Kabul Now* (24 May 2021). Available at: <https://www.etilaatroz.com/132188/62-killed-and-90-wounded-in-suicide-attack-in-kandahar/>.

⁴³ Human Rights Watch, 'Afghanistan: Surge in Islamic State Attacks on Shia' (New York, 25 October 2021). Available at: <https://www.hrw.org/news/2021/10/25/afghanistan-surge-islamic-state-attacks-shia>.

⁴⁴ Ali Yawar Adili 'A Community Under Attack: How successive governments failed west Kabul and the Hazaras who live there' *Afghan Analysts Network* (17 January 2022). Available at: <https://www.afghanistan-analysts.org/en/reports/war-and-peace/a-community-under-attack-how-successive-governments-failed-west-kabul-and-the-hazaras-who-live-there/>.

another blast, perpetrated by IS-K, detonated during rush hour, killing two people.⁴⁵ On 17 November 2021, an explosion targeting a Town-Ace vehicle in the Naqash area of Dasht-e Barchi, Police District 13, killed two civilians and wounded five others.⁴⁶ IS-K again claimed responsibility.

December 2021 saw further incidents by IS-K. The Afghanistan Analyst Network, an independent non-profit policy research organisation, reported, ‘three explosions hit west Kabul [...] on 10 December. The first explosion occurred at 3:30 PM in front of the Shahid Mazari Musalla, a place for large religious and political gatherings, in Dasht-e Barchi [western Kabul] destroying a passenger vehicle. The two other blasts targeted two passenger vehicles in Mazari Square in Pul-e Sokhta [western Kabul].’⁴⁷ Attacks continued over the next few days and on 25 December 2021, an attacker targeted the mullah of the Imam Ali Mosque in the Police District of Kandahar city. The attacker wounded the mullah and three other people. The attacker initially joined the line of worshipers and then proceeded with the attack after the prayer.⁴⁸ IS-K claimed responsibility for all the attacks. The extensive targeting by IS-K is evident in the numbers of casualties since 2015, at which point, as reported by Human Rights Watch, ‘[IS-K,] the Islamist armed group began attacks on mosques, hospitals, schools, and other civilian facilities, especially in predominantly Shia neighbourhoods. **These attacks have killed at least 1,500 civilians and injured thousands more, mostly religious minorities.**’⁴⁹

In mid-April 2022, and shortly before publishing this report, there was a wave of attacks against the Hazara community across Kabul and Mazar. Hundreds of people

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Human Rights Watch, ‘Afghanistan: Surge in Islamic State Attacks on Shia’ (New York, 25 October 2021). Available at: <https://www.hrw.org/news/2021/10/25/afghanistan-surge-islamic-state-attacks-shia>.

were killed and injured, and the exact numbers are yet to be confirmed.⁵⁰ On 19 April 2022, multiple explosions targeted an all-boys high school and nearby a Mumtaz Education Centre, both located in the Dasht-e-Barchi area, killing six and injuring at least eleven others.⁵¹ No group claimed responsibility, however, it is suspected to have been carried out by IS-K given previous attacks committed in the region.⁵² On 20 April 2022, IS-K claimed responsibility for an explosion at a Hazara Shia mosque in Mazar-i-Sharif, killing at least ten.⁵³ On 28 April, IS claimed responsibility for two twin explosions in Mazar-i-Sharif, killing at least nine people and wounding a further thirteen.⁵⁴ Following this, five Hazaras were pulled from a car and killed in Samangan.⁵⁵

As Human Rights Watch emphasised, the IS-K public statements make clear that their **‘murderous attacks reflect a deliberate policy.’**⁵⁶

The attacks against the Hazara do not only consist of targeted killings.

Attacks on Hazara cultural heritage are also being perpetrated as part of the same ‘deliberate policy.’ In 2021, CREID reported that the statue of ‘Abdul Ali Mazari, an anti-Taliban Shia Hazara leader who was later tortured and killed by the Taliban, was

⁵⁰ Amnesty International, ‘Afghanistan: School bombings a ‘reprehensible attack’ on religious and ethnic minorities’ (19 April 2022) <<https://www.amnesty.org/en/latest/news/2022/04/afghanistan-school-bombings-a-reprehensible-attack-on-religious-and-ethnic-minorities/>>

⁵¹ Ibid.

⁵² Agence France-Presse, ‘Six killed in bomb blasts at Shia school in Afghan capital’ *The Guardian* (19 April 2022). Available at: <https://www.theguardian.com/world/2022/apr/19/bomb-blasts-at-shia-school-in-afghan-capital>.

⁵³ Knox Thames, ‘Remember Afghanistan’s Hazaras’ *The Diplomat* (6 May 2022). Available at: <https://thediplomat.com/2022/05/remember-afghanistans-hazaras/>.

⁵⁴ Al-Jazeera, ‘Twin blasts kill at least nine in northern Afghanistan’ (28 April 2022). Available at: <https://www.aljazeera.com/news/2022/4/28/blasts-on-two-vehicles-in-northern-afghanistan-kills-at-least-9>.

⁵⁵ Knox Thames, ‘Remember Afghanistan’s Hazaras’ *The Diplomat* (6 May 2022). Available at: <https://thediplomat.com/2022/05/remember-afghanistans-hazaras/>.

⁵⁶ Human Rights Watch, ‘Afghanistan: Surge in Islamic State Attacks on Shia’ (New York, 25 October 2021). Available at: <https://www.hrw.org/news/2021/10/25/afghanistan-surge-islamic-state-attacks-shia>.

destroyed.⁵⁷ The statue was decapitated by the Taliban.⁵⁸ These attacks on cultural heritage by destroying important cultural symbols in the Hazaras' homeland is a crucial element of the targeting of the Hazara in Afghanistan. As combined with the targeted killings and other acts, the destruction of cultural heritage of the Hazara shows that the perpetrators aim to destroy any signs of the community ever being present in the region.

The long-term inequality and discrimination faced by Hazara in the region, as well as the wave of killings and attacks, has resulted in the community enduring an existential threat.⁵⁹ In addition to numerous attacks, bombings, extrajudicial killings and their targeting and displacement, Hazaras are at risk of discrimination in receiving humanitarian aid and international support. Recently, 'twenty private schools from district 13 of western parts of Kabul—home to Hazara populations—were eligible to receive student fees from the Asia Foundation, but Hazara schools were deselected by the authorities and the support diverted.'⁶⁰

The plight of the Hazaras has not yet gained international attention, in spite of increased efforts from international bodies to highlight the growing risk of atrocity crimes, especially with the Taliban in power. In June 2021, during the 47th session of the Human Rights Council, Ms. Alice Wairimu Nderitu, Special Adviser to the

⁵⁷ Maryam Kanwer and Jaffa A Mirza, 'Scared and hiding: Shia Hazaras of Afghanistan fear renewed Taliban persecution' *Institute of Development Studies* (15 September 2021). Available at: <https://www.ids.ac.uk/opinions/scared-and-hiding-shia-hazaras-of-afghanistan-fear-renewed-taliban-persecution/>.

⁵⁸ Leela Jacinto, 'Afghanistan's minority Hazaras see gains of past two decades 'falling apart'' *France 24* (23 August 2021). Available at: <https://www.france24.com/en/asia-pacific/20210823-afghanistan-s-minority-hazaras-see-gains-of-past-two-decades-falling-apart>.

⁵⁹ The Siasat Daily, 'Hazaras face existential threat in Afghanistan' (17 May 2021). Available at: <https://www.siasat.com/hazaras-face-existential-threat-in-afghanistan-2137725/>; Farkhondeh Akbari, 'The Risks Facing Hazaras in Taliban-ruled Afghanistan' *GWU Program on Extremism*. Available at: <https://extremism.gwu.edu/risks-facing-hazaras-taliban-ruled-afghanistan>.

⁶⁰ Farkhondeh Akbari, 'Risks Facing Hazaras in Taliban-ruled Afghanistan' *GWU Program on Extremism*. Available at: <https://extremism.gwu.edu/risks-facing-hazaras-taliban-ruled-afghanistan>.

Secretary-General on the Prevention of Genocide, stated that she was particularly concerned over ‘reports of attacks and targeting of minority communities such as the Hazara. The 8 May attack on students, most of whom were girls, in a majority-Hazara area of Kabul, is one horrific example of the violence faced by this community and which is also specifically targeted at women and girls.’⁶¹ In January 2022, the European Asylum Support Office (EASO), an agency of the European Union, released a report which again recounted the vulnerable situation of the Hazaras in Afghanistan, especially in the aftermath of the Taliban takeover.⁶² In January 2022, the UK House of Lords Select Committee on International Relations and Defence published its report on Afghanistan, stating that ‘[t]he Hazaras have a long history of suffering state persecution on both ethnic and sectarian grounds.’⁶³ It further added that ‘the Shia Hazara minority were “regularly subjected to targeted killings, violence, and discrimination based on their ethnic and religious identity”. The Afghan government and the international community’s response has “been largely inadequate or missing altogether”.’⁶⁴ On 26 January 2022, the UK Home Office updated its Country Policy and Information Note on Afghanistan, to state that under the Taliban, ethnic and religious minorities were at risk, ‘in particular Hazara.’⁶⁵

Many research centres rank Afghanistan at high risk of genocide and crimes against humanity, particularly against minorities, such as the Hazara. The Nexus Program on Extremism at George Washington University states that ‘the community is at risk of

⁶¹ UN Human Rights Council 47th Session, ‘Remarks by Ms. Alice Wairimu Nderitu Special Adviser to the Secretary-General on the Prevention of Genocide’ (28 June 2021) UN Doc HRC/RES/43/29.

⁶² European Asylum Support Office, *Afghanistan Country of Focus: Country of Origin Information Report* (January 2022).

⁶³ Select Committee on International Relations and Defence, *The UK and Afghanistan* (HL 2020-2021 208) 71.

⁶⁴ *Ibid.*, 96.

⁶⁵ Home Office, *Country Policy and Information Note Afghanistan: Fear of the Taliban* (April 2022).

being the targets of crimes against humanity and even genocide.’⁶⁶ The Australian National University Atrocity Forecasting Program, ‘rank Afghanistan in its top five list of countries at risk of genocide onset or politicide.’⁶⁷ The Early Warning Project, an independent project assessing the risk of mass atrocities around the world, ranks Afghanistan as 4th highest risk of atrocities in the 162 countries it assesses.⁶⁸

These analyses and assessment of the situation of the Hazara in Afghanistan have triggered little if any response from States and international community.

2. The Situation of the Hazara in Afghanistan - Inquiry Findings

The persecution against the Hazara in Afghanistan is not a new phenomenon. Indeed, as expressed by several experts who were called for the oral hearings,⁶⁹ but also, in written submissions, this persecution spans across several decades.

According to a joint written submission from Hussain, Hussein, and Rezaee, at the end of the 19th century,

‘Afghan king [Abdur Rahman Khan] **publicly likened the Hazaras to an animal and issued religious and legal decrees against the Hazara community calling them “demons”, “infidels” and “rebels”**. The hatred that the Taliban or [IS-K] or ruling governments in Afghanistan show against Hazara is a deliberate act with historical roots, structure and literature. Hatred against this community began with hate speech that portrayed a completely inhuman image of the Hazaras. The *hate literature* was introduced in 1890s and gradually injected into public consciousness of other ethnicities specifically Pashtun over the years and this is

⁶⁶ Farkhondeh Akbari, ‘The Risks Facing Hazaras in Taliban-ruled Afghanistan’ *GWU Program on Extremism*. Available at: <https://extremism.gwu.edu/risks-facing-hazaras-taliban-ruled-afghanistan>.

⁶⁷ Ibid.

⁶⁸ Early Warning Project, ‘Afghanistan 2021-22 Statistical Risk Assessment for Mass Killing.’ Available at: <https://earlywarningproject.ushmm.org/countries/afghanistan>.

⁶⁹ See Appendix B.

why we see no regret or guilt when the Taliban killed at least 2000 (mostly Hazaras) in August 1998 or horrendous attacks in the past twenty years or atrocities against the Hazara community after August 2021. The hatred against the Hazaras has a specific structure and definition that does not include other ethnicities of Afghanistan. Almost all attacks on Hazaras are justified based on the historical enmity and *hate literature*.⁷⁰

Another written submission from experts, anonymised, commented on the effects of the persecution. Among others,

‘Over the course of the 1890s, particularly between 1891-93, **arguably upwards of 60% of the Hazaras were killed by the state army and state-mobilised mercenaries**.⁷¹ Harrowing details of this massacre and accounts of survivors who have were sold into slavery *en masse* are well documented in academic sources.⁷² (...) this community has endured two patterns of attacks: (a) systematic persecution and (b) organised violence by state and non-state groups.’⁷³

Another joint submission by Alizada, Rezai, Kaihan and Seerat noted that ‘in addition to the massacres, tens of thousands of Hazaras were **sold into slavery**. Between July 1892 and June 1894, about 9,000 Hazaras were sold into slavery only in the bazaars of Kabul. Circa 7,200 Hazara men and women were sold as slaves per year in Kandahar alone. Abdul Rahman selected fifty beautiful Hazara women as his concubines and

⁷⁰ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

⁷¹ Derakhshan Qurban-Ali and Hannah Scott, ‘Persecution and Perseverance: Survival Stories from the Hazara Community’ *UNHCR Canada* (23 July 2020). Available at: <https://www.unhcr.ca/news/persecution-perseverance-survival-stories-hazara-community/>.

