

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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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.

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**Questions**

- 1. What is the current security situation in Darhmarda?**
- 2. What is the status of the Nasr Party in the area?**
- 3. How active is the Pashtun Kakar tribe in the area?**

**RESPONSE**

- 1. What is the current security situation in Darhmarda?**
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*Darhmarda* is variously called: *Dah Mardah*, *Dahmarda*, *Damarda*, and others. One of the town/city/village/regions named *Dahmarda* in Afghanistan is found in the Zabul province. It is located at Latitude 32.8667 and Longitude 67.4000. Population at the radius of 7 km from this point is estimated at 3,532 ('Dah Mardah, Afghanistan Page' 2004, fallingrain web site. [http://www.fallingrain.com/world/AF/28/Dah\\_Mardah.html](http://www.fallingrain.com/world/AF/28/Dah_Mardah.html) - Accessed 12 July 2005 - Attachment 1). *Dahmarda* is listed as one of more than 20 "regions" in the Jaghori district ('AFGHANISTAN: Encyclopaedia Iranica definition of JAÚGÚORI' 2004, *Encyclopaedia Iranica*, 14 September - Attachment 2).

UNHCR Canberra states that Dahmarda village is geographically located in Arghandab district in Northern Zabul province, but is administratively under Jaghori district in Ghazni province. (UNHCR Canberra 2004, 'Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia', 22 March – Attachment 3). However, it appears the village is not large enough to be listed in a comprehensive map of either of the districts in the two provinces (See 'Arghandab District – Zabul Province – Afghanistan' 2004, AIMS, aims.org website, January <http://www.aims.org.af/maps/district/zabul/arghandab.pdf> - Accessed 20 June 2005 - Attachment 4 and 'Jaghuri District – Ghazni Province – Afghanistan' 2004, AIMS, aims.org website, January <http://www.aims.org.af/maps/district/ghazni/jaghuri.pdf> - Accessed 20 June 2005 - Attachment 5).

The most recent authoritative information located on the security situation of Dahmarda, 'Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia' by UNHCR Canberra comments that:

The District Profile of July 2003 indicates that Jaghori district neighbours northern Zabul Province, where there has been significant recent upsurge of *Taliban* activity. Dahmarda village is geographically located in Arghandab district in Northern Zabul province, but is administratively under Jaghori district in Ghazni province. Dahmarda village, unlike Jaghori district, has the presence of both Hazara factions affiliated with *Hezb-e-Wahdat* (Khalili) and the *Hezb-e-Wahdat* (Aqbari).

Whereas, 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). In Dahmarda village in Zabul province, factional fighting appears to have caused some looting and raids, but due to its geographical location, Dahmarda village may also have armed elements that are *Taliban* supporters, as in other villages in Northern Zabul province and Central Uruzgan province (UNHCR Canberra 2004, 'Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia', 22 March – Attachment 3).

In December 2003 UNHCR Kabul advised that Hazaras should not be returned to Dahmarda due to Hazara factional fighting and the Taliban. In Dahmarda village in Zabul province, factional fighting appears to have caused some looting and raids, but due to its geographical location, Dahmarda village may also have armed elements that are Taliban supporters, as in other villages in Northern Zabul province and Central Uruzgan province. The entire Zabul Province (since March 2003), as well as Ghazni province (since December 2003) are high risk areas for UN staff due to the presence of Taliban supporters (UNHCR Kabul, 2003, *Jaghori Update – Afghanistan*, Email to DIMIA, 10 December – Attachment 6).

The above UNHCR Canberra report of 2004 gives a general assessment of the security situation in the surrounding regions as follows:

### **Ghazni Province**

Following the murder of Bettina Goislard on 16 November in Ghazni, UNHCR Afghanistan has implemented comprehensive security measures, mainly in the East, South-East and South of Afghanistan where *Taliban* infiltration is believed to be most prevalent. Field Office Ghazni remains closed, since 16 November 2003, and monitoring activities in this province has halted. In some districts of Ghazni like Andar, Nawa, Ab-band and Gilan districts, some of the *Taliban* are active and are carrying out activities against persons associated with NGOs and also with the government.

