



**PROTECTION OF CIVILIANS IN ARMED CONFLICT:
ATTACKS AGAINST PLACES OF WORSHIP, RELIGIOUS LEADERS AND WORSHIPPERS**

This Protection of Civilians in Armed Conflict special report *Attacks against Places of Worship, Religious Leaders and Worshippers* documents a disturbing increase in attacks against places of worship, religious leaders and worshippers, particularly attacks targeting Shi'a Muslim congregations. Anti-Government Elements are responsible for nearly all such attacks.

Since 1 January 2016,¹ the UN Assistance Mission in Afghanistan (UNAMA) documented 51 incidents of: attacks against places of worship and persons exercising their right to religious worship, observance, and practice and targeted killings, abductions, and intimidation of religious scholars and religious leaders, mainly by Anti-Government Elements. These incidents resulted in 850 civilian casualties (273 killed and 577 injured),² nearly double the number of civilian casualties recorded in such attacks during the entire previous seven-year period from 2009 to 2015.³ In addition to direct attacks against religious leaders and mosques, in 2016 and 2017 parties to the conflict increasingly targeted individuals perceived as military targets whilst worshipping inside mosques and at other religious sites, resulting in the death of 28 civilians and injury of 15 more.

The unprincipled brutality of such attacks is reflected in the appalling human cost. Most recently, on 20 October 2017, a suicide attacker lobbed a grenade into the women's section of an Imam-e-Zaman Shi'a mosque in Kabul city and detonated his suicide vest in the second row of worshippers, killing 57 worshippers and injuring another 55, including women and children. Islamic State – Khorasan Province (ISKP)⁴ claimed responsibility.

In advance of Arba'een commemorations which take place later this week -- at the end of the 40 days mourning after Ashura -- UNAMA calls upon Anti-Government Elements to immediately cease targeting of worshippers and religious leaders. UNAMA commends the Government of Afghanistan for recent enhanced efforts to protect places of worship and urges the dedication of necessary resources for additional measures to protect all Afghans exercising their right to freedom of religion or belief, especially those vulnerable to sectarian attacks.

Attacks against places of worship

Since 1 January 2016, attacks directed against mosques, shrines and other places of worship caused 737 civilian casualties (242 killed, 495 injured), the vast majority Shi'a Muslim worshippers⁵ killed or injured by suicide attacks conducted by Anti-Government Elements, particularly ISKP.

Prior to 2016, UNAMA rarely recorded Anti-Government Elements undertaking deliberate attacks against Shi'a Muslims. Between 1 January 2009 and 31 December 2015, UNAMA documented five incidents against Shi'a Muslims, although the perpetrators and motives behind most incidents were

¹ This report covers the period 1 January 2016 to 7 November 2017.

² UNAMA recorded 87 women civilian casualties (24 killed and 63 injured) and 145 child casualties (24 killed and 121 injured) from such attacks since 1 January 2016.

³ UNAMA began systematic documentation of civilian casualties as a result of armed conflict in Afghanistan in 2009. From 1 January 2009 to 31 December 2015, UNAMA recorded a total of 475 civilian casualties (164 killed and 311 injured) from attacks against people and places of worship.

⁴ ISKP first surfaced in Afghanistan in 2014 in the form of splinter groups led by former Taliban commanders who sought to claim the label and allegiance with the wider Islamic State. At the beginning of 2015, UNAMA began to record incidents attributable to the group, mainly in Nangarhar province.

⁵ The majority of Shi'a Muslims are of Hazara ethnicity in Afghanistan and form a minority of the primarily Sunni Muslim Afghan population.

not clearly determined and there were no clear public claims of responsibility. The only attack which caused mass casualties prior to 2016 occurred on 6 December 2011 in Kabul city: a suicide attack targeting a Shi'a mosque killed 56 civilians and injured 195, for which the Pakistani anti-Shi'a group Lashkar-e-Jangawi reportedly claimed responsibility, though this claim was never confirmed independently by UNAMA.⁶

Beginning in 2016, a pattern of attacks against Shi'a worshippers emerged, mainly claimed by ISKP. Since 1 January 2016, UNAMA documented 12 incidents targeting Shi'a Muslim worshippers at places of worship, resulting in 689 civilian casualties (230 deaths and 459 injuries), raising grave concerns regarding the right to freedom of religion or belief and the protection of religious minorities. ISKP publicly claimed eight of the 12 attacks through the Islamic State-affiliated Al Amaq news agency. Four of the 12 incidents took place in 2016 and eight in the first 10 months of 2017. For example, on 11 October 2016, a suicide attacker armed with an AK-47 and hand grenades entered the Karte Sakhi Shi'a shrine and mosque in Kabul city during Ashura commemorations. The attacker threw a grenade and opened fire against women, children and men inside the mosque, killing 19 civilians and injuring a further 60 before being killed by police. ISKP claimed responsibility.

UNAMA also recorded one additional sectarian incident targeting persons other than Shi'a Muslims in 2017 – it occurred in Nangarhar province when Taliban opened fire on worshippers in a mosque in an ISKP controlled area, killing three civilians, allegedly on grounds of their being 'Wahhabi'. The remaining attacks targeting places of worship were not considered to have a sectarian basis.

UNAMA acknowledges mixed opinions concerning the credibility of ISKP claims of responsibility, especially for attacks in Kabul city. Some analysts have suggested that ISKP received support from 'criminal networks and groups loosely connected with other insurgency actors' which enabled their capacity to conduct large-scale attacks in Kabul city.⁷ Notwithstanding the relevance of these considerations, the core issue remains that attacks against Shi'a Muslims and their places of worship may be expected to continue – or increase - if action is not taken.