⁷² See, among others: Niamatullah Ibrahim, *The Hazaras and the Afghan State: Rebellion, Exclusion and the Struggle for Recognition* (Hurst Publishers 2017) 79-82; Sayed Askar Mousavi, *The Hazaras of Afghanistan: An Historical, Cultural, Economic and Political Study* (Palgrave and Macmillan 1997) 137.

⁷³ Written submission, Joint Submission, 3 May 2022. See Appendix A for their produced list of attacks against the Hazara.

picked young Hazara boys to play as page boys in his court. Slavery was only abolished in the 1920s by King Amanullah Khan.⁷⁴

The Hazara have been subjected to forcible displacement, 'Hazaras were forcefully evicted from their fertile lands in Uruzgan and Kandahar. [...] In Uruzgan alone, 12,000 Durrani and 4,000 Ghilzai families were ordered to settle on lands that formerly belonged to Hazaras. The government converted Hazara pasturelands into government property and sold them to Pashtun nomads who had helped him in his campaign.'⁷⁵

As Alizada, Rezai, Kaihan and Seerat further stressed 'Hazaras continued to experience persecution and targeted killings. Between 1992 and late 2001, the Hazaras endured at least six cases of massacres, all of them well documented by international human rights organisations. Some sources claim that only under the Taliban (1996-2001), at least 15,000 Hazaras were killed in central and northern Afghanistan alone.'⁷⁶

This historic perspective is an important one as it shows the targeting of the community and previous mass killings against the community that enjoyed impunity. This is not irrelevant to the situation of the community in Afghanistan right now. As it will be discussed later, such **past atrocities and impunity are indeed important risk factors of future atrocities against the community.**

The persecution of the Hazara in Afghanistan continued even during the 'twenty years of relative stability in Afghanistan',⁷⁷ although the issue has received some attention. Nonetheless, the ongoing threat to the community was '**placing this group in a constant state of fear and anxiety.**'⁷⁸ After the Taliban takeover in August 2021, 'the

⁷⁴ Written Submission, Alizada et al., 6 May 2022.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Written Submission, Hussain, Hussein, and Rezaee, 31 May 2022.

⁷⁸ Ibid.

old trends and patterns of attack continued, at times with higher frequency and more intensity, and the old enemy of the community took over all the authority in its hands, mounting new patterns of violence against the community, including detainment, torture, shooting, summary execution, killing without taking responsibility.⁷⁹

As Prof. Gregory Stanton told the Inquiry, **‘A very slow genocide is occurring against the Hazaras... what we are worried about is that it will eventually ramp up and become a full-scale genocide that we saw in Mazar-i-Sharif in 1998.’**⁸⁰

The below identifies some of the crucial issues identified from written and oral submissions to the Inquiry.

2.1. Attacks on the Hazara Community

The below considers the most common type of attack.

2.1.1. Attacks Resulting in Death

Many of the attacks perpetrated against the community resulted in fatalities.

Commenting on one of the historic attacks from 1998, Akram Gizabi said that ‘in a frenzy of killings, as it was called then, they massacred 8,000 [in Mazar-i-Sharif]... but we think it was more than 10,000, and in four days they really littered the city with the bodies of the people, and did not let them bury, and some of those people were eaten by dogs.’⁸¹ Similar attacks have been seen over recent months, even if the number of fatalities has not reached the same level.

The Hazara community has been subjected to mass killings, both before and after the Taliban takeover in August 2021. However, recent months have seen an increase in

⁷⁹ Written Submission, Joint Submission, 3 May 2022.

⁸⁰ Oral evidence, Dr Gregory Stanton, 23 May 2022.

⁸¹ Oral evidence, Akram Gizabi, 23 May 2022.

such targeted attacks. Many of the attacks target predominantly Hazara populated areas resulting in mass casualties.

For example, in relation to more recent attacks, the submission of the World Hazara Council stated that ‘after taking control of Malistan district (100% Hazara) of Ghazni province on 10 July 2021, Taliban fighters killed more than 60 civilians, including women and children.’⁸²

Furthermore, some Hazara have been subjected to indiscriminate attacks, as in the case of the massacre in Daikundi province on 30 August 2021. According to one account: ‘the Taliban Red Brigade, considered one of the most violent and extreme, executed a group of National Directorate Security (NDS) Officers in the Khider district of Daikundi Province. They killed 11 of them and two civilians... A truce had been negotiated which granted immunity to the 35 NDS officers. The Taliban promised not to kill them and let them return to their families. Unfortunately, the Taliban broke their promise. surrounded them, made them form a line, and it started binding their hands. They were all Hazara, which the Taliban hate... When they realised they were going to be executed, the officers started running into the village. The Taliban units fired indiscriminately into the crowd. **One of the two civilians killed was a young teenage Hazara girl.**’⁸³

i. Attacks on Schools

Hazara schools, or schools in predominantly Hazara neighbourhoods, are common targets of attacks, and especially of bombings. For example, on 19 April 2022, as this Inquiry was collecting evidence of attacks on the Hazara, two bomb blasts targeted Hazara schools in Dasht-e-Barchi, Western Kabul, including Abdul Rahim-e Shahid High School and Mumtaz Education Centre in the Dasht-e-Barchi area of Kabul,

⁸² Written Submission, World Hazara Council USA, 1 May 2022.

⁸³ Ibid.

Afghanistan. While the official number of fatalities was very conservative, ‘videos and photos from the scene show more than 100 students were killed.’⁸⁴ In May 2021, more than 85 Hazara students are said to have been killed, all aged between 11 and 17-years old, in yet another attack.⁸⁵

Again, such attacks on schools, targeting the Hazara children, are not new. One written submission identified several such attacks over the years, including:

‘In October 2020, more than twenty-four teenage Hazara students were killed, injuring fifty-seven students aged between 15 and 26.

In August 2018, attacks on education centres in the Hazara dominated area killed 48 and injured more than 60 children between 16 and 18-years old.’⁸⁶

Similar evidence has also been introduced during the oral hearings, and amongst other submission, it was indicated that:

‘Hazara students [were] specifically being targeted [after 2004] in these public transports where they would get picked and get killed based on their ethnicity or religious belief.’⁸⁷

‘There was a bombing of a girl’s school in Kabul that was a girl school largely attended by Hazara girls. It killed at least 90 of those girls...We also recently had the targeting of a boy’s school in 2022.’⁸⁸

ii. Attacks on Hospitals

⁸⁴ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Oral evidence, Nilofar Moradi, 5 April 2022.

⁸⁸ Oral evidence, Dr Gregory Stanton, 23 May 2022.

Attacks on hospitals are also common. In May 2020, the IS-K attacked a maternity hospital in Dasht-e-Barchi, a predominantly Hazara populated area in Western Kabul. Twenty-four people, including pregnant women, newborn babies, and nurses, were killed, and another 16 people were injured. As Prof. Gregory Stanton commented, ‘A bombing of a maternity centre in Kabul that killed [several] mothers who were about to deliver their babies and a Médecins Sans Frontières nurse. This was largely a hospital that cared for Hazaras.’⁸⁹ We have not seen evidence of similar attacks in 2021 or 2022.

iii. Attacks on Places of Worship

Hazara places of worship have faced the most targeted attacks over the years, adding to the evidence of the specific targeting of the Hazara as a religious group. On 6 December 2011, Hazara Shia worshippers were targeted by a suicide attack as they were mourning the Ashura in Murad Khani at Abul Fazl Shrine in Kabul, killing 54 and wounding 150 more.⁹⁰ On 11 October 2016, an armed man attacked a religious ceremony in Kart-e Sakhi neighbourhood of Kabul, killing 18 Hazaras, including women and children, and wounding 58 others.⁹¹ IS-K claimed responsibility for this attack. On 12 October 2016, a roadside IED targeted Ashura procession in Balkh district of Balkh province, killing 18 people and wounding 67 others, including 36 children.⁹² No one claimed responsibility for the attack. On 21 November 2016, IS-K targeted Baqer ul-Uloom Mosque in west Kabul, killing 40 and wounding 74 Hazara worshippers. A day

⁸⁹ Ibid.

⁹⁰ Mirwais Harooni, ‘Blasts across Afghanistan target Shiites, 59 dead’ Reuters (6 December 2011). Available at: <https://www.reuters.com/article/us-kabul-blast-idUSTRE7B50C320111206>.

⁹¹ UNAMA, 2016 Annual Report on the Protection of Civilians in Armed Conflict in Afghanistan, (2016) 33. Available at: <https://www.ohchr.org/sites/default/files/Documents/Countries/AF/ProtectionCiviliansAnnualReport2016.pdf>.

⁹² UNAMA, 2016 Annual Report on the Protection of Civilians in Armed Conflict in Afghanistan, (2016) 34. Available at: <https://www.ohchr.org/sites/default/files/Documents/Countries/AF/ProtectionCiviliansAnnualReport2016.pdf>.

later, four Hazaras were killed in the attack against Razaiya Mosque in Herat city.⁹³ No one claimed responsibility for the attack.

Alizada, Rezai, Kaihan and Seerat in their written submission noted eight deadly attacks in 2017, targeted Hazara worshippers in mosques and religious gatherings including:

On 1 January 2017, in Imam Mohammad Baqir Mosque in Herat city killing one and wounding five.

On 2 May 2017, a remote-controlled bomb exploded near a religious gathering of Shia worshippers in Herat city killing 7 and wounding 17 others.

On 6 June 2017, a bomb explosion in Masjid Jame-e Herat in Herat province killed seven and 16 others were wounded.

On 15 June 2017, in a suicide attack in the al-Zahra Mosque in Dasht-e Barchi killed five and wounded eight.

On 1 August 2017, an attack against Jawadia Mosque in western Herat city killed 29 and injured 64.

On 25 August 2017, Hazara worshippers were attacked in Qala-e Najjara, Kabul killing 28 Hazaras and wounding over 90.

On 27 September 2017, 5 Hazara worshipers were killed in Qala-e Fatehullah Mosque in Kabul during Muharram commemoration.

On 20 October 2017, a suicide attack at Imam Zaman Mosque in Dasht-e Barchi killed 40 Hazaras and injured over 50.⁹⁴

⁹³ UNAMA, 2016 Annual Report on the Protection of Civilians in Armed Conflict in Afghanistan, (2016). Available at: <https://www.ohchr.org/sites/default/files/Documents/Countries/AF/ProtectionCiviliansAnnualReport2016.pdf>.

⁹⁴ Written Submission, Alizada, Rezai, Kaihan, and Seerar, 24 June 2022.

Attacks against places of worship targeting Hazaras continued throughout the years, such as the attack on a Shia mosque in the eastern city of Gardez, Paktia province on 3 August 2018, killing 33 and wounding 94 including children.⁹⁵ On 5 July 2019, a remote-controlled bomb went off inside the Shia Muhammadiyah Mosque in Khak-e Ghariban area of Ghazni city. Two Hazaras were killed and 22 others were wounded, mostly children.⁹⁶

After the fall of Kabul, attacks against the places of worship appear to be deadlier including the attack against the mosque in Kunduz on 8 October 2021 that killed 151 and injured 200 and the mosque in Kandahar on 15 October that killed 63 and injured 90.⁹⁷

During the oral hearings, Prof. Gregory Stanton recalled an attack on a Shia mosque, Seh Dokan mosque, in Mazar-e-Sharif, capital of the northern Balkh province, in April 2022. At least 16 people were killed and many more injured. IS-K reportedly claimed responsibility for the attack as Prof. Stanton further added, ‘the Taliban would not let assistance people get into the mosque to assist the wounded.’⁹⁸

iv. Attacks on Protesters

Over the years, there have also been targeted attacks on Hazara protesters. For example, on 23 July 2016, ‘more than 80 predominantly Hazara protesters were killed and more than 230 wounded in twin suicide bombings in Deh Mazang Square.’⁹⁹ Nilofar Moradi, a Hazara journalist, testified that ‘the Enlightenment Movement or the electricity line that went from Turkmenistan to Salang, was meant to be initially going through a Hazara populated area. But there was a change of plan and they started a

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Oral evidence, Dr Gregory Stanton, 23 May 2022.

⁹⁹ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

huge civil movement where they protested against this decision. As a result, there were targeted attacks where more than ninety people got killed and I believe that was in July 2016.’¹⁰⁰

The Inquiry has not seen evidence of similar attacks in 2021 or 2022.

vi. Other Attacks targeting the Hazara Community

Alizada, Rezai, Kaihan and Seerat, in their written submission, emphasised the targeted attacks on Hazara-populated areas and especially private vehicles, taxis and public transport. As they submitted,

‘From 1 - 3 June [2021], every day, Hazaras in the west of Kabul were targeted through magnetic bomb [on] vehicles. On 1 June, a magnetic bomb targeted a minivan transport vehicle near Ahlulbait Mosque in Sar-e Kariz area in west of Kabul. [On] 2 June 2021, another magnetic bomb targeted a minivan public transport vehicle in Gulayee Dawa Khana area claiming lives of ten Hazara civilians and wounding [12]. On 3 July, a private Town-Ace minivan was targeted by magnetic bomb in Faiz Muhammad Kateb Road in west of Kabul, killing four Hazara civilians including two women and injuring four others including one woman and one child. Just over a week later, on 12 June 2021, multiple bomb explosion targeted Hazaras in west of Kabul again. The first targeted a private Town-Ace vehicle near Muhammad Ali Jinnah Hospital, killing six Hazaras, including one woman, and wounding two others. A second explosion targeted a Town-Ace in Shahid Mazari Road in Dasht-e Barchi of Kabul, killing one Hazara and wounding four others, including a woman.’¹⁰¹

¹⁰⁰ Oral evidence, Nilofar Moradi, 4 May 2022. See also: ‘Devastating blasts rip through Hazara protest in Kabul’ *Al Jazeera* (26 June 2022). Available at: <https://www.aljazeera.com/gallery/2016/7/23/devastating-blasts-rip-through-hazara-protest-in-kabul>.

