

9 October 2021

Emeritus Professor William Maley
The Hedley Bull Centre
130 Garran Road
Acton ACT 2601 Australia
Tel: +61416067030
Email: William.maley@anu.edu.au

On the Return of Hazaras to Afghanistan

1. I have been asked to provide an expert opinion on the safety of return to Afghanistan for members of the Hazara minority. I am an Emeritus Professor of The Australian National University, where I served as Professor of Diplomacy from 2003-2021. I have published extensively on Afghan politics for over three decades, and am author of *Rescuing Afghanistan* (London: Hurst & Co., 2006); *The Afghanistan Wars* (London and New York: Macmillan, 2002, 2009, 2021); *What is a Refugee?* (New York: Oxford University Press, 2016); *Transition in Afghanistan: Hope, Despair and the Limits of Statebuilding* (New York: Routledge, 2018); and *Diplomacy, Communication, and Peace: Selected Essays* (New York: Routledge, 2021). I have also written studies of *The Foreign Policy of the Taliban* (New York: Council on Foreign Relations, 2000) and *Transitioning from military interventions to long-term counter-terrorism policy: The case of Afghanistan (2001-2016)* (The Hague: The International Centre for Counter-Terrorism, 2016); co-authored *Regime Change in Afghanistan: Foreign Intervention and the Politics of Legitimacy* (Boulder: Westview Press, 1991); *Political Order in Post-Communist Afghanistan* (Boulder: Lynne Rienner, 1992); and *Afghanistan: Politics and Economics in a Globalising State* (London: Routledge, 2020); edited *Fundamentalism Reborn? Afghanistan and the Taliban* (New York: New York University Press, 1998, 2001); and co-edited *The Soviet Withdrawal from Afghanistan* (Cambridge: Cambridge University Press, 1989); *Reconstructing Afghanistan: Civil-military experiences in comparative perspective* (New York: Routledge, 2015); and *Afghanistan – Challenges and Prospects* (New York: Routledge, 2018), I authored the entry on Hazaras in John L. Esposito (ed.), *The Oxford Encyclopedia of the Islamic World* (New York: Oxford University Press, 2009) Vol.II, pp.385-386. I visited Afghanistan most recently in October 2019.

2. The overarching development that has made it *extraordinarily* unsafe to return members of the Hazara ethnic minority to Afghanistan was the fall of the Afghan government to forces of the extremist Taliban movement on 15 August 2021. The violent tactics of the Taliban comfortably fall within meaningful definitions of terrorism (see William Maley, 'Terrorism and insurgency in Afghanistan', in M. Raymond Izarali and Dalbir Ahlawat (eds), *Terrorism, Security and Development in South Asia: National, Regional and Global Implications* (London: Routledge, 2021) pp.140-156); scarcely less damning, but also accurate, is Peters' description of the Taliban as a 'multinational criminal cartel' (Gretchen S. Peters, 'Taliban's takeover of Afghanistan raises narcotics threat in the region', *Global News*, 9 September 2021). The Taliban have a long history of directing extreme violence against Hazaras. Some 2,000 Hazaras were killed in just three days in August 1998 in Mazar-e Sharif, in a massacre that the respected author Ahmed Rashid described as 'genocidal in its ferocity' (Ahmed Rashid, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia* (New Haven: Yale University Press, 2000) p.73). The Australian National University's Atrocity Forecasting Project has ranked Afghanistan in the top five countries in the world at risk of genocide or politicide in 2021-23 (<https://politicsir.cass.anu.edu.au/research/projects/atrocity-forecasting/forecasts>). It is a fundamental misconception to see the Taliban as a source of 'security'; as Ahmad Shuja, former Editor-in-Chief of the *Georgetown Public Policy Review*, rightly put it on social media on 8 October 2021, 'Governments have monopoly of force. Talibs have monopoly of violence. This informs their concept of security: There is to be no crime except that by Talibs, no theft except that by Talibs, no killing except that by Talibs.' He described this as a model of 'public administration through fear'.

3. There is, of course, a long history of persecution of and discrimination against members of the Hazara Shiite minority in Afghanistan (see Niamatullah Ibrahim, *The Hazaras and the Afghan State: Rebellion, Exclusion and the Struggle for Recognition* (London: Hurst & Co., 2017).) In more recent times, the disposition of extremists to strike at them did not disappear – and, importantly, it preceded the emergence of 'Islamic State' (ISIS/ISKP). This was tragically demonstrated on 6 December 2011, when a suicide bomber attacked Shiite Afghans, most of them Hazaras, at a place of commemoration in downtown Kabul during the *Ashura* festival that marks the anniversary of the Battle of Karbala in 680 AD. Almost simultaneously, a bomb in Mazar-e Sharif also killed Afghan Shia. The Kabul bomb killed at least 55 people, and the Mazar bomb four more (see Hashmat Baktash and Alex Rodrigues, 'Two Afghanistan bombings aimed at Shiites kill at least 59 people', *Los Angeles Times*, 7 December 2011). The Afghan photographer Massoud Hossaini was awarded the 2012 Pulitzer Prize for his photograph of the aftermath of the Kabul atrocity (see www.pulitzer.org/works/2012-Breaking-News-Photography). A claim of responsibility was made by the Pakistani Sunni extremist group *Lashkar-e Jhangvi*, which has a long history of sectarian violence against Shia (see Muhammad Qasim Zaman, 'Sectarianism in Pakistan: The Radicalization of Shi'i and Sunni Identities', *Modern Asian Studies*, vol.32, no.3, 1998, pp.689-716). The key point to note is that no one with any knowledge of Afghanistan could seriously doubt that Hazara Shia were specifically targeted on this occasion. Unfortunately, the targeting of Hazaras was not limited to fringe or splinter groups.