Targeted killings, abductions, and intimidation of religious leaders and religious scholars

In 2016 and 2017, UNAMA continued to document a consistent pattern of killings, abductions, threats and intimidation of religious figures, mainly by Anti-Government Elements. Since 1 January 2016, UNAMA documented 27 incidents of targeted killings of religious figures by Anti-Government Elements, causing 51 civilian casualties (28 killed and 23 injured), most of which occurred in 2017 and mainly attributed to Taliban.

The targeting of religious leaders stemmed from to their ability to change public attitude through their messages, or their perceived support of the Government. For example, in 2014 the Taliban issued announcements directing religious leaders to abstain from performing funeral ceremonies for Pro-Government Forces.

Since 2016, UNAMA documented several incidents of Anti-Government Elements killing religious scholars who had publicly challenged the legality of their quasi-government functions and raised concern about military operations and violence. For example, in 2017 the Taliban claimed responsibility for two killings of religious figures in Kandahar province, justifying the murders by describing the victim as a 'spy' for the Government.⁸ In one case, the Taliban accused a religious scholar - who also held a civilian government position - of trying to revise Islamic rules for the benefit of the Government. Pro-Government Forces also targeted imams of mosques perceived as supporters of Anti-Government Elements on two occasions.

UNAMA also notes concern with the use of abduction of religious leaders and scholars by Anti-Government Elements, particularly Taliban, as a tactic of intimidation, warning or method to coerce support. Since 1 January 2016, UNAMA documented the abduction of eight religious leaders and

⁶ The Afghan Television network Tolo TV reported the claim of responsibility.

⁷ See <https://www.afghanistan-analysts.org/a-black-week-in-kabul-2-who-are-the-most-likely-perpetrators/>

⁸ See, e.g., <http://alemarah-english.com/?p=14362> and <http://alemarah-dari.com/?p=54546>, last accessed 26 October 2017.

scholars, two of whom were subsequently killed, and two injured. For example, Taliban abducted and tortured a religious scholar in Nangarhar province whose sons were members of Afghan National Security Forces, releasing him after a payment of a ransom. In Badakhshan province, Taliban abducted a religious leader due to his preaching against Taliban. He was tortured and consequently died. UNAMA also recorded several incidents where Pro-Government Forces harassed or intimidated religious leaders perceived to support Anti-Government Elements.

UNAMA reiterates that international human rights law and international humanitarian law uphold the right to freedom of religion or belief, and explicitly prohibit attacks deliberately targeting civilians and civilian property, including places of worship and religious leaders.⁹ Attacks directed against places of worship that constitute the cultural or spiritual heritage of peoples are also prohibited under both legal regimes.¹⁰ International humanitarian law further provides that all persons not directly participating in hostilities, are entitled to respect for their religious practices and must not be discriminated against.¹¹

Targeting of individuals deemed military targets at places of worship

In addition to suicide attacks targeting worshippers, since 1 January 2016, UNAMA documented 25 attacks targeting individuals deemed to be military targets while they were inside places of worship, the vast majority attributed to Anti-Government Elements. These attacks killed 28 civilians and injured an additional 15. The mission recorded 10 such attacks in 2016 and 17 attacks in 2017, including two targeted killings inside of mosques for which the Taliban claimed responsibility.

Most of those targeted by Anti-Government Elements in places of worship were civilians suspected of supporting government, including: tribal elders, judicial officials, civilian government workers, and teachers worshipping inside a mosque. In a minority of cases, the targets were members of the armed forces. In several incidents, Anti-Government Elements abducted the person before killing them or used explosive devices to target the person, harming other civilian worshippers who were not the target of the attack. UNAMA has also documented parties to the conflict using mosques for military purposes including holding meetings, assembling fighters and storing weapons, showing disregard for the protected status of places of worship.

In 2016 and 2017 UNAMA documented three instances of Pro-Government Forces targeting Anti-Government Elements inside of mosques. Most incidents involved search operations and aerial strikes when mosques were suspected of being used for military purposes by Anti-Government Elements, which could have led to a loss of protected status of the place of worship.

Recommendations

Anti-Government Elements must immediately cease attacks directed at places of worship, religious leaders and worshippers, and stop using places of worship for military purposes.

The Government of Afghanistan holds primary responsibility to protect the rights of Afghan citizens to worship in safety and without fear of attack. UNAMA commends protection measures already taken by the Government, and recommends further actions to protect people and places of worship from attack.

With the approach of Arba'een commemorations, UNAMA urges all parties to the conflict to strictly comply with their obligations under international law to protect all civilians and civilian objects, especially places of worship, religious leaders and worshippers and to respect their protected status.

⁹ Common Article 3 to the Geneva Conventions of 12 August 1949 ("Common Article 3"); Protocol II Additional to the Geneva Conventions of 12 August 1949, 8 June 1977 ("Additional Protocol II"), Articles 4(2), 13; ICRC Customary International Humanitarian Law Study, Rule 1, 6, 7, 38, 156; Rome Statute of the International Criminal Court ("ICC Statute"), Articles 8 (2)(c)(i), 8(2)(e)(i). See also ICC Statute, Article 8(2)(e)(iv) criminalizing "intentionally directing attacks against buildings dedicated to religion [...]".

¹⁰ Additional Protocol II, Article 16. See also See also International Covenant on Civil and Political Rights, Article 18 on freedom of thought, conscience and religion.

¹¹ Additional Protocol II, Article 4(1).