¹⁰¹ Written Submission, Alizada, et al, 6 May 2022.

As submitted in written evidence by Hussain, Hussein, and Rezaee, in places such as educational centres, hospitals, mosques, sports venues and political/social demonstrations of the Hazara people, 'where the number of people is greater, the attack is carried out with the intention to inflict maximum physical harm and disperse the community.'¹⁰² Such attacks result in many fatalities, and even more injured.

2.1.2. Effect on the Communities

In addition to inflicting physical injuries (and psychological harm), such attacks have wide-ranging effects on the communities, including, preventing the communities from living as a community. As noted by Hussain, Hussein, and Rezaee in their written submission, 'for a community to thrive as a whole, it is necessary they connect, share, communicate and come together as a group, however the attacks executed against them prevent and deter such assembly and if this condition persists for a long period it can result in lack of interaction and association amongst members of the community that eventually can hurt the collective identity and socio-political consciousness of a group.'¹⁰³

2.2. Forcible Displacement

The Taliban takeover in August 2021 was followed by the forcible displacement of the Hazara. As the World Hazara Council indicated in their written submission, 'the forced relocation of thousands of Hazaras and [Shias] to various provinces and their expulsion from their ancestral homelands resumed in the months after the Taliban took control of Afghanistan in 2021. This leaves most of the internally displaced persons (IDPs) with no shelter, no means of growing crops for food, no other food

¹⁰² Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

¹⁰³ Ibid.

sources, and no source of clothing or means for procuring any necessities, in particular, because thousands have been cut off from aid.’¹⁰⁴

Dr Melissa Skye Kerr Chiovenda, assistant professor of anthropology at Zayed University in Abu Dhabi, noted that after ‘August 2021, the Taliban have instated forced evictions and ethnic cleansing of Hazaras and others opposing their government in several areas of Afghanistan including Daikundi, Uruzgan, Kandahar, Helmand, and Balkh.’¹⁰⁵

In October 2021, Human Rights Watch reported that ‘the Taliban and associated militias forcibly evicted hundreds of Hazara families from the Southern Helmand province and the northern Balkh province. These followed earlier eviction from Daykundi, Uruzgan and Kandahar provinces.’¹⁰⁶

The practice of forced displacement is yet another crime that has been used against the community for centuries. Ibrahmi and Kadrie identified that ‘the Taliban have forcibly displaced hundreds of Hazara families from their homes and lands in Day Kundi¹⁰⁷ and are facilitating the illegal seizure of Hazarajat region by the Pashtun nomads. Pashtun nomads claim the ownership of Hazara pasturelands in Hazarajat and have historically played a key role in the subjugation and dispossession of the Hazaras since the 1890s.’¹⁰⁸

2.3. Enforced Disappearance

¹⁰⁴ Written Submission, World Hazara Council USA, 1 May 2022.

¹⁰⁵ Written submission, Dr Melissa Chiovenda, 30 April 2022.

¹⁰⁶ Human Rights Watch ‘Afghanistan: Taliban Forcibly Evict Minority Shia’ (22 October 2021). Available at: <https://www.hrw.org/news/2021/10/22/afghanistan-taliban-forcibly-evict-minority-shia#:~:text=In%20early%20October%202021%2C%20the,%2C%20Uruzgan%2C%20and%20Kandahar%20provinces.>

¹⁰⁷ Ibid.

¹⁰⁸ Written submission, N Ibrahmi and N Kadrie, 6 June 2022.

A number of submissions indicated that members of the Hazara have been subjected to enforced disappearances. For example, according to the written evidence by the World Hazara Council, ‘many policewomen in Afghanistan were from the Hazara minority, and many were persecuted and disappeared in an unusual way.’¹⁰⁹

2.4. Severe Restrictions of Rights

The evidence collected to date suggests that the rights of the Hazara are not adequately affirmed, implemented and protected. While until 15 August 2021, the Afghani legal system was based on the 2004 Constitutions and other laws, since 15 August 2021, according to the Taliban, the country is ‘an Islamic emirate whose laws and governance must be consistent with sharia.’¹¹⁰ As emphasised by the US State Department ‘by year’s end, the Taliban’s interim “caretaker government” had not announced a cohesive legal framework, judicial system, or enforcement mechanisms and it had not clarified which constitution was in effect – the 2004 constitution or the 1964 constitution.’¹¹¹ While courts are in session, in some provinces and districts, ‘it was unclear what system of law, procedures, and sentencing guidelines they used.’¹¹²

As such, it is not clear what are the laws in place and what it means for religious or belief and ethno-religious minorities in Afghanistan. Because of this uncertainty, many religious or belief minorities have fled the country with State- or private-run evacuations.

As emphasised by the US State Department, ‘according to Hazara community representatives, persecution of religious minorities by the Government prior to the August takeover was common, with discrimination reported against the Hazara Shia

¹⁰⁹ Written Submission, World Hazara Council USA, 1 May 2022.

¹¹⁰ US Department of State, ‘2021 Report on International Religious Freedom: Afghanistan’ (Office of Religious Freedom, 2022).

¹¹¹ Ibid.

¹¹² Ibid.

minority particularly prevalent. They also said the Government routinely engaged in efforts to sideline Hazara Shia interests in favor of pro-Pashtun policies, although observers said this mistreatment was ethnically driven rather than based on religious discrimination.¹¹³ This treatment is expected to continue if not worsen.

Dr Chiovenda submitted in her written evidence that ‘Until 2002, [the Hazara] had largely been excluded from government positions and participation and from educational opportunities. Between 2002 and August 2021, Hazara representation in government positions, participation in educational institutions and independent sectors of the Afghan economy increased, though members of the group were still heavily underrepresented in proportion to their demographic presence in the country.’¹¹⁴ This trend of excluding the Hazara from important positions continues now under the Taliban rule as ‘none of the Taliban’s current 53 ministers is a Hazara¹¹⁵ while only one deputy minister is Hazara.¹¹⁶ The inclusion of a Hazara deputy minister is thought by analysts to represent lip-service to the idea of ethnic representation in order to appease the international community, without truly disrupting the Sunni/ethnic-Pashtun nature of the Taliban movement.’¹¹⁷

The US State Department further noted the set up of the ‘caretaker government’:

‘On 7 September, the Taliban announced an all-male interim “caretaker government” made up exclusively of Taliban members. Thirty of the 33 named

¹¹³ Ibid.

¹¹⁴ Written submission, Dr Melissa Chiovenda, 9 June 2022.

¹¹⁵ Sudarsan Raghavan, “The Taliban is Trying to Win Over Afghanistan’s Shiites with a 33-year-old Hazara Emissary. But Many Question the Group’s Sincerity.” *Washington Post* (2 November 2021). Available at: https://www.washingtonpost.com/world/asia_pacific/taliban-afghanistan-hazaras/2021/11/01/096c9690-3775-11ec-9662-399cfa75efee_story.html.

¹¹⁶ The International, “Tajik, Uzbek, and Hazara Representatives Included: Taliban Expand Cabinet to ‘Make’ It Inclusive.” (22 September 2021). Available at: <https://www.thenews.com.pk/print/894312-taliban-expand-cabinet-to-make-it-inclusive>.

¹¹⁷ Written submission, Dr Melissa Chiovenda, 30 April 2022.

were from the predominantly Sunni Pashtun ethnic group. On September 22, the Taliban expanded its interim “caretaker government,” adding some representatives of religious and ethnic minority groups including four Tajiks, two Uzbeks, one Turkmen, one Hazara, one Nuristani (an ethnic group native to Nuristan province) and one Khwaja (claiming Arab lineage). At year’s end, two Shia “interim deputy ministers” served in the Taliban interim “caretaker cabinet.”¹¹⁸

Ibrahmi and Kadrie testified that ‘the Hazaras are effectively excluded from the *de facto* government in Kabul and the provinces established by the Taliban in September 2021 and as a result, are unable to exercise any influence on how the Taliban respond to these attacks.’¹¹⁹

This exclusion of the Hazara has also been visible across many other areas of life. As Akram Gizabi, an analyst on Afghanistan and South Asia and a former journalist, noted in his oral testimony, ‘Not one factory was built in our region, not one university was built, not one school was built. Only one road between Bamyan and Kabul was built and that is it.’¹²⁰

According to prof. Gregory Stanton, this treatment of the Hazara leads to polarisation, where ‘the Hazara and the rest of the population are polarised... they do not interact, and especially are excluded from any public offices... in the Taliban’s Afghanistan.’¹²¹

3. The Perpetrators of the Attacks

The perpetrators of the above identified attacks are predominantly IS-K, with some attacks being attributed to the Taliban. Some attacks have not been claimed by either,

¹¹⁸ Ibid.

¹¹⁹ Written submission, N Ibrahmi and N Kadrie, 6 June 2022.

¹²⁰ Oral evidence, Akram Gizabi, 23 May 2022.

¹²¹ Oral evidence, Dr Gregory Stanton, 23 May 2022.

and as such, the perpetrators cannot be confirmed, even though the attacks may align with the methods used by IS-K or the Taliban.

The Taliban takeover has seen an increase in attacks against the community. This is highly likely because the perpetrators know very well that the Taliban-run government will not ensure investigations of such attacks and prosecutions of the perpetrators, especially, as the Taliban have been targeting the Hazara, including just before the takeover. As the US State Department reported, ‘before the Taliban takeover, government security forces struggled to provide adequate security for religious leaders and mosques against the Taliban and [IS-K].’¹²²

Prof. Gregory Stanton noted in his oral testimony that ‘the organisation that is used against [the Hazara] is the organisation of a typical terrorist organisation, but under the Taliban, it is actually a state organisation... ongoing persecution by the Taliban and by IS-K of the Hazaras.’¹²³

In any event, a comprehensive investigation and attributions of the attacks to either the Taliban or IS-K is crucial to ensure that their responsibility for atrocity crimes, such as genocide, could be analysed and determined accordingly.

¹²² US Department of State, ‘2021 Report on International Religious Freedom: Afghanistan’ (Office of Religious Freedom, 2022).

¹²³ Oral evidence, Dr Gregory Stanton, 23 May 2022.

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 Crimes¹²⁴ and the Jacob Blaustein Institute's Framework.¹²⁵ Furthermore, as the evidence received suggests that the atrocities are underway, the section will further consider the elements of the legal definition of genocide in Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention).

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 of the rights of the Hazara community, excluding members of the community from the society. As one

¹²⁴ United Nations, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (2014).

¹²⁵ Jacob Blaustein Institute for the Advancement of Human Rights, *Compilation of Risk Factors and Legal Norms for the Prevention of Genocide* (New York 2011).

submission identified, 'The Hazaras have been living in a context of social discrimination, political marginalisation and genocide since 1890, when Emir Abdur Rahman Khan conquered the lands of Hazaristan with unprecedented violence and eliminated about 62% of the population (Ibrahimi, 2016, Poladi, 1989). From that moment, **the discrimination of the Hazara people became systematic and institutionalised, thus making them citizens of an inferior order, who were not allowed to go to school, to study, to do politics and to actively participate in the life of the community.**'¹²⁶

Risk factor 9.2 concerns the denial of the existence of protected groups or of recognition of elements of their identity. Such a denial of the existence of the Hazara was particularly visible in the evidence relating to the historic treatment of the community. End of 19th century, Abdur Rahman Khan, Emir of Afghanistan, wrote about the Hazar as follows:

*...in order to extirpate these irreligious [i.e. "infidel"] people so that not a trace of them remains in those places and throughout the mountains and their properties be distributed among the Ghilzai and Durrani tribes, the royal court has approved as policy that a triumphant army made up of regular and tribal forces from every part of the kingdom of the God-given government should descend upon the soil of the rebel tribes of the Hazarahjat so that not a soul of those wayward tribes be safe nor escape and that the boys and girls be taken captive (and made slaves) by every member of the tribes of the mujahidin of Afghanistan (emphasis ours).*¹²⁷

Risk factor 9.3 relates to the history of atrocity crimes committed with impunity against protected groups. The history of the atrocities against the Hazara is briefly discussed in Section II and spans across several decades. As one of the submissions

¹²⁶ Written submission, Claudio Concas, 30 April 2022.

¹²⁷ Hazarah, 'The History of Afghanistan' (2013) 770.

indicated, **‘To date, none of the crimes carried out against Hazaras have been investigated. None of the perpetrators have been charged and no actions towards justice for victims and families have been pursued.’**¹²⁸ This impunity for past atrocities enabled further crimes and will continue to do so unless and until the issue is addressed. Furthermore, as we observe the increase of atrocities against the Hazara after August 2021, there is no information in the public domain whether the attacks are being investigated and the perpetrators prosecuted. It is highly unlikely that this work is being conducted.