4. From late October 2018, Taliban forces undertook coordinated attacks against Hazaras in Khas Uruzgan, Malestan and Jaghori. Many Hazara asylum seekers in western countries originate from these districts. The districts were, however, of no military significance, and the attacks made more sense as symbolic strikes designed to highlight the inability of the Afghan state effectively to protect members of a vulnerable ethnic and sectarian minority, and as punishment for the relatively tolerant and liberal lifestyle of these communities, far removed from the puritanical extremism of the Taliban (Rod Nordland, 'Bodies Pile Up as Taliban Overrun Afghan Haven', *The New York Times*, 13 November 2018). On 12 November 2018, as Hazara protestors gathered in Kabul to protest the relative inaction of the Afghan government in face of these attacks, a suicide bomber struck the protesters, killing at least six people (Sayed Salahuddin and Sharif Hassan, 'Shiites protesting insecurity in Afghanistan hit by explosion in Kabul, killing 6', *The Washington Post*, 12 November 2018). The targeting of these districts completely discredited the narrative that they constituted 'safe' areas to which Hazaras could reasonably be expected to return.

5. Since 15 August 2021, the Taliban have been involved in further massacres of Hazaras, prompting the Secretary-General of Amnesty International to warn that 'These targeted killings are proof that ethnic and religious minorities remain at particular risk under Taliban rule in Afghanistan' (*Afghanistan: Taliban responsible for brutal massacre of Hazara men – new investigation* (London: Amnesty International, 19 August 2021)). The Taliban have also been involved in 'ethnic cleansing' operations, most prominently in the provinces of Daikundi, where large numbers of Hazaras live, and in Uruzgan. The Taliban have sought to dress these up as 'land disputes', but forced evictions have occurred without any kind of legal basis or process, highlighting the essentially-political character of the exercise (see Sune Engel Rasmussen and Ehsanullah Amiri, 'Taliban Evict Hazara Shiite Muslims From Villages, Rewarding Loyalists', *The Wall Street Journal*, 30 September 2021).

6. When the Taliban regime announced the names of its key ministers, the list was carefully parsed for any signs of 'inclusivity'. There were none. The ministry was overwhelmingly comprised of ethnic Pushtuns, and contained no women, no Hazaras, and no Shia. A number of members were on the 'sanctions list' compiled by the UN pursuant to UN Security Council Resolution 1988 of 17 June 2011; and the 'Interior Minister', Sirajuddin Haqqani, is leader of the terrorist 'Haqqani Network' (see Wahid Brown and Don Rassler, *Fountainhead of Jihad: The Haqqani Nexus, 1973-2012* (New York: Oxford University Press, 2013), and appears on the FBI 'Most Wanted' list as a 'specially-designated global terrorist' with a reward of US\$10 million on offer for information as to his whereabouts. Such a regime has no prospect of ruling with generalised normative support ('legitimacy'); high levels of violence, directed either at known opponents or at symbolic targets such as Hazaras, to demonstrate the regime's coercive capacity, are very likely.

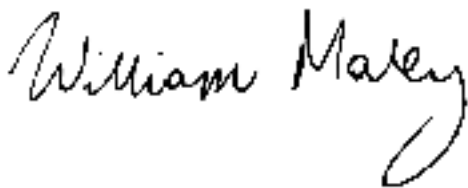
7. With the Taliban asserting a right to control the whole country, and in the light of the successful military campaign that brought them to Kabul, there is now *nowhere* in Afghanistan that can be considered safe for Hazaras.

