



**Afghanistan Independent Human Rights Commission**

**Summary of the Report on Civilian Casualties in  
Armed Conflict in 1396**

**Special Investigation Team**

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Humanitarian law is a set of rules and principles that relate to the behavior of states and warring parties, aiming to limit the horrendous and bitter effects of armed conflict, maintain respect for the dignity of mankind, protect persons who are not or are no longer participating in the hostilities, hold individuals responsible for violation of humanitarian law. International humanitarian law strives to minimize human suffering and the damage caused by war. During the war, bitter events occur, but humanitarian law aims to preserve humanitarian spirit and dignity of human being, and pursuing this goal, penalties have been imposed on those who violate humanitarian law.

All member states of the International Humanitarian Law have committed themselves to comply with all humanitarian customary and contractual laws applicable in armed conflicts. The Government of Afghanistan is a member of the Four Geneva Conventions of 1949 as well as the two Additional Protocol of 1977. The Afghan government acceded the Rome Statute of the International Criminal Court in 2003. According to the Rome Statute, which describes the formation of this Court, the gross violation of the provisions of the Fourth Geneva Convention is considered a war crime.

In these international documents, emphasis have been made on the protection of civilians, including the protection of civilians in armed conflict and the prohibition of attacks on civilians, residential areas and public facilities established for the civilian population, Therefore, according to IHL, all parties involved in the armed conflict in Afghanistan are required to avoid causing casualties and damages to the lives and property of civilians, and to fully comply with the norms and standards of international human rights law that is protecting civilians, especially women and children. Moreover, the warring parties are morally and legally bound to take special measures to protect civilian individuals during armed conflict.

The AIHRC seeks to record and document all incidents of civilian casualties. The AIHRC's monitoring team who cover almost all the provinces in the eight regional offices and six provincial offices in almost all provinces of the country, have always been trying to visit the site of incidents as far as possible, talk closely with the victims and eyewitnesses, and document the dimensions and details of the cases through photography, filming and writing reports. This report is the result of the analysis of the information collected by regional monitors of the AIHRC and reserved in the central database of the AIHRC.

The findings of the report of 1396 show that the parties involved in armed conflicts, especially anti-government armed groups, have not paid much attention to human rights and humanitarian law, and have used tactics and war methods that increase

civilian casualties. As a result, civilian casualties in Afghanistan have continued throughout the year 1396, as well as serious damages have been inflicted on the lives, health and civilian assets. In the following some of the most important findings of the AIHRC are listed, but it is worth mentioning that, despite the efforts of the AIHRC's monitors, the findings of the report do not include all civilian casualties and victims of armed conflict, possibly, some civilian casualties may not be reflected in this report.

**The Casualties:** The total number of civilian casualties during the year 1396 amounted to 9,413 people. Among them, the number of deaths was 3,239 and the number of injured was 6,174 people. 4,141 of them were men, 803 of them (8.5%) were women, 2,692 of them (28.5%) were children, and the age and sex of 1,777 others (18.8%) were unclear. These figures indicate that causality rates are higher for men than for women. After men, children have the most casualties and women are in the third stage. The proportion of deaths to total casualties is higher among men than women and children, while 47.3% of all civilian casualties among men are killed, this proportion is 38.1% for women and 12.5% for children.

**Comparison with 1395:** Compared to 1395, the death toll has increased about 15% , but the injured figure has decreased by 21%, while total number of casualties decreased by 9%. The death toll in 1395 made up 26.6% of the total civilian casualty, the death toll in 1396 reached 34.4% of the total casualties. This increase in the death toll could mean that armed conflicts are more intense and more deadly, resulting in more deaths.

**Geographical distribution of civilian casualties:** The number of civilian casualties in different geographical areas of Afghanistan varies. In 1396, the highest casualties were in the southwest zone with 3,195 people (33.9%) and central zone with a figure of 1,868 people (19.8%) comes in the second stage. The eastern zone, with 1,561 people (16.6%), is in third place. The western zone with 1,110 people (11.8%), the northern zone with 662 people (7%) the southern zone with 627 people (6.7%) and the northeast zone with 390 people (4.1%) come next.