Risk factor 9.4 concerns ‘past or present serious tensions or conflicts between protected groups or with the State, with regards to access to rights and resources, socioeconomic disparities, participation in decision-making processes, security, expressions of group identity or to perceptions about the targeted group.’

Such tensions have been visible for centuries. Ibrahim and Kadrie, in their written submission, indicated that ‘such state-sanctioned proclamations emphatically demonstrated a clear intent by the Amir in inciting the Sunni population, most notably his own co-ethnic Pashtuns, to commit genocide against the Hazaras.’¹²⁹

Furthermore, evidence suggests that the Hazara have been excluded from various basic services for many years, including from the national grid network. Initially, the electricity line was meant to run through a Hazara area. However, the Government took a U-turn on the decision. This decision has led to mass protests as the area was already neglected and under-resourced in comparison to other local communities. As Ali Karimi in his written submission suggested, ‘the national grid network goes in a circle covering almost all provinces in the country except for the Hazara provinces of

¹²⁸ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

¹²⁹ Written submission, N Ibrahim and N Kadrie, 6 June 2022.

Bamiyan, Daikundi, and Ghor in central Afghanistan as well as the Hazara districts in several other provinces.’¹³⁰

Risk factor 9.6 concerns the ‘lack of national mechanisms or initiatives to deal with identity-based tensions or conflict.’ As explained earlier, despite the decades of persecution against the Hazara, there have been no investigations and prosecutions of the crimes, and no national mechanism or initiatives to deal with the long-standing issue. Similarly, it is highly likely that the recent attacks against the Hazara are not investigated and prosecuted.

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.’ Some of such evidence, particularly in relation to historic targeting of the community, is available, both in speeches of political leaders and other propaganda. The issue would require further evidence and analysis.

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. This is visible in the targeted attacks, and especially bombings, in Hazara neighbourhoods, and on schools, mosques, hospitals, maternity wards etc., as discussed in Section II.

Risk factor 10.3 concern ‘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.’ Such practices are well documented. Among others, one of the written submissions indicated that ‘for

¹³⁰ Written Submission, Ali Karimi, 29 April 2022.

more than a hundred years, regimes in Afghanistan have not only banned the Hazaras from speaking out about their historical massacre and possible genocide and its after-effects, land-grabbing and political and social deprivation, but have also raised sensitivities to this issue.¹³¹ Such attacks have been visible with the Taliban takeover, with the Hazara being attacked, killed, forcibly displaced and subjected to other mistreatment. Such attacks as discussed in Section II.

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. These practices could be seen in the targeted attacks on maternity wards and killings of pregnant women and newborns. Furthermore, rape and sexual violence will have the effect of preventing births. The issue of rape and sexual violence against Hazara women and girls requires further evidence gathering and analysis.

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.’ This risk factor can be visible in bombings in predominately Hazara populated areas, as discussed in Section II.

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 Afghanistan 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.

¹³¹ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

Compulsory identification of members of a particular group against their will.

The severe and systematic demonization of a particular group by the state or nonstate 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.

The relevant evidence pertaining to the different risk factors is included in the previous session.

1.3. Summary on the Serious Risk

The above analysis suggests that many of the risk factors of genocide are present. As such, the Hazara in Afghanistan are at risk of genocide. This conclusion is further substantiated by other analyses into the situation of the community in Afghanistan. For example, the Australian National University's Atrocity Forecasting project suggested that Afghanistan in 2022 was in the top five countries in the world at risk of

genocide or politicide.¹³² In July 2021, Genocide Watch issued a genocide emergency warning for Afghanistan, highlighting the targeting of Shia Hazaras.¹³³ During his oral testimony, Prof. Gregory Stanton added that ‘all of the basic factors that lead to genocide are present in these massacres of Hazaras.’¹³⁴ In August 2021, the US Holocaust Memorial Museum published a statement on the serious risk of genocide and crimes against humanity against the Hazaras.¹³⁵

This finding engages the responsibility of all states to protect the Hazara and prevent a possible genocide, under the Genocide Convention and customary international law.

2. Genocide against the Hazaras in Afghanistan

While the Inquiry was mandated to consider the risk factors of genocide in the case of Hazara in Afghanistan, the evidence collected by the inquiry suggests that this genocide may be underway. The below analyses the findings against the legal definition of genocide in Article II of the Genocide Convention.

Genocide is defined in Article II of the Genocide Convention as:

Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

¹³² Oral evidence, Prof. William Maley, 4 May 2022. See also: Atrocity Forecasting Project, *Brief Report on AFP 2021-23 Forecasts of Genocide / Politicide* (10 April 2021). Available at: https://politicsir.cass.anu.edu.au/sites/default/files/AFP_2021-23_BriefReport.pdf.

¹³³ Genocide Watch, ‘Genocide Emergency: Afghanistan’ (July 2021). Available at: https://www.genocidewatch.com/_files/ugd/e15208_73486a01257f4d00b08380ddb501ba82.pdf.

¹³⁴ Oral evidence, Dr Gregory Stanton, 23 May 2022.

¹³⁵ United States Holocaust Memorial Museum, ‘Museum Statement on the Hazara’ (23 August 2021). Available at: <https://www.ushmm.org/information/press/press-releases/museum-statement-on-the-hazara>.

- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

The below considers whether the Hazara are a protected group under the Genocide Convention, whether there is evidence of the prohibited acts against them, and whether they may have been perpetrated with the specific intent to destroy the protected group, in whole or in part.

2.1. The Hazara as the Protected Group

The Genocide Convention identifies four groups the definition applies to: national, ethnic, racial or religious. For the definition of genocide to be met, one would have to show that 'either the victim belongs to the targeted ethnic, racial, national, or religious group or that the perpetrator of the crime believed that the victim belonged to the group.'¹³⁶

The Hazara are an ethnic but also a religious numeric minority group in Afghanistan. As emphasised in the written submission by CRIED, the Hazara are a 'distinct ethnic group.'¹³⁷ CREID added that 'they often have distinct facial features, for example indicated cheekbones, and a Mongolian physiognomy, making them easily identifiable from other ethnic groups of Afghanistan such as Pashtuns, Uzbeks, and Tajiks.'¹³⁸ Shia Muslims are said to constitute 10-15% of Afghanistan's population.¹³⁹ 90% of them are the Hazaras.¹⁴⁰

¹³⁶ *Prosecutor v Muhimana*, Trial Judgement, Case No. ICTR-95-1B-T, 28 April 2005, para. 500.

¹³⁷ Written submission, CREID, 6 May 2022.

¹³⁸ *Ibid.*

¹³⁹ US Department of State, '2021 Report on International Religious Freedom: Afghanistan' (Office of Religious Freedom, 2022) 4.

¹⁴⁰ Britannica, 'Languages of Afghanistan'. Available at: <https://www.britannica.com/place/Afghanistan/Languages#ref21425>.

Dr Chiovenda indicated that ‘Hazaras are mostly Shia and unlike other Shia Muslims, who can pass within the general population, because Hazaras have a distinct ethnic identity and an ethnic identity that is discernible to a large part because of their facial features. (...) The reason why they are targeted, the root of it to me is this. And so it's not something that will maybe change after a few years.’¹⁴¹ In her written submission, she added that ‘it is overwhelmingly clear that only Hazara people have been targeted primarily on the basis of their ethnic belonging and religious persuasion, instead of reasons premised on political and strategic expediency.’¹⁴²

Prof. Stanton noted in his oral testimony that the Hazara are both an ethnic and religious distinct group. According to him, ‘Hazaras are classified separately from the rest of the Afghan population because they are Shia... symbolised differently they wear different fancy clothing and speak a different dialect of Dari. They have been discriminated against for many years, they are dehumanised as... heretics, as apostates, and by the majority Taliban.’¹⁴³ He emphasised that the attacks against the Hazara are targeted, ‘because of the ethnic identity and the religious identity of the Hazara.’¹⁴⁴

As such, the Inquiry is satisfied that the Hazara are a protected group within the meaning of Article II of the Genocide Convention on both objective and subjective criteria.

2.2. Prohibited Acts Against the Community

The below section considers the collected evidence against the five prohibited acts in Article II of the Genocide Convention.

¹⁴¹ Oral evidence, Dr Melissa Chiovenda, 4 May 2022.

¹⁴² Written submission, Dr Melissa Chiovenda, 30 April 2022.

¹⁴³ Oral evidence, Dr Gregory Stanton, 23 May 2022.

¹⁴⁴ Ibid.

(a) Killing Members of the Group

The prohibited act of killing members of the group in Article II (a) of the Genocide Convention refers to unlawful and intentional killing, namely, ‘the death of the victim resulting from an act or omission of the accused committed with the intention to kill or to cause serious bodily harm which he/she should reasonably have known might lead to death.’¹⁴⁵

Chapter II, Sections 1 and 2.1., demonstrates that the Hazara community has been subjected to mass killing, and especially in bombings targeting schools and hospitals in predominately Hazara neighbourhoods and mosques attended by Hazara Shias. Such unlawful and intentional killings were perpetrated both by the Taliban and by IS-K. The exact numbers of those killed by the groups is unknown as the data has not been collected by any independent body. Furthermore, as mentioned in the submissions to the Inquiry, many media reports on the killings are very conservative.

Dr Niamatullah Ibrahim stated that ‘it is reasonably safe to estimate that around 1,000 people have died.’¹⁴⁶ The Inquiry cannot verify this estimate and the data would need to be further assessed by an independent mechanism.

As emphasised by Hussain, Hussein, and Rezaee in their written submissions, ‘in June 2021, Taliban searched room to room only killing Hazara workers while leaving other ethnic employees unharmed. In July 2021, Taliban killed a Hazara shepherd immediately after he identified himself as Hazara.’¹⁴⁷

As presented in Chapter II, Sections 1 and 2.1., after the Taliban takeover and in the first half of the year 2022, there has been an ever-growing number of deadly attacks

¹⁴⁵ Prosecutor v Krstic, Trial Judgement, IT-98-33-T, 2 August 2001, para. 485.

¹⁴⁶ Ibid.

¹⁴⁷ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

against the Hazara. Many of the attacks are attributed to IS-K, the Taliban, while some remain unclaimed.

Considering the evidence available, the Inquiry is satisfied that the Hazara are subjected to killings. However, further evidence is required to ensure that the perpetrators are correctly identified to enable a more comprehensive analysis of Article II (a) of the Genocide Convention.

(b) Causing Serious Bodily or Mental Harm to Members of the Group

The prohibited act of causing serious bodily or mental harm to members of the group within the meaning of Article II (b) of the Genocide Convention means ‘an intentional act or omission causing serious bodily or mental suffering.’¹⁴⁸ The judgement in Krstic further states that ‘the gravity of the suffering must be assessed on a case by case basis and with due regard for the particular circumstances.’¹⁴⁹ Furthermore, ‘serious harm need not cause permanent and irremediable harm, but it must involve harm that goes beyond temporary unhappiness, embarrassment or humiliation. It must be harm that results in a grave and long-term disadvantage to a person’s ability to lead a normal and constructive life.’¹⁵⁰ The acts which may cause serious bodily or mental injury include ‘inhuman treatment, torture, rape, sexual abuse and deportation are among the acts which may cause serious bodily or mental injury.’¹⁵¹

The evidence discussed in Chapter II, Sections 1 and 2 is rich with examples of attacks causing serious bodily or mental harm to the members of the group. Indeed, among the many attacks against the Hazara, especially bombings in predominately Hazara areas or on Hazara schools, mosques etc, in addition to hundreds of deaths, there are even larger numbers of those injured.

¹⁴⁸ Prosecutor v Krstic, Trial Judgement, IT-98-33-T, 2 August 2001, para. 513.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

One aspect of causing serious bodily or mental harm of importance here (and also of importance to the prohibited act of preventing births within the group), however generally neglected, is of the use of rape and sexual violence against Hazara women and girls. As indicated in the case of Akayesu, ‘Rape and sexual violence certainly constitute infliction of serious bodily and mental harm of the victims and are even, according to the Chamber, one of the worst ways of inflicting harm on the victim as he or she suffers both bodily and mental harm.’¹⁵² In the case of Rwandan genocide, ‘The rapes resulted in the physical and psychological destruction of the Tutsi women, their families and their communities. Sexual violence was an integral part of the process of destruction, specifically targeting Tutsi women and specifically contributing to their destruction and to the destruction of the Tutsi group as a whole.’¹⁵³ As Dr Chiovenda indicated in her written evidence,

‘Historically, this demographic has been particularly vulnerable in times of conflict, wherein rape has often been used as an instrument of warfare. We know that this is particularly the case during the Hazara genocide of the late 1800s, when Hazara women and girls were enslaved, and many were raped. However, due to cultural norms and values, and the emphasis placed on honour of women, it is extremely difficult to find women and families willing to admit that such sexual violence ever occurred. Yet, as the Taliban approached Kabul in August 2021, numerous of my women Afghan friends reported that **women and girls were being raped, and their biggest fear as the Taliban closed in was that they would be forced into “marriage” and raped.**’¹⁵⁴ She asked the Inquiry to scrutinise the issue further ‘if cultural norms mean there is a dearth of hard evidence concerning this.’¹⁵⁵

¹⁵² Prosecutor v Akayesu, Trial Judgement, Case No. ICTR-96-4-T, 2 September 1998, para. 731.