8. The emergence in Afghanistan of the group known as 'Islamic State', 'ISIS', 'ISKP' or 'Daesh', which the former Australian prime minister routinely described as a 'death cult', has recently attracted considerable notice. Reports that depict the Taliban and ISIS as intractable enemies are simplistic (see Niamatullah Ibrahim and Shahram Akbarzadeh, 'Intra-Jihadist Conflict and Cooperation: Islamic State–Khorasan Province and the Taliban in Afghanistan', *Studies in Conflict and Terrorism*, vol.43, no.12, 2020, pp.1086-1107). ISIS is notoriously hostile to Shiite Muslims (see Alissa J. Rubin, 'Questions Rebels Use to Tell Sunni from Shiite', *The New York Times*, 24 June 2014), and for this reason, it is not surprising that Afghan Shia have been profoundly disturbed to see metastases from ISIS appearing in Afghanistan. This is a threat that should be treated very seriously. Afghanistan has a long history, of which the Taliban movement is simply a recent manifestation, of groups taking shape around ideas (or charismatic figures propounding them) that have originated in other parts of the Muslim world. Wahhabi influences appeared in the 19th century, and Deobandi ideas in the 20th. Given the disruptions of the last four decades, Afghanistan's soil is remarkably fertile for implantations of this kind, and given the weaknesses of the state, even groups that have only a relatively small number of supporters may be able to cause mayhem for vulnerable elements of the population such as the Shia. This was brutally demonstrated on 23 July 2016, when a peaceful demonstration by Hazaras associated with the so-called 'Enlightening Movement' (*Jumbesh-e Roshnayi*) over the routing of a proposed electricity system was struck by a suicide bombing. Some 85 people were left dead, and 413 injured ('UN Chief in Afghanistan renews Call for Parties to Protect Civilians — UNAMA Releases Civilian Casualty Data for Third Quarter of 2016' (Kabul: UNAMA, 19 October 2016) p.2), ISIS claimed responsibility for what it called 'a "martyrdom attack" on Shiites' (Mujib Mashal and Zahra Nader, 'ISIS Claims Suicide Bombing of Protest in Kabul, Killing at Least 80', *The New York Times*, 24 July 2016, p.A6). Attacks on Shia persisted following the Taliban takeover: on 8 October 2021, a blast ripped through the Sayedabad Mosque in Kunduz, killing large numbers of Shia ('Blast hits mosque in northeastern Afghanistan, killing worshippers', *Reuters*, 8 October 2021).

9. The implications of these attacks are profound. They put on display a commitment to attack on the basis of religious identity, plainly engaging one of the bases of refugee status under Article 1.A(2) of the 1951 *Convention Relating to the Status of Refugees*; and they highlight particular dangers for Hazaras, who are overwhelmingly Shiite, are physically distinctive because of their East Asian phenotypes, and make up the vast bulk of the Shiite component of the Afghan population.

10. In September 2017, the Department of Foreign Affairs claimed in a Thematic Report specifically prepared for protection status determination purposes that 'ordinary Hazaras who reside in Hazara-majority areas of Kabul and do not have open affiliations with the government or international community ... are unlikely to face any greater threat than are Afghans of other ethnicities' (*DFAT Thematic Report: Hazaras in Afghanistan*, 18 September 2017, para.2.26). Such conclusions are now completely untenable. On 27 June 2019, the Department of Foreign Affairs, in a further Thematic Report that replaced its September 2017 report, stated that 'Since mid-2016, however, militants have conducted an ongoing series of major attacks against Shi'a targets, including political demonstrations and religious gatherings' (para.3.32). It went on to state that 'DFAT assesses that Shi'a face a high risk of being targeted by ISKP and other militant groups for attack based on their religious affiliation when assembling in large and identifiable groups, such as during demonstrations or when attending mosques during major religious festivals. This risk increases for those living in Shi'a majority or ethnic Hazara neighbourhoods in major cities such as Kabul and Herat' (para.3.35). This warning coincided with the conclusions of scholarly analysis (see Melissa Kerr Chiovenda, 'Discursive Placemaking and Acts of Violence: The Dasht-e Barchi Neighborhood Of Kabul, Afghanistan', *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, vol.48, nos.1-2, Spring-Summer 2019, pp.13-49). As Patricia Gossman, Senior Afghanistan Researcher at Human Rights Watch has put it, 'ISIS has stepped up its horrific and unlawful attacks on Shia public gatherings, making no place safe' ('Afghanistan: Shia Bombing Spotlights Need to Protect' (Kabul: Human Rights Watch, 21 November 2016)).

11. It would be naïve to think that groups such as the Taliban and ISIS would look at all kindly on people from Afghanistan who have lived for any length of time in Western countries. Such people are often recognisable from subtle changes in gesture and language of which they themselves may be completely unaware, and which can attract the derogatory label *gharbzadeh*, the use of which can in turn activate a melange of prejudices and animosities that can put people in real peril. The relatively-polished public relations of the Taliban (see William Maley, 'The Public Relations of the Taliban: Then and Now', *Perspectives*, International Centre for Counter-Terrorism – The Hague, 17 September 2021) should not distract attention from their fundamentally anti-Western orientation. Afghans who have lived for years in Western countries such as Australia would likely be regarded with deep suspicion on that basis alone, and this would be especially dangerous for Shiite Hazaras.

A handwritten signature in black ink that reads "William Maley". The signature is written in a cursive, flowing style with a large, sweeping flourish at the end of the name.

Emeritus Professor William Maley, AM FASSA FAIA