

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Country: Afghanistan
Date: 7 June 2007

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. In which areas of Afghanistan are the Taliban currently active, in particular in Jaghori or nearby?**
- 2. How far away is Angori from the nearest Pushtun areas?**
- 3. Which political party or group currently controls Jaghori, in particular the Angori region?**
- 4. Please briefly describe the background to the formation and current status of the Wahdat and Harakat parties. If Wahdat is in control, do its members target Harakat members?**
- 5. What is the current situation in the Angori region of Jaghori for people who are members of the Harakat party?**
- 6. What is the latest country information on the treatment of Westernised returnees to Afghanistan?**
- 7. Is there any evidence that a Shia Muslim who no longer believes in religion would face harm in Afghanistan generally, and in the Angori region of Jaghori and in Kabul in particular?**
- 8. Is the Taliban currently active in Kabul? Does the Taliban or any other group currently target adversely Hazaras in Kabul? Please detail.**
- 9. Is there any effective state protection in Afghanistan generally and in Kabul in particular?**
- 10. Is there any information regarding the prospects of an unsuccessful asylum seeker obtaining employment in Kabul?**

RESPONSE

Please note that spelling in this response may vary due to transliteration. Spelling is used as per the source document.

1. In which areas of Afghanistan are the Taliban currently active, in particular in Jaghori or nearby?

A search of the sources consulted found information regarding recent Taliban activity in a number of provinces in Afghanistan. In relation to Jaghori district in Ghazni province, there

were reports of a Taliban attack on a police checkpoint in the Angori area of Jaghori district and of an attack on the family of a local police chief in Jaghori district.

Recent reports of Taliban activity in Angori, Jaghori district and Ghazni province

An article dated 12 May 2007 on the Pajhwok Afghan News website, Kabul indicates that “the Taleban have stormed a police checkpoint in Angori area, Jaghori District”. A “[l]ocal militia official Muhammad Kazim Ebadi said six policemen were killed in the attack while assailants took hostage 10, including three security personnel.” According to the article, “Muhammad Anas Sharif, who said he was a regional Taleban commander in Ghazni,” had “said some kidnapped suspects were released following an investigation while others were still being questioned.” The article also indicates that “[t]he police chief of Ghazni, Brig-Gen. Alishah Ahmadzai,” had said that three policemen had been killed and six others wounded when “the Taleban attacked a police checkpoint in Kote Sangi area of the [Andar] district [in Ghazni province] late Friday night [11 May].” However, “[a]n eyewitness claimed that seven law-enforcers had been killed in the attack and Muhammad Anas Sharif... gave the same casualty figure” (‘Taleban attack Ghazni Province in Afghanistan’ 2007, *BBC Monitoring South Asia*, source: Pajhwok Afghan News website, Kabul, 12 May – Attachment 1).

There are some differing details provided in articles regarding an attack on the family of a local police chief in Angor village in Jaghori district. A *Pajhwok Afghan News* article dated 2 June 2007 refers to “[s]uspected Taliban militants” attacking “the house of a local police chief” named “Bashi Habibullah in Angor village of the Jaghori district. The attackers gunned down the spouse, two sons and as many nephews of the police officer, who was away from home at the time of the attack.” A “[p]urported Taliban spokesman Qari Yousuf Ahmadi,” had “admitted injuries to two fighters in the incident” (‘Five of a family among seven killed in Ghazni, Kunar’ 2007, *Pajhwok Afghan News*, 2 June – Attachment 2). Another article that reports on the attack indicates that the Taleban had attacked the home of “police commander Bashi Habib” in Jaghoray in Ghazni province. Ghazni’s governor had said that “Mr Habib had fought back and killed 10 of the militants.” According to the article, “[t]he BBC’s Bilal Sarwary in Ghazni says Mr Habib was probably targeted because he supports the Afghan authorities” (‘Afghan policeman’s home attacked’ 2007, *BBC News*, 2 June http://news.bbc.co.uk/2/hi/south_asia/6714449.stm – Accessed 7 June 2007 – Attachment 3). A *Xinhua News Agency* article dated 2 June 2007 indicates that “provincial governor Merajuddin Patan” had said that militants had “attacked the house of Habib Aqa, a senior police officer in Jaghori district, killing five of his family members including his wife, two sons and two nephews”. Police had “rushed to the scene and killed 10 militants, he added” (‘5 family members of Afghan policeman, 10 militants killed in clash’ 2007, *Xinhua News Agency*, 2 June – Attachment 4).

An article dated 25 May 2007 includes information on Taleban activity in Ghazni province, and notes that “[s]everal vehicles on the way to Jaghori [District] have been looted and seven passengers have been taken hostage by the Taleban.” It is stated in the article that:

Ghazni and Wardag provinces have recently started to experience turmoil as Taleban forces have tried in different parts of these provinces to expand war and insecurity. Several vehicles on the way to Jaghori [District] have been looted and seven passengers have been taken hostage by the Taleban. Heavy fighting has also raged in Andar District, which is considered a Taleban local base. Fighting is also going on in Qara Bagh District of Ghazni Province and an air raid has killed at least 30 Taleban in this mountainous region (‘Low morale amongst

Afghan Taleban, says Afghan article' 2007, *BBC Monitoring South Asia*, source: Daily Afghanistan, Kabul, 25 May – Attachment 5).