¹⁵³ Ibid.

¹⁵⁴ Written submission, Dr Melissa Chiovenda, 30 April 2022.

¹⁵⁵ Ibid.

Dr Chiovenda further elaborated in her oral submission that: ‘right now what we do know [is] that there are a lot of detentions that are happening of women, protesters in Afghanistan, and women who are trying to escape Afghanistan. Whenever there is detention of women, **there is this very real concern that those women have experienced rape or sexual violence, but it's very rarely talked about or reported because the repercussions can be quite severe.** This is also a place where honour killings are very common. [...] In fact one of the reports [...] eight of the women who did report that they were raped while in detention by the Taliban¹⁵⁶ ... were then killed by their families. [...] given this historical past and given the fact that women are being detained in quite high numbers right now, that there is also going to be a link between sexual violence against women and sexual violence, specifically targeting Hazara women.’¹⁵⁷ The issue of rape and sexual violence requires further consideration.

Forced displacement may also be included within the meaning of the prohibited act in Article II (b) of the Genocide Convention. Such forced displacement of the Hazara has been particularly visible after the Taliban takeover, subjecting these members of the Hazara community to inhuman and degrading conditions and without access to shelter, food, medicine and other necessities. Such treatment may have long-term harmful consequences on members of the group.

The Inquiry is satisfied that there is some evidence of causing serious bodily or mental harm to members of the Hazara group. Again, further evidence would need to be collected to ensure that the acts are currently attributed. Furthermore, as in the case of rape and sexual violence, further investigation and data collection is needed to enable an analysis of the issue.

¹⁵⁶ See also: Mia Bloom, ‘Afghan women face increasing violence and repression under the Taliban after international spotlight fades’ *The Conversation* (4 February 2022). Available at: <https://theconversation.com/afghan-women-face-increasing-violence-and-repression-under-the-taliban-after-international-spotlight-fades-176008>.

¹⁵⁷ Oral evidence, Dr Melissa Chiovenda, 4 May 2022.

(c) Deliberately Inflicting on the Group Conditions of Life Calculated to Bring about its Physical Destruction in Whole or in Part

For the prohibited act within meaning of Article II (c) of the Genocide Convention, one must show that ‘methods of physical destruction, other than killing, whereby the perpetrator ultimately seeks the death of the members of the group’ and ‘methods of destruction that do not immediately kill the members of the groups, but which, ultimately, seek their physical destruction, i.e.: slow death.’¹⁵⁸

While there is some evidence of the Hazara community being subjected to dire conditions in Afghanistan, this may not be sufficient to show that the Hazara are subjected to conditions of life deliberately inflicted on the group calculated to bring about its physical destruction in whole or in part. For example, the World Hazara Council, in their written submission, suggested that ‘before taking control of Kabul, the Taliban coerced tithing from Hazaras in many provinces over the years. Now, these impositions have increased as the Taliban take tithes from Hazaras by force in all Hazara areas of Afghanistan. Tithes and taxes in the form of houses, land, crops, animals, and money are forcibly collected from even poor Hazaras who cannot provide enough food for their families.’¹⁵⁹ This, in addition to the dire humanitarian situation in Afghanistan, may pose significant challenges to the community, however, may fall short of the threshold of Article II (c).

Again, since the Taliban takeover, the humanitarian situation only deteriorated for the Hazara in Afghanistan. Understandably, the humanitarian crisis touches everyone in Afghanistan. However, there are specific challenges faced by the Hazara that affect the group differently. As Dr Chiovenda testified in the oral hearing, ‘I have concerns that Hazaras having experienced structural violence and systematic exclusion may also be

¹⁵⁸ Prosecutor v Radovan Karadžić, Case No. IT-95-5/18-T, 2586.

¹⁵⁹ Written Submission, World Hazara Council USA, 1 May 2022.

left out and more impacted by the humanitarian crisis and therefore also excluded from efforts of assistance.’¹⁶⁰

As it stands, and in accordance with the existing jurisprudence, the cited examples are not sufficient to show the Hazara are subjected to conditions of life deliberately inflicted on the group calculated to bring about its physical destruction in whole or in part. Further evidence may be needed to assess whether the threshold of Article II (c) is engaged.

(d) Imposing Measures Intended to Prevent Births within the Group

The prohibited act of imposing measures intended to prevent births within the group, within the meaning of Article II (d) of the Genocide Convention include ‘sexual mutilation, the practice of sterilisation, forced birth control, separation of the sexes and prohibition of marriages. In patriarchal societies, where membership of a group is determined by the identity of the father, an example of a measure intended to prevent births within a group is the case where, during rape, a woman of the said group is deliberately impregnated by a man of another group, with the intent to have her give birth to a child who will consequently not belong to its mother's group.’¹⁶¹ Furthermore, ‘rape can be a measure intended to prevent births when the person raped refuses subsequently to procreate, in the same way that members of a group can be led, through threats or trauma, not to procreate.’¹⁶²

In their written submission, World Hazara Council reported that: ‘a Pashtun former Afghan vice presidential candidate stated at a conference, **“I will mix the ethnicities. I will marry Hazara girls to Pashtun men. I will end this game, I swear to God that I won’t give them chances anymore.”**’¹⁶³ In the case of the Hazara, such forced

¹⁶⁰ Oral evidence, Dr Melissa Chiovenda, 4 May 2022.

¹⁶¹ Prosecutor v Akayesu, Trial Judgement, Case No. ICTR-96-4-T, 2 September 1998, para. 507.

¹⁶² Ibid., 508.

¹⁶³ Written Submission, World Hazara Council USA, 1 May 2022.

marriages and forced impregnations would result in forced ethnic and religious changes. The World Hazara Council further reported accounts of Hazara families in hiding from the Taliban who sought engagements with their daughters, including girls as young as 3 years old.¹⁶⁴

While such practices of forced marriages and impregnations by members of other communities are recognised methods to prevent births within the group, further evidence would be needed to link the Taliban and IS-K to the intention to prevent births. The issues will need to be considered further.

As indicated earlier, the issue of rape and sexual violence also requires further inquiry.

(e) Forcibly Transferring Children of the Group to Another Group

The prohibited act of forcibly transferring children of the group to another group, within the meaning of Article II (e) of the Genocide Convention is ‘not only to sanction a direct act of forcible physical transfer, but also to sanction acts of threats or trauma which would lead to the forcible transfer of children from one group to another.’¹⁶⁵

The Inquiry has not seen any evidence suggesting that Hazara children have been transferred from the Hazara group to another. However, if such evidence was to be made available, the Inquiry would need to reconsider. One issue that may further need to be investigated is of children, even as young as 3, being forcibly married to members of other groups.

2.3. Specific Intent to Destroy in Whole or in Part

Specific intent to destroy in whole or in part is often considered as one of the most difficult elements of the legal definition of genocide. As explained in the Appeals Chamber’s judgment in the case of Krstic ‘the crime of genocide requires proof of

¹⁶⁴ Written Submission, World Hazara Council USA, 1 May 2022.

¹⁶⁵ Prosecutor v Akayesu, Trial Judgement, Case No. ICTR-96-4-T, 2 September 1998, para. 509.

intent to commit the underlying act and proof of intent to destroy the targeted group, in whole or in part. The proof of the mental state with respect to the commission of the underlying act can serve as evidence from which the factfinder may draw the further inference that the accused possessed the specific intent to destroy.¹⁶⁶ The specific intent needs to be related to the group as a whole or in part.

Here, the specific intent would need to be established separately for the Taliban and for IS-K.

There is some evidence of direct intent to destroy the Hazara, in whole or in part, including in public statements made by the Taliban. Some statements from the Taliban leadership may be read in line with the specific intent to destroy. For example, as submitted by Hussain, Hussein, and Rezaee, ‘Mullah Abdul Manan Niazi who was killed in May 2021, also a former Taliban spokesperson in 1996, announced that: “Hazara! Where are you escaping? If you jump into the air, we will grasp your legs, if you enter the earth, we will grasp your ears. **Hazara are not Moslems. You can kill them. It's not a sin.** Oh Hazara, become Moslems and pray [to] God as us. We won't let you [] go away. Every border is in our control.”¹⁶⁷ Commenting on the previous attacks on the community, Akram Gizabi added that ‘the signs for the genocide were there when the Taliban took over the first time in Afghanistan. One of the Governors gave a speech, a very detailed and exciting speech in the Grand Mosque in the city of Mazar-i-Sharif, and he said very clearly that “The Uzbeks should got to Uzbekistan, he said the Tajiks should go to Tajikistan and **the Hazara should go to [guristan] which is the cemetery.**”¹⁶⁸

¹⁶⁶ Prosecutor v Krstić, Appeals Chamber judgement, Case No. IT-98-33, 25.

¹⁶⁷ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

¹⁶⁸ Oral evidence, Akram Gizabi, 23 May 2022.

Dr Niamatullah Ibrahim, in his oral evidence, added that IS-K claimed that **‘they would eliminate the Hazaras and Shias.’**¹⁶⁹

The specific intent may also be deducted from the relevant facts, including the pattern of atrocities. The attacks on the Hazara community cannot be considered in the vacuum but in the context of a manifest pattern of similar conduct against the Hazara.¹⁷⁰ As the joint written submission of Hussain, Hussein, and Rezaee, identified, ‘In June 2021 Taliban searched room to room only killing Hazara workers while leaving other ethnic employees unharmed. In July 2021, Taliban killed a Hazara shepherd immediately after he identified himself as Hazara.’¹⁷¹

Hussain, Hussein, and Rezaee in their written submission suggested also that the specific intent can be inferred from the fatal attacks on children and young people as ‘the youth of a society are the future and hope of their community and they are the forces that define and shape their community. By targeting a certain age-group the perpetrators aim to disable and destroy the vital pillar within a community and put the whole group in a resistless and vulnerable position.’¹⁷² They further added that **‘the intention behind these attacks is not only to kill its youth and disable the future of a community but by force displacement a vulnerable condition is created where the Hazara community will not thrive and prosper in the long term.’**¹⁷³

Furthermore, while the destruction of cultural property is not a prohibited act on its own, ‘the destruction of cultural property may serve evidentially to confirm an intent,

¹⁶⁹ Oral evidence, Dr Niamatullah Ibrahim, 4 May 2022.

¹⁷⁰ Written submission, Hussain, Hussein, and Rezaee, 31 May 2022.

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ Ibid.

to be gathered from other circumstances, to destroy the group, as such.¹⁷⁴ Such destruction of cultural property of the Hazara community was brought to the attention of the Inquiry Team, including the destruction of mosques.

Another question would be whether this targeting refers to the group in whole or in part. It is highly likely that the targeting refers to a part of the group in Afghanistan. However, more evidence may be needed to consider the issue fully.

While there is some evidence of specific intent, the issue will require further data gathering and assessment, both for the Taliban and for IS-K, to provide comprehensive analysis.

2.4. Conclusions

Considering the above, at minimum, as the previous section discussed, there is a serious risk of genocide. As such, and in accordance to the duty to protect under Article I of the Genocide Convention, States should deploy all means reasonable available to them so as to prevent genocide as far as possible.¹⁷⁵

¹⁷⁴ *Krstić*, Appeal Judgement, Case No. IT-98-33-A, 19 April 2004, paras 25-26.

¹⁷⁵ ICJ Judgement 2007, 430-431.

IV. CONCLUSIONS AND RECOMMENDATIONS

The Hazara in Afghanistan are at serious risk of genocide in Afghanistan, from the hands of the Taliban and IS-K. Further evidence, and indeed, a comprehensive investigation and data gathering of the atrocities against the Hazara in Afghanistan is crucial to ensure a proper analysis of the situation of the Hazara and indeed, whether the atrocities meet the legal threshold of genocide. While there is clear evidence of grievous crimes against the Hazara, it is very likely that this is only the tip of an iceberg. However, the collection of evidence of such crimes has not been formally undertaken by any international independent body.

Given that there is a serious risk of genocide of the Hazara in Afghanistan, States need to trigger their duty to prevent in line with obligations in Article I of the Genocide Convention. This ultimately means employing all means reasonably available to them to prevent such a genocide.¹⁷⁶ As explained by the International Court of Justice (ICJ),

‘various parameters operate when assessing whether a State has duly discharged the obligation concerned. The first, which varies greatly from one State to another, is clearly **the capacity to influence effectively the action of persons likely to commit, or already committing, genocide**. This capacity itself depends, among other things, on the geographical distance of the State concerned from the scene of the events, and on the strength of the political links, as well as links of all other kinds, between the authorities of that State and the main actors in the events. The State’s capacity to influence must also be assessed by legal criteria, since it is clear that every State may only act within the limits permitted by international law; seen thus, a State’s capacity to influence may vary depending on its particular legal position vis-à-vis the situations and persons facing the danger, or the reality, of genocide.’¹⁷⁷

¹⁷⁶ ICJ Judgement 2007, 430-431.

¹⁷⁷ Ibid.

Notably, the ICJ further adds that ‘it is irrelevant whether the State whose responsibility is in issue claims, or even proves, that even if it had employed all means reasonably at its disposal, they would not have sufficed to prevent the commission of genocide.’¹⁷⁸ This is as the duty to prevent is conduct-oriented not result-oriented. The below identifies some recommendations for the UK, but also for international actors, that could help to implement the duty to prevent genocide.