**General:** The security situation in some of districts of Ghazni province has deteriorated since the District Profiles were issued in July 2003. Ghazni Province has been marked by terrorist threats, corruption and lawlessness. Disarmament has yet to take place in Ghazni province, and many civilians have expressed concern over the fact that any local dispute that arises, individuals owning weapons do not hesitate to use them for self- defence or retaliation purposes. The province of Ghazni, like all the provinces in the South-east region, is currently a high risk area for UN staff due to the presence of *Taliban* supporters. Trends and analysis in returnee monitoring illustrate that the security situation in Ghazni province has deteriorated as compared to the situation during the first quarter of 2003, particularly in the districts of Andar, Muqur, Khwaja Omari, Nawa, Nawur and Qarabagh. Throughout 2003, UNHCR staff

has had no access to the districts of Ab Band, Gilan and Nawa, due to the precarious security situation.

In districts where security is not a concern to returnees, questions with regard to the sustainability of returns were raised [...] In Andar, Deh Yak, Gilan and Zana Khan districts, girls schools are at risk and some teachers and families have received threatening letters for teaching or sending their children to schools.

**Administration:** All 17 districts in Ghazni, with the exception of Zana Khan, have district officials appointed by the Provincial Governor. For almost a year and a half ago, Ghazni province has been headed by Hon. Al Haj Assadullah Khalid, appointed officially by the Central Government. Pashtun ethnic, native of Nawa district (South of the province), he fought along Ustaz Sayyaf's side during *Jihad* and later rallied *Shura-e-Nezar* (Ahmad Shah Massoud). In this context, he resisted *Taliban* in North Afghanistan and Tajikistan. He has progressively reshuffled his provincial administration, and has tried put in place a more professional structure, some criticising the fact that this has led to the removal of the Deputy Governor, of Hazara ethnic origin, and its replacement by a Pashtun ethnic.

There are official and professional appointees in charge of Police and Intelligence Departments, while the post of Head of Garrison remains in the hand of a former warlord, strongman of *Hezb-e-Wahdat (Khalili)*, Hazara, former member of *Shura-e-Ettefaq*, and native of Nawur district.

Official Heads of District and Police have been appointed in most of the 18 districts of the province in year 2003, including Hazara-inhabited and ruled districts of Nawur, Jaghori and Malistan. These districts had been since the fall of *Taliban* ruled by self-appointed warlords. Reports of abuses were collected in this district during year 2002, authorities abusing their power to extort money, crop, land and in a few instances, to kidnap women.

**Jaghori, Malistan and Nawur districts:** The three districts are exclusively populated by Afghans of Hazara ethnic origin and under the control of the *Hezb-e-Wahdat* and *Harakat-e-Islami*. This notwithstanding, a risk of infiltration by *Taliban* and risks of persecution and harm on ethnic grounds can not be excluded. [...] Self-appointed district administrators are Hazaras in Jaghori (reportedly to be impartial), Malistan (affiliated with *Hezb-e-Wahdat* and *Harakat-e-Islami*) and Nawur, affiliated with *Hezb-e-Wahdat (Aqbari)*.

The Nawur district is generally under government control and the security is good. The new appointed governor of the district is called Abdul Khaliq Ahmadi, and the chief of the Police is called Mohamed Riza Ahmadi. There are no conflicts between groups reported in the district.

Main concerns of the population: robberies and crimes related to personal enmities; pressure, extortion of crops, food, firewood and illegal taxation by armed elements, by local soldiers and commanders affiliated with Nasr in Maknak village in Malistan district, and in some villages in Nawur, reportedly by the District Administrator; abuses reported to take place mostly during the autumn and winter seasons and caused by the Head of Police, particularly in villages in Jaghori district.

**Dehmarde-Gulzar district:** This is a sub-district of Ghazni and it has two roads leading to it. One road goes through the districts of Moqor and Qarbagh. The second road is through Sanga Masga, The first road is not safe, since there is a base located close by that belongs to a well-known commander (Bashi Habib) whose armed men are involved in robbery. The second road however is considered to be a safe.

**Qarabagh district:** Qarabagh is for the year 2003 the main district of return within Ghazni province, with a total of 1,291 families – 5,908 individuals (as of 21/10/03) who repatriated to both Hazara and Pashtun areas. Returns to Pashtun areas constituted more a familial caseload

repatriating from Pakistan, while returns to Hazara areas concerned essentially young single men, coming from Iran. Similarly in 2002, Qarabagh was among the first receiving districts.

Qarabagh has a mixed population, 55% approximately being Pashtun and 45% Hazara.

The district is headed by a District Administrator, Hayat Khan (Pashtun) who has been officially appointed by the central government. He is a member of the *Harakat-e-Inqilab-e-Islami* (Mawlawi Mohammad Nabi Muhammadi). However, the main military commander of this group is Mullah Faqir.