According to an article dated 31 May 2007, “a Ghazni area Taliban sub-commander” named Haji Salam had been detained by the Afghan National Police in Gawmesak village, Qarabagh district, Ghazni province (‘Afghan National Police detain Ghazni area Taliban commander’ 2007, *US Fed News*, 31 May – Attachment 6).

An *Indo-Asian News Service* article dated 28 May 2007 refers to two policemen and two Taliban militants being killed when the Taliban attacked a police checkpoint in the Zana Khan area of Ghazni province. In another clash in the Deyak district of Ghazni province, one policeman was killed and “two policemen as well as four militants” were injured (‘Three Afghan policemen, two insurgents killed’ 2007, *Indo-Asian News Service*, 28 May – Attachment 7).

An article in *RFE/RL Newslines* dated 16 May 2007 indicates that “a Taliban commander identified as Mohammad Anas Sharif in Ghazni Province in south-central Afghanistan” had told Pajhwak Afghan News on 15 May 2007 that his forces had “captured three people. Ghazni police chief Alishah Ahmadzai said the three captives, two Afghans and a Pakistani, are employees of a private mobile-telephone company and were abducted in Andar district” (‘Taliban releases one hostage, captures three more’ in Radio Free Europe / Radio Liberty 2007, *RFE/RL Newslines*, Vol. 11, No. 89, Part III, 16 May – Attachment 8).

Recent reports of Taliban activity in other provinces of Afghanistan

In relation to Taliban activity in other provinces of Afghanistan, recent reports indicate that the Taliban had claimed responsibility for attacks in Paktika province (‘Six policemen, 18 suspected Taliban killed in Afghanistan’ 2007, *Indo-Asian News Service*, 24 May – Attachment 9), Pakiya province (‘Suicide attack kills 10 in southeastern Afghanistan’ in Radio Free Europe / Radio Liberty 2007, *RFE/RL Newslines*, Vol. 11, No. 92, Part III, 21 May – Attachment 10), Konduz province (‘...While suicide attack in northern Afghanistan kills five Afghans and three Germans’ in Radio Free Europe / Radio Liberty 2007, *RFE/RL Newslines*, Vol. 11, No. 92, Part III, 21 May – Attachment 10), Nangarhar province (‘District police chief killed in eastern Afghanistan’ in Radio Free Europe / Radio Liberty 2007, *RFE/RL Newslines*, Vol. 11, No. 92, Part III, 21 May – Attachment 10), Kandahar city (‘Deadly triple bombing strikes southern Afghan town’ 2007, *RFE/RL Newslines*, Vol. 11, No. 91, Part III, 18 May – Attachment 11), and Nuristan province (‘Seven ANSF soldiers killed in northeastern Afghanistan’ in Radio Free Europe / Radio Liberty 2007, *RFE/RL Newslines*, Vol. 11, No. 89, Part III, 16 May – Attachment 8). A UN AIMS map of Afghanistan’s provinces shows the locations of the above-mentioned provinces (Afghanistan Information Management Service (AIMS) (Undated), *Afghanistan District Maps* – Attachment 12).

Other reported incidents involving the Taliban occurred in Zabul province and Helmand province (‘Dozens of Afghan police, Taliban killed, NATO copter crashes’ 2007, *Indo-Asian News Service*, 31 May – Attachment 13), and Nimroz province (Khan, Noor 2007, ‘Taliban Releases 3 Afghan Aid Workers’, *Associated Press Newswires*, 28 May – Attachment 14).

The previously mentioned article dated 25 May 2007 includes information on “Taleban offensives and the responses of NATO and the Afghan National Army in the two months since the start of the [Afghan] new year [21 March]”. The article refers to operations against

the Taleban in “Urozgan, Helmand and Herat provinces” and in Farah province. The Taleban had carried out attacks in “Ghazni and Wardag provinces”. The article indicates that “the leader of the Afghan Taleban, Mullah Dadollah,” had been killed in Helmand province. It is also stated in the article that:

In any event, despite all the success of the past few days against the Taleban, the new development on the military front is the Taleban’s endeavour to shift their focus to areas near Kabul and in the north of the country. The Taleban plan to expand their operations to the north of the country was pre-planned and they have launched two suicide attacks over the past two months. However, their most important suicide attack was staged two days ago in Konduz Province, when several German troops were killed (‘Low morale amongst Afghan Taleban, says Afghan article’ 2007, *BBC Monitoring South Asia*, source: Daily Afghanistan, Kabul, 25 May – Attachment 5).

Please see the answer to Question 8 below for information on recent attacks in Kabul for which the Taliban has claimed responsibility.

The following recent reports provide further information in relation to Taliban activities in Afghanistan:

An Amnesty International report dated 19 April 2007, which “focuses on violations of international humanitarian law and human rights abuses by the Taleban, covering the period January 2005 to March 2007,” indicates that the Taleban in Afghanistan “have gained *de facto* control over large swathes of territory in the south and east of the country and attacks are reportedly growing near the outskirts of Kabul and in centres in the north-west along the border with Iran and Turkmenistan.” There were reports of the Taleban carrying out killings and abductions, and threatening residents of a village in Ghazni province during 2006 (Amnesty International 2007, *Afghanistan – All who are not friends, are enemies: Taleban abuses against civilians*, 19 April – Attachment 15).