Recommendations

For the UK Government:

- Monitor the situation of the Hazara, collect and preserve the evidence of the atrocities;
- Conduct an inquiry into the issue of sexual violence against the Hazara in Afghanistan;
- Recognise the specific targeting of the Hazara in Afghanistan and their vulnerability as a result (including for the purposes of asylum resettlement to the UK under ACRS);
- Assess the situation and identify a comprehensive response plan, including in accordance with the UK’s duties under the Genocide Convention;
- Assess whether and how the Hazara communities have access to humanitarian aid provided by the UK;
- Ensure that the UK Aid provided to Afghanistan researches the Hazara communities;
- Engage in a dialogue with Afghan-neighbouring countries to ensure that the Hazara fleeing persecution in Afghanistan are provided with assistance and not returned to Afghanistan;

¹⁷⁸ Ibid.

- Impose the Magnitsky sanctions against all those responsible for the atrocities;
- Call upon the Taliban-run 'caretaker government' to ensure that all atrocities against the community are investigated and the perpetrators are brought to justice;
- Provide capacity assistance to help with investigations and prosecutions of the perpetrators.

For the ICC:

- Ensure that the situation of the Hazara is fully considered and investigated;
- Collect and preserve the evidence of the atrocities against the Hazara;
- Include the genocide and crimes against humanity against the Hazara within the investigations conducted;

For the UN:

- Ensure that evidence of the atrocities against the Hazara is collected and preserved for future prosecutions;
- Ensure that the Hazara are provided with humanitarian assistance.

Appendix A: Written evidence submitted by a group of Hazara researchers and advocates

Attacks between 15 May 2010 to 30 April 2022

15 May 2010: Kuchi Attack

On the above date, 8 Hazara were killed and 1,958 people were displaced in Daimerdad district of Wardak province by Pashtun nomads.¹⁷⁹

16 May 2010: Kuchi Attack

On the above date, more than 600 people were displaced in Behsud district of Wardak province by Pashtun nomads.¹⁸⁰

1 June 2010: Armed Attack

On the above date, 9 Hazara were killed in Uruzgan Khas district of Uruzgan province. No one took responsibility for this incident.¹⁸¹

7 June 2011: Abduction

On the above date, 1 Hazara political member was killed in Siagerd district of Parwan province. The Taliban took the responsibility for this incident.¹⁸²

18 June 2011: Kuchi Attack

On the above date, 24 villages in Nawur district of Ghazni province were displaced by Pashtun nomads.¹⁸³

6 December 2011: Suicide Attack

¹⁷⁹ Fabrizio Foschini, 27 May 2010. "The Kuchi-Hazara Conflict, Again" Afghanistan Analysts Network. <https://www.afghanistan-analysts.org/en/reports/war-and-peace/the-kuchi-hazara-conflict-again/>

¹⁸⁰ Arif Farahmand, 16 May 2010, "هجوم افراد مسلح تحت نام کوچي به مردم روستايي بهسود" <https://www.dw.com/fa-af/a-5578994/a-5578994>

¹⁸¹ Alissa J. Rubin, 1 June 2010, "Taliban Kills 9 Members of Minority in Ambush" New York Times. <https://www.nytimes.com/2010/06/26/world/asia/26kabul.html>

¹⁸² Radio Azadi, 7 June 2011, "طالبان مسووليت قتل رييس شوراي ولايت باميان را به عهده گرفتند" <https://da.azadiradio.com/a/24228048.html>

¹⁸³ Payam Aftab News Agency, 18 June 2011, "حمله شديد کوچي ها به ولسوالي ناهور غزني" <http://www.payam-aftab.com/fa/news/14909/حمله-شديد-کوچي-ها-ولسوالي-ناهور-غزني>

Hazara Shia worshippers were targeted by a suicide attack as they were mourning the Ashura in Murad Khani at Abul Fazl Shrine in Kabul, killing 54 and wounding 150 more. The Lashkar-e-Jhangvi took the responsibility for this incident.¹⁸⁴

6 December 2011: Bomb Explosion

Hazara Shias were attacked in the city of Mazar-i Sharif as they were mourning the Ashura, killing at least 4 and wounding at least 17. The Lashkar-e-Jhangvi took the responsibility for this incident.¹⁸⁵

6 December 2011: Bomb Explosion

On the above date, 5 Shiite civilians were killed in Kandahar province. The Lashkar-e-Jhangvi took the responsibility for this incident.¹⁸⁶

7 June 2012: Kuchi Attack

On the above date, 3 Hazara were killed in Behsud district of Maidan Wardak province and around 4000 people were displaced by Pashtun nomads.¹⁸⁷

24 March 2013: Armed Attack

On the above date, 13 Hazara travelers were shot dead in Jalrez district of Maidan Wardak province while traveling. No one took responsibility for this incident.¹⁸⁸

14 April 2014: Abduction

On the above date, 4 Hazara travelers were killed in Ajristan district of Ghazni province. The Taliban took the responsibility for this incident.¹⁸⁹

¹⁸⁴ BBC News, December 6, 2011. "Afghanistan bombs kill 58 in Kabul and Mazar-e-Sharif" <https://www.bbc.co.uk/news/world-asia-16046079>

¹⁸⁵ BBC News, Ibid.

¹⁸⁶ BBC, 6 Decmber 2011, "Afghanistan bombs kill 58 in Kabul and Mazar-e-Sharif" <https://www.bbc.com/news/world-asia-16046079>

¹⁸⁷ The Daily Afghanistan, 07 June 2012, "کوچی های مسلح صدها جلد قران کریم را به آتش کشیدند" http://www.dailyafghanistan.com/national_detail.php?post_id=124911

¹⁸⁸ Farahmand, 23 March 2015, "دویچه وله دری، 13 مسافر را در میدان وردک کشتند" <https://www.dw.com/fa-af/افراد-مسلح-13-مسافر-را-در-میدان-وردک-کشتند/a-18335642>

¹⁸⁹ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan" <https://www.refworld.org/pdfid/5799da334.pdf>

12 May 2014: Kuchi Attack

On the above date, 3 Hazara villagers were killed in Behsud district of Maidan Wardak province by Pashtun nomads.¹⁹⁰

July 2014: Armed Attack

On the above date, 15 Hazara travelers were killed on a highway to Kabul. The Taliban took the responsibility for this incident.¹⁹¹

25 July 2014: Armed Attack

On the above date, 14 Hazara travelers were killed in Ghor province by unknown gunmen. No one took responsibility for this incident.¹⁹²

September 2014: Abduction

On the above date, 1 Hazara traveler was kidnapped and then killed in Jaghori district of Ghazni province. The Taliban took the responsibility for this incident.¹⁹³

October 2014: Abduction

On the above date, 1 Hazara traveler was kidnapped and then killed in Jaghori district of Ghazni province. The Taliban took the responsibility for this incident.¹⁹⁴

Attacks Against the Hazaras under the National Unity Government, 2015 - Aug 2021

23 February 2015: Abduction

On the above date, 31 Hazara travelers were kidnapped in Zabul province. Later on 19 of them were released and 7 of them were killed in Zabul. No one took responsibility

[illegible]

¹⁹¹ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan" <https://www.refworld.org/country,,,ANNUALREPORT,AFG,55a4fa6915,0.html>

¹⁹² Reuters, 26 July 2014, “Gunmen stop minibuses, kill at least 14 in Afghanistan” <https://www.reuters.com/article/us-afghanistan-attacks-idUSKBN0FUOYG20140726>

¹⁹³ Minority Rights Group International, 2 July 2015, “State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan”.

¹⁹⁴ Minority Rights Group International, 2 July 2015, “State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan”.

for this incident.¹⁹⁵ Reports are inconsistent as to what happened to the other five, but most probably they were also released at some point.

15 March 2015: Abduction

On the above date, 10 Hazara civilians were kidnapped in the Qarabagh district of Ghazni province. Later, 9 of them reportedly were released and 1 of them was killed. No one took responsibility for this incident.¹⁹⁶

16 March 2015: Abduction

On the above date, 6 Hazara civilians were kidnapped in the Farah province by unknown insurgents. No one took responsibility for this incident.¹⁹⁷

26 March 2015: Abduction

On the above date, 20 Hazara civilians were kidnapped in the Kejran district of Daikundi province. The Taliban took the responsibility for this incident.¹⁹⁸

30 March 2015: Abduction

On the above date, 4 Hazara civilians were kidnapped in Balkh province. No one took responsibility for this incident.¹⁹⁹

1 April 2015: Abduction

On the above date, 13 Hazara civilians were kidnapped in Sare-e-Pul province. Later all of them were released. No one took responsibility for this incident.²⁰⁰

¹⁹⁵ Landinfo - Country of Origin Information Centre, 3 October 2016, "Afghanistan: Hazaras and Afghan insurgent groups" <https://www.refworld.org/publisher/LANDINFO,,,5ae1ea974,0.html>

¹⁹⁶ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan".

¹⁹⁷ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan".

¹⁹⁸ Shafaqna, 30 March 2015, "گروگان گیری هزاره ها این بار در کجران/۲۰باشنده دایکتدی در چنگال طالبان" <https://af.shafaqna.com/FA/015183>

¹⁹⁹ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan".

²⁰⁰ Minority Rights Group International, 2 July 2015, "State of the World's Minorities and Indigenous Peoples 2015 - Afghanistan".

11 April 2015: Abduction

On the above date, 12 Hazara civilians were kidnapped in Ghugiyani district of Ghazni province. No one took responsibility for this incident.²⁰¹ There are no sources as to what happened to them afterwards, but it is mostly likely that they were released afterwards.

16 June 2015: Abduction

On the above date, 8 Hazara civilians were kidnapped in Qarabagh district of Ghazni province. Later, 1 one of them was killed and 7 of them were released. No one took responsibility for this incident.²⁰²

26 June 2015: Kuchi Attack

On the above date, one Hazara civilian was killed, and one was injured in Behsud district in Maidan Wardak province by Pashtun nomads.²⁰³

11 July 2015: Kuchi Attack

On the above date, 4 Hazara civilians were killed in Behsud district in Maidan Wardak province by Pashtun nomads.²⁰⁴

July 2015: Abduction

On the above date, 4 Hazara civilians were kidnapped on the way from Jaghori to Khugiyani district of Ghazni province. Later, 4 of them were killed. The Taliban took the responsibility for this incident.²⁰⁵

11 August 2015: Abduction

²⁰¹ Hazara Genocide Archieve, 11 April 2015, "A roadside bomb blast has killed at least 12 Hazara passengers...." <https://www.hazaragenocide.com/khugiyani/>

²⁰² Mohammad Nasim Jafari, 11 March 2020, "لیست قتل عام هزاره ها در حکومت غنی احمدزی" Kabul Press. <https://www.kabulpress.org/article240764.html>

²⁰³ Shafaqna Shia News Association, 22 June 2015, "تهاجم تازه کوچی ها به بهسود چهار کشته و زخمی برجا گذاشت" <https://af.shafaqna.com/FA/52020>

²⁰⁴ Shafaqna Shia News Association, 22 June 2015, "درگیری میان کوچی ها و اهالی "دایمیرداد" بهسود / ۸ کشته و چندین زخمی" <https://af.shafaqna.com/FA/57585>

²⁰⁵ Shafaqna Shia News Association, 14 October 2015, "گروگان گیری ۵ زن و مرد شیعه هزاره در غزنی" <https://af.shafaqna.com/FA/82869>

On the above date, 4 Hazara civilians were kidnapped at Dare Qiagh in Ghazni province by unknown armed men. No one took responsibility for this incident.²⁰⁶

13 August 2015: Abduction

On the above date, 4 Hazara civilians were kidnapped in Nawur district of Ghazni province by unknown armed men and then killed. No one took responsibility for this incident.²⁰⁷

14 August 2015: Abduction

On the above date, 12 Hazara civilians were kidnapped in Qarabagh district of Ghazni province by unknown armed men. No one took responsibility for this incident.²⁰⁸

1 September 2015: Abduction

On the above date, 13 Hazara civilians were kidnapped in Zari district of Balkh province by unknown armed men. No one took responsibility for this incident.²⁰⁹

14 October 2015: Abduction

On the above date, 5 Hazara civilians were kidnapped in Gilan district of Ghazni province by unknown armed men. No one took responsibility for this incident.²¹⁰

14 October 2015: Abduction

On the above date, 7 Hazara civilians were kidnapped in Zabul province and later killed all of them. ISKP took responsibility for this incident.²¹¹

09 November 2015: Abduction

²⁰⁶ Mohammad Nasim Jafari, 11 March 2020, "لیست قتل عام هزاره ها در حکومت غنی احمدزی" Kabul Press. <https://www.kabulpress.org/article240764.html>

²⁰⁷ Radio Liberty, 13 August 2015, "At Least Eight Hazaras Kidnapped, Four Killed In Afghanistan". <https://www.rferl.org/a/eight-hazaras-kidnapped-four-killed-afghanistan/27186254.html>

²⁰⁸ Reza Sher Mohammadi, 14 August 2015 "دوچه وله دری" پشت پرده گروگانگیری ها در افغانستان کیست؟ <https://www.dw.com/fa-af/پشت-پرده-گروگانگیری-ها-در-افغانستان-کیست/a-18649399>

²⁰⁹ Kabul Now, 20 May 2021, "Timeline: Killing of Hazaras in Afghanistan" <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²¹⁰ Shafaqna Shia News Association, 14 October 2015, "گروگان گیری ۵ زن و مرد شیعه هزاره در غزنی" <https://af.shafaqna.com/FA/82869>

²¹¹ Hazara Genocide Archive, 11 April 2015, <https://www.hazaragenocide.com/khugiyani/>

23 Hazara passengers were taken hostage along Kabul-Kandahar Highway, of whom seven men and women including the 9-year-old girl named Shokria Tabbasum were brutally beheaded.²¹²

23 July 2016: Suicide Attack

Twin suicide attacks targeted a peaceful demonstration by the Hazaras in the capital Kabul, killing at least 84 and wounding at least 283 Hazara protesters. IISKP claimed responsibility.²¹³

11 October 2016: Armed Attack

Gunmen disguised in police uniforms attacked a religious ceremony in Kart-e-Sakhi neighbourhood of Kabul, killing 18 Hazaras, including women and children, and wounding 58 others.²¹⁴ We were unable to establish who claimed responsibility for this attack.