**Perpetrators of Civilian casualties:** According to the AIHRC's findings, the perpetrators of more than a quarter of civilian casualties, 26.6%, remain unknown. 65.2% of all civilian casualties is related to anti-government armed groups, and other 7.8% attributes to government and pro-government forces. 0.4% was also caused by rocket shelling by Pakistani forces. Compared to 1395, the percentage of unknown perpetrators has increased by 46%, which could be due to the lack of access of the AIHRC's staff to distant areas as well as the anonymity of the victims

due to the use of more powerful explosive devices. The Pakistani forces fired 41 rockets on the eastern border, which is 66% more than that in 1395 (17 rockets).

**Anti-government armed groups:** Anti-government armed groups are the main factor in causing civilian casualties. Of the 65.2% of civilian casualties carried out by anti-government armed groups, 57% of it (5,370 cases) are attributed to the Taliban, including the Haqqani Network, and 8.1% (764 cases) to IS. Compared to last year, the Taliban's share in civilian casualties fell by about 7%, but ISIS's share increased by about 30%. In the civilian casualties caused by the Taliban, 36.7% of the total casualty was death, but the civilian casualties that ISIS was responsible for, the deaths represent 42.8% of the total casualties. These differences can mean that ISIS actions against civilians have intensified, and that the group has used stronger explosive devices and more deadly techniques.

**Pro-Government Forces:** During this reporting period, 736 civilians were killed and wounded by the attacks carried out by Afghan National Defense and Security Forces and international forces. The share of the Afghan National Defense and Security Forces to civilian casualties has been, 6,8% = 641 people, and the share of international forces was 1% = 95 people. Comparison of the statistics over the past two years shows that the involvement rate of government and pro-government forces in committing casualties has dropped by about 45% since 1395, which is a significant achievement.

**Civilian casualties based on the type of incidents:** According to the findings of the AIHRC in 1396, out of total civilian casualties, 3,001 of them (31.9%) occurred by suicide attack, 1,840 (19.5%) from land wars, 1,436 (15.3%) as a result of roadside mines, 1,255 cases (13.3%) were due to terror and killing and 1,400 case were (14.9%) as a result of rocket attacks and 481 (5.1%) as a result of air strikes.

**Comparison of the type of incidents with the previous year:** Civilian casualty figures have changed according to the type of incidents compared with the previous year; the share of suicidal and complex attacks has increased by 28%. The share of suicide attacks in killing civilians, from 25% in 1395 reached about 32% in 1396. The share of other factors of civilian casualties has fallen since last year. Meanwhile, the share of assassinations and murder is around 15%, and the share of war and land clashes has fallen slightly by over 11%. The reduction in the share of other factors is not noticeable.

**The attack on the media:** Following the formation of a joint media and government committee, the process of handling cases of violence against journalists and reporters has been speeded up. At the same time, there are still serious challenges in the field of free media activity, and the Afghan government

has not been successful in ensuring the security of journalists and media workers. According to Nai, supporter of open Media, the number of violent incidents against media activists in 2017 has reached 166 cases, including 21 deaths.

**Targeted attacks:** In recent years, targeted and pre-planned targeted attacks against particular strata of civilians have increased. According to data gathered by the AIHRC, since July 1394, ISIS attacks against Afghan Shia Hazara have continued in 1396 and as a result of targeted attacks of this group 550 people of Shia Hazara were killed and injured in Kabul, Herat and Mirzaulang of Sar-e-Pul.

**Preventive measures:** The Afghan government has taken good steps to prevent and reduce civilian casualties, including the approval of "National Policy to Reduce Civilian Casualties", and establishment of "Board of Civilian Casualties Prevention and Reduction Board ". Probably because of these actions, the proportion of pro-government forces' involvement to civilian casualties in 1396 was 45% lower than in the previous year. Some anti-government armed groups such as the Taliban, although have emphasized the protection of civilians in their press releases, but the forces belonging to these groups practically use methods and tactics that results in the increase in civilian casualties.

**Final Conclusion:** The AIHRC while being deeply concerned about the spread of insecurity, the intensification of violence and increase of the civilian casualties, urges all warring parties to respect international humanitarian law during the armed conflict and protect the lives and property of individuals and civilian populations. The AIHRC emphasizes that the Government of Afghanistan and the anti-government armed groups are required to comply with all the provisions of the Rome Statute, and since the International Court of Justice has officially begun investigating human rights violations in Afghanistan since the fall of 1396, it can be hoped that in the near future the ground for prosecuting and punishment of humanitarian abusers will be paved.