A Human Rights Watch report dated April 2007 looks at insurgent attacks in Afghanistan and provides a “review of records and reports of incidents in 2006 and through the first two months of 2007”. The report notes that “Taliban forces have claimed responsibility for most (but not all) of the attacks documented in this report.” The report also notes that “[a]rmed conflict and displacement has been especially serious in and around southern and southeastern provinces, including Helmand, Kandahar, Uruzgon, Zabul, Paktia, Paktika, and Kunar. These are areas in which Taliban and other insurgent forces have tribal or family roots, or other base of support, and which are close to the Pakistan border. Over 70 percent of recorded lethal bomb attacks in 2006 occurred in these provinces.” The report includes a list of examples “of attacks believed to have been carried out by the Taliban and other insurgent groups in Afghanistan in 2006” (Human Rights Watch 2007, *Afghanistan – The Human Cost: The Consequences of Insurgent Attacks in Afghanistan*, Volume 19, No. 6(C), April, pp. 3, 10, 13 & 107 – Attachment 16).

The US Department of State human rights report on Afghanistan for 2006 indicates that:

The Taliban and antigovernment elements continued to be responsible for threatening, robbing, attacking and killing villagers, government officials, foreigners, and nongovernmental organization (NGO) workers. While the government expanded its authority over provincial centers, a few areas remained under the control of regional commanders or the

Taliban following insurgent offensives. During the year, over 1,400 civilians died as a result of terrorist activities, including suicide attacks, roadside bombs, and gun assassinations.

The report refers to incidents involving the Taliban, including attacks in Helmand, Kandahar, Zabul, Ghazni and Paktika provinces during 2006. The report also notes that “in some parts of the country”, the “Taliban and other extremists threatened or physically attacked schools, officials, teachers and students, especially in girls’ schools. The majority of school-related violence occurred in 11 provinces in the south (Helmand, Farah, Zabul, Kandahar, Uruzgan, Ghazni) and the border region (Paktia, Paktika, Khost, Kunar, Logar)” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Afghanistan*, March, Introduction, Sections 1(a) & (g) & 5 – Attachment 17).

A RRT research response dated 8 December 2006 includes an assessment of the Taliban’s strength and the security situation in Afghanistan. The response also provides information on the influence of the Taliban in Jaghouri district, and the security situation in Jaghouri district. There is also information on the Taliban in Ghazni province in 2006 (RRT Country Research 2006, *Research Response AFG30918*, 8 December (Question 1) – Attachment 18).

2. How far away is Angori from the nearest Pushtun areas?

A search of the sources consulted found reference to a village named Angori in Afghanistan (‘Afghanistan, Asia’ 2000, *Microsoft Encarta Interactive Atlas 2000* – Attachment 19). A UN AIMS map of Jaghuri district also refers to two villages named Anguri in the south of that district (Afghanistan Information Management Service (AIMS) 2002, *Jaghuri District, Located in Ghazni Province*, May – Attachment 20). There are similarly named villages near Angori on the above-mentioned Microsoft Encarta map as are near the two villages named Anguri on the UN AIMS map of Jaghuri district.

The UN AIMS map of Jaghuri district indicates that the nearest adjoining districts to the southern part of Jaghuri where the villages named Anguri are located, are the Muqur district of Ghazni province and the Arghandab district of Zabul province (Afghanistan Information Management Service (AIMS) 2002, *Jaghuri District, Located in Ghazni Province*, May – Attachment 20). A UN AIMS map of Ghazni province indicates that Gelan district also adjoins the southern part of Jaghuri district (Afghanistan Information Management Service (AIMS) (Undated), *Ghazni Province* – Attachment 21).

In relation to the location of the nearest Pashtun areas, the UNHCR district profile of Jaghuri district dated 30 July 2002 indicates that the ethnic composition of that district is “100% Hazara” (UNHCR 2002, *UNHCR Sub-Office Central Region District Profile: Jaghuri district, Ghazni province*, 30 July – Attachment 22). A compilation of country of origin information in relation to Afghanistan from UNHCR dated 22 March 2004 also indicates that Jaghuri district is “exclusively populated by Afghans of Hazara ethnic origin”. However, it is stated in another part of the document that Jaghuri “is mostly inhabited by Hazaras (around 95%).” The UNHCR advice also notes that “[t]he district is bordered by Hazara districts (Nawur, Malistan), mixed district Hazara-Pashtun (Qarabagh), Pashtun districts (Moqur, Zabul province)” (UNHCR 2004, *Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia*, 22 March – Attachment 23).

In relation to the adjoining districts, the UNHCR district profile of Moqur district in Ghazni province dated 24 June 2002 indicates that the ethnic composition of the district was “99% Pashtun; 1% Hazara & Tajik” (UNHCR 2002, *UNHCR Sub-Office Central Region District Profile: Moqur district, Ghazni province*, 24 June – Attachment 24). The UNHCR district profile of Gelan district in Ghazni province dated 15 October 2002 (UNHCR 2002, *UNHCR Field Office Ghazni District Profile: Gelan district, Ghazni province*, 15 October – Attachment 25), and the UNHCR district profile of Arghandab district in Zabul province dated 30 June 2003 (UNHCR 2003, *UNHCR Sub-Office Kandahar District Profile: Arghandab district, Zabul province*, 30 June – Attachment 26), refer to the ethnic composition of those districts as being 100 per cent Pashtun.

A UNHCR advice dated 18 March 2004 indicates that Angori was amongst “villages that are fairly close to the Pashtun villages of Gilan district” (UNHCR 2004, *Afghanistan: Geographic details of Zardalu village in Ghazni province (CISQUEST Ref No. 7166)*, 18 March – Attachment 27).