12 October 2016: Bomb Explosion

A roadside IED targeted Ashura procession in Balkh district of Balkh province, killing 14 Hazaras and wounding 70 others. ISKP claimed responsibility for the attack.²¹⁵

21 November 2016: Suicide Attack

A suicide bomber targeted Baqer ul-Uloom Mosque in the Hazara-populated western part of Kabul, killing 33 and wounding 64 Hazara worshippers. ISKP claimed responsibility for the attack.²¹⁶

January 2017: Abduction

²¹² Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²¹³ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²¹⁴ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²¹⁵ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²¹⁶ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

Unknown men took 14 Hazaras hostages in Tala-wa-Barfak District of Baghlan province and massacred all of them later.²¹⁷

01 August 2017: Suicide Attack

A suicide bomber broke into Jawadia Mosque in western Herat city and detonated his explosives. Following the suicide detonation, another gunman opened fire at worshipers. At least 29 people were killed and 64 wounded in this targeted attack.²¹⁸ We were unable to establish who claimed responsibility for this attack.

03 - 05 August 2017: Armed Attack

Over 800 ISKP and the Taliban militants attacked Mirza Olang, a Hazara village in the mountains of Sari Pul province in the north of Afghanistan, killing and dismembering more than 50 civilians including women and children.²¹⁹

25 August 2017: Suicide Attack

First group of attackers detonated explosives and blocked the gates while a second group went up to the second-floor and opened fire at the worshipers, killing 28 people and wounding over 90 Hazara worshippers in Qala-yi Najjara neighbourhood in Kabul. ISIL claimed responsibility.²²⁰

20 October 2017: Suicide Attack

An unknown gunman opened fire at a mosque, while the second one detonated his explosive at Imam Zaman Mosque in Dasht-e Barchi as they were offering Friday prayer. At least 40 men and women were killed and over 50 were injured. ISIL claimed responsibility.²²¹

²¹⁷ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²¹⁸ Author. (2017). *Herat mosque blast: IS says it was behind Afghanistan attack*. BBC News. Accessed (2022, April 29) <https://www.bbc.com/news/world-asia-40802572>

²¹⁹ Author. (2017). *Human Rights and Protection of Civilians in Armed Conflict: Special Report*. UNAMA-Kabul.

²²⁰ Author. (2017). *Bombers, gunmen attack Shia Imam Zaman mosque in Kabul*. Aljazeera. Accessed (2022, April 29) <https://www.aljazeera.com/news/2017/8/26/bombers-gunmen-attack-shia-imam-zaman-mosque-in-kabul>

²²¹ Author. (2017). *Afghan suicide mosque attacks kill scores of worshippers*. BBC News. Accessed (2022, April 29) <https://www.bbc.com/news/world-asia-41699320>

28 December 2017: Suicide Attack

A suicide bomber detonated explosives near a cultural center in Dasht-e Barchi of Kabul that belonged to the Hazara ethnicity, killing 52 men and women and injuring over 90. ISIL claimed responsibility.²²²

09 March 2018: Suicide Attack

A suicide targeted a Hazara gathering on the occasion of commemoration of Abdul Ali Mazari, a slain Hazara political leader in Kabul. At least seven people in an attack.²²³ We were unable to establish who claimed responsibility for this attack.

21 March 2018: Suicide Attack

A suicide attack bomber blew himself off during the Nawruz Festival in Hazara-populated Karta-e Sakhi area in Kabul that killed 33 Hazara and injured another 65. ISKP claimed responsibility.²²⁴

22 April 2018: Suicide Attack

A suicide bomber detonated explosives at a Tazkira registration center in Dasht-e Barchi of Kabul, killing 69 and wounding 120 Hazaras who were registering for an upcoming parliamentary election.²²⁵ We were unable to establish who claimed responsibility for this attack.

15 August 2018: Suicide Attack

A suicide bomber targeted Mawoud Educational Center in the Hazara-populated Dasht-e-Barchi of Kabul, killing at least 50 students, aged 10 to 18, and wounding 67. ISKP claimed responsibility for the attack.²²⁶

²²² Author. (2017). *Kabul blast at Afghan Voice, Tebyan Center kills dozens*. Aljazeera. Accessed (2022, April 29) <https://www.aljazeera.com/news/2017/12/28/kabul-blast-at-afghan-voice-tebyan-centre-kills-dozens>

²²³ Shalizai. H. & Aziz, M. (2018, March 09). *Suicide bomb kills at least seven at Shi'ite gathering in Kabul*. Reuters. Accessed (2022, April 29) <https://www.reuters.com/article/cnews-us-afghanistan-blast-idCAKCN1GLOWI-OCATP>

²²⁴ Author. (2018). *"No Safe Place" Insurgent Attacks on Civilians in Afghanistan*. Human Rights Watch. <https://www.hrw.org/news/2018/05/08/afghanistan-insurgent-attacks-civilians-escalate>

²²⁵ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²²⁶ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

05 September 2018: Suicide Attack

Twin suicide bombers targeted a wrestling club in Dasht-e-Barchi, Kabul, killing 35 and wounding 95. The ISKP claimed responsibility for the attack.²²⁷

10 October 2018: Armed Attack

Taliban militants attacked an anti-Taliban Hazara commander in Urozgan Khas. The clash lasted for several days. According to the Office of High Commissioner for Human Rights at the United Nations, over 100 Hazaras were killed, seven injured, and dozens of Hazara families were displaced.²²⁸

06 November 2018: Armed Attack

Taliban attacked Jaghori district of Ghazni, killing 50 civilian Hazaras.²²⁹

09 November 2018: Armed Attack

Taliban attacked Malistan district of Ghazni, killing 11 civilians Hazaras.²³⁰

21 March 2019: Bomb Explosion

A remote-controlled bomb killed six ethnic Hazaras and wounded 23 others during the Nawroz festivity in Kart-e-Sakhi neighborhood of the capital Kabul. The ISKP claimed responsibility for the attack.²³¹

17 August 2019: Suicide Attack

²²⁷ Norland, R. & Faizi, F. (2018, September 20). *Suicider!' Came the Warning. For Afghans, Wrestlers' Deaths Resound*. Accessed (2022, April 29) <https://www.nytimes.com/2018/09/20/world/asia/kabul-wrestlers-maiwand-bombing.html>

²²⁸ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²²⁹ Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²³⁰ Hasrat, A. H. (2019). *Over a Century of Persecution: Massive Human Rights Violation Against Hazaras in Afghanistan*. OHCHR.

²³¹ Tanzeem, A. (2019, March 21). *Explosions Rock Persian New Year Celebrations in Kabul Killing 6*. VoA News. Accessed (2022, April 29) <https://www.voanews.com/a/explosions-rock-persian-new-year-celebrations-in-kabul-killing-6/4840823.html>

A Hazara wedding party in Kabul was targeted by ISKP in which at least 63 people were killed and more than 200 were injured, all Hazara young, children, men, and women.²³²

02 September 2019: Abduction

Abdul Samad Amiri, the acting provincial Director of Afghanistan Independent Human Rights Commission, was kidnapped by the Taliban in the western Ghor province and was shot dead two days later on September 04.²³³

06 March 2020: Armed Attack

Unknown gunmen opened fire at the gathering during the 25th assassination anniversary of Abdul Ali Mazari, killing over 30 people and wounding another 81 men and women in the Dasht-e- Barchi area of Kabul. ISKP claimed responsibility.²³⁴

12 May 2020: Suicide Attack

Three gunmen broke into an MSF-run maternity hospital in Dasht-e-Barchi of Kabul and killed 24 ethnic Hazara mothers, newborn babies, and hospital staff. The ISKP claimed responsibility.²³⁵

24 October 2020: Suicide Attack

A suicide bomber exploded explosives at Kawsar-e-Danish, an educational institution in Dasht-e-Barchi of Kabul, killing at least 30 students, mostly aged 13 to 16, and wounding 70 others. The ISKP claimed responsibility for the attack.²³⁶

²³² Makoe, A. M. (2019, August 18). *Islamic State claims responsibility for Kabul wedding hall blast*. The Guardian. Accessed (2022, April 29) <https://www.theguardian.com/world/2019/aug/17/dozens-feared-dead-or-wounded-after-afghan-wedding-hall-blast>

²³³ Bismellah Alizada, 18 September 2019. "What peace means for Afghanistan's Hazara people" Al Jazeera English. <https://www.aljazeera.com/opinions/2019/9/18/what-peace-means-for-afghanistans-hazara-people>

²³⁴ Author (2022, March 06). *Dozens killed in Kabul ceremony attack claimed by ISIL*. Aljazeera. Accessed (2022, April 29) <https://www.aljazeera.com/news/2020/3/6/dozens-killed-in-kabul-ceremony-attack-claimed-by-isil>

²³⁵ Drury, F. (2020, May 15). *Afghan maternity ward attackers 'came to kill the mothers'*. BBC News. Accessed (2022, April 29) <https://www.bbc.com/news/world-asia-52673563>

²³⁶ Gossman, P. (2020, October 26). *Afghanistan School Bombing Targets Minority Community*. Human Rights Watch. Accessed (2022, April 29) <https://www.hrw.org/news/2020/10/26/afghanistan-school-bombing-targets-minority-community>

24 November 2020: Bomb Explosion

A twin roadside bomb explosion killed 14 Hazara men and women and wounded another 45 of them in Bamiyan province. No one claimed responsibility for this incident, but later when two men were arrested in association with these incidents, they claimed to be Taliban members.²³⁷

29 January 2021: Armed Attack

Government security forces opened fire on peaceful Hazara protesters in Maidan Wardak that killed 11 people and wounded another 31. Although this was not a terrorist attack, it was a deliberate and direct attack against the Hazaras, the perpetrators were not held accountable.²³⁸

04 March 2021: Armed Attack

Unknown gunmen murdered seven Hazara workers in the Nangarhar province. Local security officials blamed ISKP for it.²³⁹

21 April 2021: Armed Attack

Taliban militants opened fire and killed four Hazara civilians in Dawlatyar district of the western Ghor province.²⁴⁰

08 May 2021: Suicide Attack

a car bomb/vehicle-born IED went off at the gate of Sayed-ul-Shuhada Girls High School in Hazara-populated Barchi of Kabul as the students were discharged. Two more explosions were set off as the students rushed out of the school killing at least

²³⁷ Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²³⁸ Saif, S. (2021, February 08). *Afghan police chief fired over killing of 11 protesters*. Anadolu Agency. Accessed (2022, April 29) <https://www.aa.com.tr/en/asia-pacific/afghan-police-chief-fired-over-killing-of-11-protesters/2137761>

²³⁹ Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²⁴⁰ Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

90 and wounding 165, mainly school girls.²⁴¹ We were unable to establish who claimed responsibility for this attack.

19 May 2021: Abduction

Taliban singled out three Hazara passengers from a minivan and shot them dead in the Band-e Bayn area along the Ghor-Herat highway.²⁴²

01 & 02 June 2021: Bomb Explosion

Magnetic bomb targeted passengers' four minivans (public transportation) in west of Kabul on June first and second, killing at least 28 Hazara civilians and wounding another 22.²⁴³

02 June 2021: Armed Attack

Unknown gunmen opened fire and killed 11 Hazara coalminers and murdered them in Dara-i Suf in the northern province of Samangan.²⁴⁴

30 August 2021: Summary Execution

On the above date, 13 former security forces of the previous government who belonged to the Hazara ethnic group were summarily executed by the Taliban in Daikundi province after they surrendered. The victims included a 17-year-old girl.²⁴⁵

8 October 2021: Suicide Attack

²⁴¹ Gibbons-Neff, T. & Rahim, N. (2021, May 08). *Bombing Outside Afghan School Kills at Least 90, With Girls as Targets*. The New York Times. Accessed (2022, April 29) <https://www.nytimes.com/2021/05/08/world/asia/bombing-school-afghanistan.html>

²⁴² Author (2021, May 20). *Timeline: killing of Hazaras in Afghanistan*. Kabul Now. Accessed (2022, April 29) <https://kabulnow.com/2021/05/timeline-killing-of-hazaras-in-afghanistan/>

²⁴³ Gannon, K. (2021, June 11). *Afghan Hazaras being killed at school, play, even at birth*. Associated Press. Accessed (2022, April 29)

²⁴⁴ Gannon, Ibid.

²⁴⁵ Amnesty International, 5 October 2021, "Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province – new investigation", <https://www.amnesty.org/en/latest/news/2021/10/afghanistan-13-hazara-killed-by-taliban-fighters-in-daykundi-province-new-investigation/>

On the above date, more than 50 Shia worshippers were killed and more than 100 were wounded in Kunduz Province. The responsibility for the attack was claimed by the IS-KP.²⁴⁶

15 October 2021: Suicide Attack

On the above date, 40 Shia worshippers were killed and more than 70 were injured in a bomb explosion in Kandahar province. The responsibility for the attack was claimed by the IS-KP.²⁴⁷

14 November 2021: Bomb Explosion

On the above date, an explosion killed 2 Hazaras in Dasht-e Barchi, Kabul. The responsibility for the attack remains unclaimed.²⁴⁸

17 November 2021: Bomb Explosion

On the above date, 2 Hazaras were killed in a bomb explosion and 5 more wounded in Dasht-e Barchi, Kabul.²⁴⁹ The wounded medical student Latifa Omid later died on 17th January.²⁵⁰

19 November 2021: Found Dead

On the above date, the naked body of a Hazara girl was found in Bamiyan province. She was tortured and then shot. The responsibility for her death remains unclaimed.²⁵¹

11 December 2021: Bomb Explosion

²⁴⁶ BBC, 8 October 2021, "حمله مرگبار به نمازگزاران شیعه در قندوز؛ داعش مسئولیت گرفت", <https://www.bbc.com/persian/afghanistan-58844625>

²⁴⁷ BBC, 16 October 2021, "Afghanistan: Suicide attack hits Kandahar mosque during prayers", <https://www.bbc.com/news/world-asia-58925863>

²⁴⁸ EtilaatOz, 14 November 2021, "حمید سیفانی، خبرنگار تلویزیون آریانانیوز در انفجار امروز در کابل جان باخته است", <https://www.etilaatroz.com/132859/an-ariana-news-tv-reporter-was-killed-in-an-explosion-in-kabul-today/>

²⁴⁹ BBC, 17 November 2021, "انفجار در محله شیعه‌نشین در غرب کابل دو کشته و پنج زخمی بر جا گذاشت", <https://www.bbc.com/persian/afghanistan-59320354>

²⁵⁰ Asvaka News, 22, January 2021, "لطیفه امیدی که در انفجاری دو ماه قبل در غرب کابل زخمی شده بود، شب گذشته در گذشت", <https://asvakanews.com/afghanistan/4527/>

²⁵¹ Rukhshana Media, 16 November 2021, "The naked body of a dead woman was found in Bamiyan province", <https://rukshana.com/en/the-naked-body-of-a-dead-woman-was-found-in-bamiyan-province>

On the above date, three simultaneous bomb explosions took place in West Kabul, as a result of which 2 Hazaras were killed and 4 more wounded. IS-K claimed responsibility for the attacks.²⁵²

14 January 2022: Armed Attack

On the above date, Zainab Abdullahi, a Hazara female traveler was shot dead by a Taliban soldier at a checkpoint in Dasht-e Barchi, Kabul. The Taliban accepted responsibility for the shooting and compensated her family.²⁵³

17 January 2022: Armed Attack

On the above date, the Taliban shot dead a Hazara man named Dr Rajab Jalali and his driver in the Jibrail district of Herat.²⁵⁴

18 January 2022: Found Dead

On the above date, the Hazara women's rights activist Hanifa Nazari and a Hazara civil activist Mahdi Wahidi were found dead in Mazar-e Sharif and Baghlan provinces. Mrs. Nazari was a leading organizer of protests against the Taliban in Mazar-e Sharif. The responsibility for her death remains unclaimed.²⁵⁵

20 January 2022: Armed Attack

On the above date, Murtaza Sajadi and Ali Sajad Mohammadi, boxer and Muay Thai professionals, respectively, were shot dead by the Taliban in Kabul.²⁵⁶

22 January 2022: Suicide Attack

²⁵² BBC, 11 December 2021, "داعش مسئولیت حملات به خودروهای شخصی در غرب کابل را برعهده گرفت", <https://www.bbc.com/persian/afghanistan-59612159>

²⁵³ Etilaat-e Ruz, 14 January 2022, "وزارت داخله طالبان به خانواده‌ی زینب عبداللهی مبلغ ۶۰۰ هزار افغانی داد", <https://www.etilaatroz.com/135070/taliban-moi-paid-600000-afghanis-to-zainab-abdullahi-family/>

²⁵⁴ Etilaat-e Ruz, 17 January, 2022, "دو غیرنظامی به‌شمول یک داکتر در تیراندازی نیروهای طالبان در شهر هرات کشته شدند", <https://www.etilaatroz.com/135021/two-civilians-were-killed-in-taliban-shooting-in-the-city-of-herat/>

²⁵⁵ Clearance Jobs, 20 January 2022, "As More Protestors Die or Disappear in Afghanistan, Who Still Dares to Speak Up?", <https://news.clearancejobs.com/2022/01/20/as-more-protestors-die-or-disappear-in-afghanistan-who-still-dares-to-speak-up/>

²⁵⁶ Al-Arabia Farsi, 22 January, 2022, "قتل مشکوک دو ورزشکار در کابل در دو حادثه جداگانه", <https://farsi.alarabiya.net/sport/2022/01/22/-ورزشکار-در-کابل-کشته-شدن-مشکوک-دو-ورزشکار-در-کابل/>

On the above date, 6 Hazaras were killed, and 10 more were injured in a bomb explosion in Herat Province.²⁵⁷

25 February 2022: Found Dead

On the above date, a Hazara man named Azizullah Wafa was found dead in the west of Kabul. The responsibility for his death remains unclaimed.²⁵⁸

01 March 2022: Armed Attack

On the above date, a Hazara man named Imamuddin Changezi was shot dead by the Taliban in Taloqan city of Takhar province because of his brother who used to work in the security sector. He was an ex-employee of Maiwand Bank.²⁵⁹

03 March 2022: Found Dead

On the above date, two Hazara students named Sharifa and Fatima, aged 16 and 17 were abducted on 26 February and found dead on 03 March in Shadiyan of Mazar-e Sharif. The responsibility for their abduction and death remains unclaimed.²⁶⁰

06 March 2022: Found Dead

On the above date, a Hazara teenage girl's body was found in west Kabul. Based on the report, she was raped before being shot. The responsibility for her death remains unclaimed.²⁶¹

31 March 2022: Found Dead

²⁵⁷ Etilaatroz, 22 January 2022, "انفجار در شهر هرات شش کشته و ۱۰ زخمی بر جای گذاشت", https://www.etilaatroz.com/135248/blast-in-herat-left-six-dead-and-10-injured/?fbclid=IwAR0JY8psxMzB00yyX4mxCuKy_MM5OW-QwPlgncHXB_27fdUJcX_DGq3E4IY

²⁵⁸ Subh-e Kabul, 25 February 2022, "در ادامه ی قتل های هدفمند؛ تفنگداران ناشناس یک جوان را در غرب کابل کشتند", https://subhekabul.com/رهاب/gunmen-killed-a-men-in-west-of-kabul-city/?fbclid=IwAROMZAcRXG-IOj2dR6zWbLb08OkLMYHAIhkjETHWXEqXvUPF_vx4ZM3fK_8

²⁵⁹ Saleha Sodat (well-known journalist) twitter account, 02 March 2022, <https://twitter.com/SalehaSodat/status/1498860648255660032>

²⁶⁰ Rukhshana Media, 06 March 2022, "اجساد تیرباران شده ی دو دختر دانش آموز از دشت شادیان مزار شریف پیدا شد", <https://rukshana.com/the-shot-dead-bodies-of-two-female-students-were-found-in-the-shadian-plain-of-mazar-e-sharif>

²⁶¹ 8am Daily, 07 March 2022, "کشف جسد یک دختر جوان در غرب کابل", <https://8am.af/discovery-of-the-body-of-a-young-girl-in-western-kabul/>

On the above date, Dr Hassan Qanoni, an ethnic Hazara and an ex-military medical doctor, was found dead in Jebrail, Herat. He was abducted three days before, on March 28, 2022. The responsibility for his abduction and death remains unclaimed.²⁶²

01 April 2022: Summary Execution

On the above date, a Hazara woman and a man named Nafisa Balkhi and Mohammad Ghulami were arrested and executed by the Taliban in Mazar-e Sharif. They were executed for violating the Taliban's bylaws of gender segregation.²⁶³

01 April 2022: Suicide Attack

On the above date, 10 Hazara were killed and 40 more injured in a bomb explosion in Hazara-populated Jibrael township of Herat province.²⁶⁴ We were unable to establish who claimed responsibility for this attack.

06 April 2022: Summary Execution

On the above date, 2 Hazara ex-members of security forces were executed by the Taliban in Qizilabad, Balkh province.²⁶⁵

19, April 2022: Suicide Attack

On the above date, 126 Hazaras were killed and 60 wounded in the attack at the Abdur Rahim Shaheed High School and Mumtaz Tuition Center, Kabul. The responsibility for the attack remains unclaimed.²⁶⁶

21 April 2022: Suicide Attack

²⁶² Etilaat-e Ruz, 31 March 2022, "جسد سوخته‌ی یک نظامی حکومت پیشین در هرات پیدا شد", <https://www.etilaatroz.com/139620/burnt-body-of-former-government-soldier-was-found-in-herat/>

²⁶³ Mukhtar Wafayi, Independent Farsi, 02 April 2022, "یک قابله و یک دارو فروش در شهر مزارشریف تیرباران شدند", <https://www.independentpersian.com/node/227276/سیاسی-و-اجتماعی/یک-قابله-و-یک-دارو-فروش-در-شهر-مزارشریف-تیرباران-شدند>

²⁶⁴ Subh-e Kabul, 01 April 2022, "انفجار در شهرک جبرئیل هرات، دستکم ۱۰ کشته و ۴۰ زخمی به جا گذاشت", <https://subhekabul.com/خبرها/explosion-in-jibril-town-herat/>

²⁶⁵ Maryam Mustafawi (journalist) Twitter account, 06 April 2022, <https://twitter.com/MaryamMustafavi/status/1511753805024661509>

²⁶⁶ Rukhshana Media, April 2022. https://rukshana.com/126-people-were-killed-and-73-were-injured-in-attack-on-abdul-rahim-shahid-school?fbclid=IwAR1I9Kg1ns6-fD7Aq2IHwe-bwKcxli2OHR8zzB_IOrBEn21BGyc97llwbo

On the above date, reports show that at least 37 Hazaras were killed (other sources put it above 50) and at least 60 more wounded (other sources put it at over 100) in a suicide attack on Seh Dukan Mosque in Balkh Province. IS-KP claimed responsibility for the attack.²⁶⁷

26 April 2022: Armed Attack

On the above date, 5 Hazara mine workers were shot dead, and one worker was injured by unknown gunmen in Samangan province, Afghanistan.²⁶⁸

28 April 2022: Bomb Explosion

On the above date, 13 Hazara passengers were killed, and 20 were injured in explosions in Balkh Province. The IS-K took responsibility for the blast.²⁶⁹

30 April 2022: Bomb Explosion

On the above date, 3 Hazara women passengers were killed and 2 more wounded in an explosion targeting a minivan in West Kabul. The responsibility for the attacks remains unclaimed.²⁷⁰

²⁶⁷ Daily Etilaatroz Daily, April 21, 2022. <https://www.etilaatroz.com/141033/deadly-attack-on-shiites-in-balkh-the-death-toll-rose-to-37-and-60-wounded/>; Alsl, Hasht-e Subh Daily, April 21, 2022: <https://8am.af/hazaras-bloody-thursday-are-the-taliban-sponsors-of-attacks-or-spectators/>

²⁶⁸ DW, 27 April 2022, "افراد مسلح پنج کارگر هزاره را در ولایت سمنگان تیرباران کردند", <https://www.dw.com/fa-af/افراد-مسلح-پنج-کارگر-هزاره-را-در-ولایت-سمنگان-تیرباران-کردند/a-61607444>

²⁶⁹ BBC, 28 April 2022, "دو انفجار در مزارشریف 'دستکم ۹ کشته' بهجا گذاشت؛ 'هدف شیعیان بوده است'", <https://www.bbc.com/persian/afghanistan-61258883>

²⁷⁰ Daily Etilaatroz, 30 April 2022, "آمار ابتدایی تلفات انفجار در غرب کابل؛ سه زن کشته و دو زن زخمی شدند", <https://www.etilaatroz.com/141645/preliminary-statistics-of-blast-casualties-in-western-kabul-three-women-were-killed-and-two-were-injured/>

Appendix B: Experts Called for Oral Evidence Sessions

23 May 2022

Professor Gregory Stanton

Akram Gizabi

Fatima Faizi

Jawad Zawlustani

17 May 2022

Dr Saleem Javed

Fatima Atif

Inayat Balkhi

5 April 2022

Nilofar Morai

Dr Melissa Chiovenda

Dr Niamatullah Ibrahimi

Prof William Maley



Early morning in Kabul (Photo credit: Mohammad Rahmani/Unsplash)

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