3. Which political party or group currently controls Jaghori, in particular the Angori region?

A search of the sources consulted found no recent information regarding which political party or group currently controls the Angori region in Jaghori district. However, sources indicate that there is a police commander named Bashi Habib who is currently in Jaghori district. He has the same name as the person who was in charge of the Angori area in March 2004. An advice from UNHCR dated 11 March 2004 indicates that “local Commander Bashi Habib”, who was “a member of Harakat-e Islami party led by Anwari”, was in charge of the Angori area at that time. The UNHCR advice includes the following information:

Who is currently in charge of the Angori area? **The local Commander, Bashi Habib, was affiliated with (the presently outlawed) Hezb-e Islami (Hekmatyar) party. Presently he is a member of Harakat-e Islami party led by Anwari** (UNHCR Kabul 2004, *Afghanistan – UNHCR Kabul response to DIMIA case managers’ questions for UNHCR*, 11 March – Attachment 28).

A recent article dated 2 June 2007 refers to a person named Bashi Habib who is a “police commander” in Jaghoray in Ghazni province. The article indicates that the Taliban had attacked his home and killed five of his relatives. “The BBC’s Bilal Sarwary in Ghazni says Mr Habib was probably targeted because he supports the Afghan authorities” (‘Afghan policeman’s home attacked’ 2007, *BBC News*, 2 June http://news.bbc.co.uk/2/hi/south_asia/6714449.stm – Accessed 7 June 2007 – Attachment 3).

Another article dated 2 June 2007 refers to a person named Bashi Habibullah, who was “a local police chief” in Angor village, Jaghori district, whose family was recently attacked by “[s]uspected Taliban militants” (‘Five of a family among seven killed in Ghazni, Kunar’ 2007, *Pajhwok Afghan News*, 2 June – Attachment 2). A *Xinhua News Agency* article dated 2 June 2007 indicates that “the house of Habib Aqa, a senior police officer in Jaghori district,” had been attacked by militants (‘5 family members of Afghan policeman, 10 militants killed in clash’ 2007, *Xinhua News Agency*, 2 June – Attachment 4).

A RRT research response dated 7 June 2004 includes further information on Bashi Habib. The research response also provides information on the security situation in Angori, Jaghori district and Ghazni province at that time (RRT Country Research 2004, *Research Response AFG16804*, 7 June, (Questions 1, 2 & 3) – Attachment 29).

In relation to which political party or group currently controls Jaghori district, the RRT research response dated 8 December 2006 includes information on who is in control of Jaghouri district and the security situation in that district (RRT Country Research 2006, *Research Response AFG30918*, 8 December, (Question 1) – Attachment 18).

4. Please briefly describe the background to the formation and current status of the Wahdat and Harakat parties. If Wahdat is in control, do its members target Harakat members?

For background information on the Wahdat party, please see the attached RRT research response dated 5 August 2005 (RRT Country Research 2005, *Research Response AFG17439*, 5 August, (Question 3) – Attachment 30).

The section on Afghanistan in the *Political Handbook of the World: 2007* also includes background information on Hizb-i-Wahdat (Banks, Arthur S., Muller, Thomas C. & Overstreet, William R. 2007, *Political Handbook of the World: 2007*, CQ Press, Washington, D.C., p. 8 – Attachment 31).

A RRT research response dated 16 August 2006 provides information on the present role of Wahdat in Afghan politics (RRT Country Research 2006, *Research Response AFG30446*, 16 August, (Question 3) – Attachment 32).

For background information on the Harakat party, please see the attached RRT research response dated 14 May 2004, which provides a history of various Harakat groups, including Harakat-i-Islami. The response also provides information regarding rivalry and conflict between Hezb-i-Wahdat and Harakat-i-Islami (RRT Country Research 2004, *Research Response AFG23334*, 14 May (Question 2) – Attachment 33).

Another RRT research response dated 19 February 2004 includes information on Harakat-i-Islami and its situation in Afghanistan at that time (RRT Country Research 2004, *Research Response AFG16461*, 19 February (Question 2) – Attachment 34).

A search of the sources consulted found limited information in relation to the current status of Harakat-i-Islami. An article dated 4 March 2004 refers to Hamed Karzai meeting with “members of Hezb-e Harakat-e Eslami [Islamic Movement of Afghanistan, Shi’i party of Asef Mohseni]”. Sayd Hosayn Anwary, who was the agriculture minister, briefed Mr Karzai “about the changes introduced in the name and principles of the Islamic Movement of Afghanistan.” The party had “dissolved its military branches and recruited new members into its organizational structure.” Mr. Karzai said that he was pleased that the jihad movement had “now been turned into a political party” (‘Afghan leader pleased change in Shi’i party political strategy’ 2004, *BBC Monitoring South Asia*, source: Bakhtar news agency, Kabul, 4 March – Attachment 35).

An article dated 11 June 2004 indicates that “[t]he People’s Islamic Movement of Afghanistan [Dari: Harakat-e Eslami-e Mardom-e Afghanistan] led by Sayed Hosayn Anwari [agriculture minister]” had received a license “to carry out political activity” (‘Afghan Justice Ministry legalizes new political parties’ 2004, *BBC Monitoring South Asia*, source: Hindokosh news agency, Kabul, 11 June – Attachment 36).

A 2005 Human Rights Watch report includes the following information regarding Harakat-e Islami-yi Afghanistan:

Harakat-e Islami-yi Afghanistan (Harakat)...

Harakat-e Islami was a Shi'a political party and mujahedin force founded in the early 1980s. The Harakat-e Islami party was headed for most of the 1980s by a Shi'a cleric named Mohammad Asef Mohseni (who participated in the June 2002 loya jirga). Over the last decade, Harakat-e Islami has splintered into three parts. One faction is led by the original leader, Mohammad Asef Mohseni, a second splinter is led by a military commander Hossein Anwari (agricultural minister in Afghanistan's transitional government and in mid-2005 the governor of Kabul), and a third is led by Sayeed Mohammad Ali Javeed (until 2004 the minister of transportation). In 1992-1993, Harakat received substantial support from Iran. But although predominately Shi'a, Harakat never joined the Wahdat party (Human Rights Watch 2005, *Blood-Stained Hands – Past Atrocities in Kabul and Afghanistan's Legacy of Impunity*, July, p. 132 – Attachment 37).

An article dated 9 April 2005 indicates that “[Kabul Governor Sayed Hosayn] Anwari, the leader of his own Harakat-e Islami faction”, was in “[President Hamed] Karzai's camp”. The article also indicates that “Harakat-e Islami [Islamic Movement] led by Sayed Mohammad Ali Jawid” had joined the newly established National Understanding Front of Afghanistan, which was “formed ahead of the parliamentary elections” (‘Afghan paper says past records will haunt newly-formed opposition’ 2005, *BBC Monitoring South Asia*, source: Rozgaran, Kabul, 9 April – Attachment 38).

The section on Afghanistan in the *Political Handbook of the World: 2007* notes that “[i]t was estimated the candidates aligned with the NUF [National Understanding Front] secured 60-80 seats in the balloting for the *Wolesi Jirga* [lower house of the National Assembly] in 2005, thereby securing the front's position as the main opposition to the Karzai administration.” The book refers to Mohammad Ali Jawid as spokesperson of the NUF (Banks, Arthur S., Muller, Thomas C. & Overstreet, William R. 2007, *Political Handbook of the World: 2007*, CQ Press, Washington, D.C., p. 7 – Attachment 31).

An article dated 24 June 2005 indicates that Sayed Hoseyn Anwari had “been appointed as the governor of Herat Province” (‘Afghan president reshuffles four provincial governors’ 2005, *BBC Monitoring South Asia*, source: Afghanistan Television, Kabul, 24 June – Attachment 39). A further article dated 10 May 2007 refers to a report that Ayatollah Mohammad Asef Mohseni “who led the the [sic] Harakat-e Islami (Islamic Movement Party) until recently”, was “constructing a “semi-Islamic” university, Khatim-ul Nabiyyen, in Kabul” (‘Afghanistan: “Semi-Islamic” Tamadon TV launches’ 2007, *BBC Monitoring Media*, 10 May – Attachment 40).

A search of the sources consulted found no recent information regarding whether Wahdat members currently target Harakat members in the Angori area or Jaghori district. Information was located regarding the situation of Harakat members in Jaghori district in 2003/2004.

The compilation of country of origin information in relation to Afghanistan from UNHCR dated 22 March 2004 notes that “an official District Administrator was appointed end June 2003” in Jaghori district. The new district administrator was “apparently not connected to any party, especially with any branch of *Hezb-e-Wahdat*.” However, the UNHCR advice also notes that “Erfani is the Commander that is currently and de facto controlling Jaghori district of Ghazni province and affiliated with *Hezb-e-Wahdat (Khalili)*”, although he had “been

isolated by the provincial authorities” and “ordered by the provincial authorities to stay away from any role that would portray him as the representative of Jaghori district.” The advice indicates that “[d]uring 2003 abuses were committed by local militias, rallied to *Nasr* [Hezb-e-Wahdat (Khalili)] faction, motivated by money. However, anyone perceived to be opposed to their rule – especially *Harakat* or *Hezb-e-Wahdat* (Aqbari) could be a potential victim of their abuses.” The UNHCR advice also indicates that “natives of Jaghori met in the Centre of Ghazni explained that instances of robberies were – as elsewhere in the district – common and that bitterness was prevalent between followers of *Nasr* group and other such as *Harakat* or *Hezb-e-Wahdat* (Aqbari), the latest not appreciating the control of *Nasr* members over the district.” However, in another part of the compilation of country of origin information from UNHCR, it is stated that “[w]hereas, Jaghori district is under the control of *Hezb-e-Wahdat* (Khalili), members of *Harakat-e-Islami* are said to be accepted but not present in the district (as stated in the July District Profile)” (UNHCR 2004, *Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia*, 22 March – Attachment 23). The UNHCR district profile of Jaghori district dated 30 July 2002 notes that “Jaghori district, as the rest of Hazara-majority regions, is under the control of *Hezb-e-Wahdat* (Khalili faction). Officially, members of other political & military parties, specifically *Harakat* are said to be accepted but not present” (UNHCR 2002, *UNHCR Sub-Office Central Region District Profile: Jaghori district, Ghazni province*, 30 July – Attachment 22).

5. What is the current situation in the Angori region of Jaghori for people who are members of the Harakat party?

A search of the sources consulted found no information regarding the current situation in the Angori region of Jaghori for people who are members of the Harakat party.

6. What is the latest country information on the treatment of Westernised returnees to Afghanistan?

Information on the situation of westernised young returnees to Jaghouri district is provided in the previously mentioned RRT research response dated 8 December 2006 (RRT Country Research 2006, *Research Response AFG30918*, 8 December, (Question 3) – Attachment 18).

The RRT research response dated 16 August 2006 includes information on how persons who have been westernised are treated in Afghanistan, Kabul and Mazar-e-Sharif (RRT Country Research 2006, *Research Response AFG30446*, 16 August, (Question 5) – Attachment 32). The response refers to research then being carried out by the Edmund Rice Centre in relation to the situation of returned failed asylum seekers from Australia. A subsequent report dated September 2006 by the Edmund Rice Centre for Justice and Community Education is attached. Of the 41 people interviewed for the report, 36 were Hazaras from Afghanistan (Edmund Rice Centre for Justice and Community Education 2006, *Deported to Danger II: The Continuing Study of Australia’s Treatment of Rejected Asylum Seekers*, September – Attachment 41).

7. Is there any evidence that a Shia Muslim who no longer believes in religion would face harm in Afghanistan generally, and in the Angori region of Jaghori and in Kabul in particular?

The US Department of State human rights report on Afghanistan for 2006 indicates that:

The law proclaims that Islam is the “religion of the state,” but allows non-Muslim citizens the freedom to perform their rituals within the limits determined by laws for public decency and peace. This right was not respected in practice... The law also declares that no law can be contrary to the beliefs and provisions of Islam. The government requires all citizens to profess a religious affiliation and assumes all Afghans to be Muslim. According to Islamic law, conversion from Islam is punishable by death. In recent years this sentence was not carried out in practice.

The report does not specifically comment on the situation of a person who no longer believes in religion in Afghanistan. It does provide information on a trial in March 2006 of a person who had converted from Islam to Christianity. According to the report, “In March Abdul Rahman was put on trial for the crime of apostasy-conversion from Islam to Christianity – which is punishable by death, according to Shari’a law.” It is stated in the report that:

Members of the government called for the execution of Christian converts. In February Abdul Rahman was arrested for converting to Christianity and faced the death sentence. The court determined that Rahman was unfit to stand trial, and he was given asylum in Italy. During his detention, Rahman accused authorities of beating him with hoses and their bare hands. In conjunction with this case, there was some publicly displayed anger, in particular a protest in Mazar-e-Sharif attended by hundreds of people (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Afghanistan*, March, Sections 1(e) & 2(c) – Attachment 17).

A recent UK Home Office operational guidance note on Afghanistan dated 20 April 2007 also provides information on the situation of converts to Christianity. According to the operational guidance note:

Conversion from Islam is considered apostasy and is punishable by death under Shari’a. However, the new constitution makes no reference to Shari’a, and Article 7 commits the state to abide by the international treaties and conventions that require protection of this right. The judicial system in Afghanistan is largely comprised of conservative Islamic judges who follow Hanafi or Jafari doctrines recommending execution for converted Muslims, however, there are no recently reported cases of any Afghan being executed by court order for conversion or apostasy. This is possibly because converts will tend to keep a very low profile and small communities of Afghan converts are believed to practice Christianity in secrecy.

The operational guidance note also includes comments on the above-mentioned case of Abdul Rahman and notes that “[i]n September 2006, the UN Secretary-General reported that following the case of Abdul Rahman there have been three similar cases in which Afghan citizens were accused of apostasy by local religious leaders and were forced to leave the country.” It is also stated in the operational guidance note that:

There has been a great deal of speculation about the level of societal discrimination which apostates would face and in 2005 there were some unconfirmed reports that converts to Christianity were threatened and even killed. Immigrants and non-citizens are free to worship in private locations and Christian affiliated international relief organisations generally operate throughout the country without interference. What evidence there is tends to point to proselytising being the greater risk than conversion in itself, however, there was some publicly displayed anger over Abdul Rahman’s release from prison in March 2006 and it was reported that around one thousand people protested in the Northern city of Mazar-e-Sharif with calls of him to be tried and executed. Abdul Rahman’s release was also criticised by the leader of the lower house of parliament, Yunus Qanuni and Chief Justice Fazl Hadi Shinwar.

The operational guidance note also indicates that “[t]here is little information on the actual treatment of apostates in Afghanistan because it is understood that those who do convert maintain a low profile” (UK Home Office 2007, *Operational Guidance Note – Afghanistan*, 20 April, pp. 21-22 – Attachment 42).

Professor William Maley, in a seminar on Afghanistan for the RRT held on 30 September 2005, provided the following comments regarding the situation of people who were “not practising their religion to the same extent in Australia” and then returned to Afghanistan:

FEMALE SPEAKER: On the subject of Westernisation some people say that they are not practising their religion to the same extent in Australia. If they went back they had forgotten some of it or – can that cause people problems too?

PROF MALEY: It could, yes. There is an expression that is used in Afghanistan, “gharbzadeh”, which means “son of the West” and it is applied to people who seemed to have lost an element of their Afghan identity. And the area in which it is potentially most problematical would be in the area of religion. If people began to be suspected of having ceased to be good Muslims in the sense in which some group within Afghanistan might use that term.

FEMALE SPEAKER: Do you think that would be more of a problem with the Shiites or the Sunnis?

PROF MALEY: It could be the same. There are extremists within both the Shiite and the Sunni community if you scratch hard enough. The Sunni extremists tend to regard the Shia as heretics in any case so, they are beyond the pale, but they are very devout (Maley, Professor William 2005, *Transcript of Seminar on Afghanistan*, 30 September, p. 28 – Attachment 43).

A RRT research response dated 15 August 2005 includes information on what the situation would be for someone who had abandoned Islam, or was thought to have done so, including in Kabul (RRT Country Research 2005, *Research Response AFG17458*, 15 August (Questions 4 & 7) – Attachment 44).

The RRT research response dated 7 June 2004 provides information on whether returnees from the West, who were considered to be lapsed Muslims, would be targeted by fundamentalists in Jaghori or elsewhere (RRT Country Research 2004, *Research Response AFG16804*, 7 June (Question 6) – Attachment 29).

Another RRT research response dated 8 March 2004 looks at whether people of a secular outlook, or who have turned away from Islam, have faced harm in Afghanistan generally and in Jaghori in particular (RRT Country Research 2004, *Research Response AFG16520*, 8 March – Attachment 45).

8. Is the Taliban currently active in Kabul? Does the Taliban or any other group currently target adversely Hazaras in Kabul? Please detail.

Sources indicate that the Taliban has claimed responsibility for recent attacks in Kabul. A *RFE/RL Newsline* dated 24 May 2007 refers to an Afghan Islamic Press report of a policeman being killed and “six other people, including two police officers,” being injured when a man on a motorcycle detonated explosives “on the northern outskirts of Kabul on May 23”. It was claimed on “[a] website purporting to represent the Islamic Emirate of Afghanistan – the name of the country under the Taliban” that “a mujahid of the Islamic Emirate” from

Laghman Province carried out a “sacrifice” attack against a convoy of foreign forces in Kabul, killing 12 foreign troops and seven Afghan soldiers while injuring several others from both groups. Those claims could not be independently confirmed” (‘Suicide attack in Afghan capital kills policeman’ 2007, *RFE/RL Newslines*, Vol. 11, No. 95, Part III, 24 May – Attachment 46).

An article dated 7 May 2007 notes that the Taliban had “claimed responsibility for the killing of two American soldiers in an attack on their vehicles outside a high-security prison on the outskirts of Kabul.” However, the US army said that the soldiers “were killed when an apparent (ANA) [Afghan National Army] soldier fired shots into their vehicles”. The article also notes that if the Taliban’s claim was correct, it would “be the first direct Taliban attack killing and injuring American military personnel in Kabul. In a string of previous assaults in the capital, militants have failed to inflict casualties on US troops” (‘Insurgents claim responsibility for shooting dead US troops’ 2007, *Pajhwok Afghan News*, 7 May – Attachment 47).

Another article dated 6 April 2007 indicates that “[a] suicide bomber killed six Afghans, including a policeman, in a blast near the country’s parliament in Kabul on Friday, President Hamid Karzai said.” The Taliban had “claimed responsibility for the attack”. According to the article, “[t]here has been a series of suicide blasts in the capital as the country heads into renewed fighting between Taliban and Western troops after the annual winter lull” (‘Suicide bomber near Afghan parliament kills 6’ 2007, *Reuters News*, 6 April – Attachment 48).

An article dated 20 March 2007 refers to a suicide bomb attack on a convoy travelling from the United State’s embassy in Kabul. The Taliban claimed responsibility for the attack, which killed a 15 year-old Afghan boy and wounded five United States embassy security guards. According to the article, it was “the first Taliban suicide bombing in Kabul this year” (Abrashi, Fisnik 2007, ‘AP reporter witnesses suicide bomb attack on U.S. Embassy convoy in Afghan capital’, *Associated Press Newswires*, 20 March – Attachment 49).

The RRT research response dated 16 August 2006 provides information on the security situation in Afghanistan. The response lists details of security incidents in Kabul between February and July 2006, including bomb attacks for which the Taliban claimed responsibility. The response also includes information on the situation of Hazaras in Kabul (RRT Country Research 2006, *Research Response AFG30446*, 16 August (Question 1) – Attachment 32).

The RRT research response dated 8 December 2006 includes general information on the Taliban’s attitude to Hazaras and Shi’a Muslims (RRT Country Research 2006, *Research Response AFG30918*, 8 December (Question 2) – Attachment 18).

9. Is there any effective state protection in Afghanistan generally and in Kabul in particular?

The UK Home Office operational guidance note on Afghanistan dated 20 April 2007 includes the following information regarding Afghanistan’s security forces and the extent to which the public can rely on the protection of the police:

Afghanistan’s security forces comprise the army and air force, police forces including national, border, highway and counter-narcotics, and the intelligence service. These forces are moving towards a more professional approach with the assistance of the international

community, and the power of warlords and commanders has been reduced accordingly. However, in many, possibly most areas, these figures continue to exert influence, often because commanders have been appointed to official positions in the police force in the very areas where they have their power bases. The Government is seeking to address this but in many cases allegiances are to ethnic and local leaders rather than to the policies of the Government and the security services are unable to control the warlords, local commanders, drug cultivation and trafficking, common criminality and human rights abuses. Therefore, the extent to which the public can rely on the protection of the police depends to a large extent on the loyalties of the particular police officers they approach for help. There are police who are loyal to the Government and who will uphold the law to the extent that they are able, but they are often constrained by a lack of resources.

In relation to the situation in Kabul, the operational guidance note indicates that:

A judicial and legal system with limited function exists in Afghanistan. In Kabul, the police authorities are generally willing to enforce the law, although their ability to do so is limited by inadequate resources and dependent to some extent on the loyalties of individual officers. The International Security Assistance Force (ISAF) works alongside the Afghan Security Forces to maintain security in and around Kabul and as result the general security environment there is much better than in other areas (UK Home Office 2007, *Operational Guidance Note – Afghanistan*, 20 April, pp. 3 & 22 – Attachment 42).

The US Department of State human rights report on Afghanistan for 2006 indicates that “[t]he ANP [Afghan National Police], under the MOI [Ministry of Interior] had primary responsibility for internal order; however, some local and regional commanders maintained considerable power since the government did not control security nationwide. During the year, the government attempted to expand its reach through the use of auxiliary police in some areas.” The performance of the ANP “engendered mistrust among the local population, and reports of corruption and mistreatment of citizens in custody were widespread. In response, this year the MOI assigned General Atmar as the new head of its Human Rights Unit in an effort to re-energize efforts to ensure the ANP was compliant with human rights standards.” It is also stated in the report that:

The government continued to develop and professionalize its army and police force. Increased monitoring of police by internal and external monitors helped to prevent abuses. Human rights training became a normal aspect of training and education for most police. Extensive reporting of human rights abuses led to increased arrests and prosecutions of abusers. The government continued to make strides towards upholding human rights standards and took action to remove corrupt officials. In some areas of concern, even where there was commitment from the government, resources restricted the ability to uphold those standards.

The report also notes that “[t]he shortage of effective and trained police, poor infrastructure and communications, instability, and insecurity hampered investigations of unlawful killings, bombings, and civilian deaths” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Afghanistan*, March, Introduction, Sections 1(a) & (d) – Attachment 17).

A recent United Nation’s report on Afghanistan dated 15 March 2007 also includes information on the Afghan National Police (United Nations General Assembly Security Council 2007, ‘The situation in Afghanistan and its implications for international peace and security – Report of the Secretary-General’, United Nations website, A/61/799-S/2007/152,

15 March, pp. 7-8 <http://www.un.org/Docs/sc/sgrep07.htm> – Accessed 5 June 2007 – Attachment 50).

The RRT research response dated 8 December 2006 looks at whether protection might be refused if a Hazara needed to seek protection from the state (eg local police/security forces) in Afghanistan (RRT Country Research 2006, *Research Response AFG30918*, 8 December, (Question 4) – Attachment 18).

10. Is there any information regarding the prospects of an unsuccessful asylum obtaining employment in Kabul?

The RRT research response dated 8 December 2006 includes information on the situation in Kabul in terms of safety and general ability to find work / accommodation security for a young Hazara returnee without family support (RRT Country Research 2006, *Research Response AFG30918*, 8 December, (Question 6) – Attachment 18).

The RRT research response dated 16 August 2006 includes information on the situation of Hazaras in Kabul (RRT Country Research 2006, *Research Response AFG30446*, 16 August (Question 1) – Attachment 32). The research response refers to comments by Ahmed Rashid provided in a video conference with the RRT held on 10 November 2004, regarding the situation of Hazaras in Kabul. Mr Rashid advised that there were “huge numbers of Hazaras in Kabul”, with “much of it” being “the traditional population, but there’s a huge influx of refugees from Iran and people coming back from Quetta, Pakistan also.” He indicated that “[u]nfortunately in Kabul – they are the ones with the least money, the ones who are having to take the menial jobs”. It is stated in the transcript of the video conference that:

SYDNEY/MELBOURNE: I wonder if you could give us an update on Hazaras in Kabul.

MR RASHID: There are huge numbers of Hazaras in Kabul. I mean much of it of course is the traditional population, but there’s a huge influx of refugees from Iran and people coming back from Quetta, Pakistan also. Unfortunately in Kabul – they are the ones with the least money, the ones who are having to take the menial jobs – in a sense there is a fear that they will go back to this kind of second class status that they had in Afghanistan before 1979, where they were treated as cheap labour, taking the menial jobs, becoming servants for people in houses, etc., rather than having the ability where they can open shops, do trading, get other kinds of jobs, etc., etc. So it’s not a good situation because when you’re coming back as a refugee from Iran or wherever, you have this little package from UNHCR which brings you wherever you’re going, but doesn’t give you anything to start a new life there. I mean what is needed very drastically is some kind of micro credit scheme which of course is being looked at by the World Bank and by others, but I think it’s particularly needed for the Hazaras. And don’t forget that the Hazaras coming back now are extremely well educated – they’re much better educated than other elements who are coming back from – other ethnic groups the Pashtuns, some amongst the Tajiks – Hazaras who have been living in Iran for 20 years are used to a different kind of lifestyle – their women and their boys are all very well educated – and then you’re asking them to take on labouring jobs, become taxi drivers, etc., etc., and this is breeding resentment (Rashid, Ahmed 2004, *Transcription of Video Conference re Afghanistan between RRT Melbourne, RRT Sydney, and Ahmed Rashid in Pakistan*, 10 November, p. 9 – Attachment 51).

In relation to the treatment of Hazaras and other Shia Muslims generally, the US Department of State human rights report on Afghanistan for 2006 indicates that “[d]uring the year, claims of social discrimination against Hazaras and other Shi’as continued. The Hazaras accused

President Karzai, a Pashtun, of providing preferential treatment to Pashtuns and of ignoring minorities, especially Hazaras” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Afghanistan*, March, Section 5 – Attachment 17).

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UN High Commissioner for Refugees (UNHCR) website

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Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org>

International News & Politics

BBC News <http://news.bbc.co.uk>

Region Specific Links

Search Engines

Copernic <http://www.copernic.com/>

Databases:

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