The District Administrator is assisted by the Chief of Police, Abibullah Jan (Pashtun), native of Moqur district, previous member of the above mentioned group and currently rallied to *Ittehad-e-Islami* (Ustaz Sayyaf). The Deputy Chief of Police is Abdul Qahar (Pashtun), member of *Mahaz-e-Milli Afghanistan* (Syed Ahmad Effendi Gaillani).

At the level of the district, from the Pashtun side, the local authorities benefit of support from:

the *Jamiat-e-Islami* (Rabbani), led in Qarabagh by Haji Naqibullah, whose forces are mostly concentrated in the East of the district ;

the *Mahaz-e-Milli Afghanistan* (Gillaini).

Opposition groups are activating in the district, such as:

the *Hezb-e-Islami* (Gulbudin Hekmatyar), whose main figure in the district is Mullah Qayum. The party has reportedly spread its influence throughout the Pashtun areas ;

the *Hezb-e-Islami* (Khalis), led in Qarabagh by Haji Salam, from Gawmishak area. That area is said to be a stronghold for opposition movement, notably

*Taliban forces*, notably led by Mullah Abdul Rahman, native of Ali Mohammad Khan village, Jamrad area.

These opposition groups are said to have join their forces in their deeds against the provincial government, who is currently leading counter-operations in neighbouring districts.

On the Hazara side, the district had been the scene of intra-ethnic fighting during *Jihad* time, and witnessed the division of the Hazara into multiple groups.

The main parties active in Hazara areas are:

*Hezb-e-Wahdat* (*Khalili*), and most precisely its *Nasr* branch, under the ‘political’ leadership of Safi Zada. In the district, almost all Hazara areas are under influence of this section:

- in Tamakee area, the main commander is Habibi, former District Chief of Police and currently is charge of a ‘unit’ in the district. His own men are assisting the Chief of Police in his tasks. He belongs to *Hezb-e-Wahdat* (*Khalili, Nasr*).
- Nai Qala (also known as *Paiga Wahdat = Wahdat* base) was previously under the influence of Commander Zabit Yasin, who fought *Harakat-e-Islami* (*Muhseni*) members fiercely during *Jihad*. Nowadays, this Commander is living in Kabul, where apparently he benefits from support of important figures of the party.
- Currently, Nai Qala area is under influence of ‘Doctor’ Abdul Hamad, Commander of *Nasr* who has a base in Ghazni centre as well.
- Zardalu area is historically the base of *Harakat-e-Islami* (*Muhseni*) group, under the leadership of Commander Haji Fazil. It is worth noting that Haji Fazil was appointed as Chief

of Police of Gilan district (Pashtun area) in September 2002, but was replaced during year 2003. He is said to have lost part of his influence over Zardalu area. According to *Hezb-e-Wahdat, Nasr* faction, their Head Safi Zada has gained more influence in the recent months in this area.

- Jangalak: was the stronghold of a *Harakat-e-Islami* Commander, Abdul Qayum, who is native of the area. He has been implicated in a familial feud for many years, and is episodically present in the area with ten of his men. Monitoring conducted in this area revealed that local population are frightened of him, and that they are requested notably to feed his men when present, or to forcibly assist the Commander on his lands. He is more often in Kabul nowadays.

- Gulko: is under control of *Hezb-e-Wahdat (Khalili)*, led in the area by 'Basha-e-Khan Shalay'.

As far as *Hezb-e-Wahdat (Aqbari)* is concerned, the group is said to have a limited presence and influence in the district, mostly in the area located between Jaghori district and Nai Qala. However, all sources consulted indicate that their influence shrank, and that its main Commander, Sabiri, is progressively rallying *Hezb-e-Wahdat (Khalili)* views.

Even though the Hazara population remains divided between different groups, it is worth indicating that no open armed conflicts have been observed or reported since May 2002.

Indeed, the only instance of fighting took place Mid May 2002, when Juma Gul, leader of *Hezb-e-Wahdat (Khalili)* was killed along 13 other persons, allegedly by Commander Abdul Qayum (of *Harakat-e-Islami*, , in what appeared to be an episode of their familial feud. Effectively, the two men were relatives and divided apparently over land issues.

The matter was solved with the intervention of UNAMA, while both heads of parties in Ghazni province were tempted to push further the matter. It was in this context that Commander Habibi was appointed as District Chief of Police.

According to all sources consulted, and monitoring conducted in the district, both this and last years, open fighting is not taking place between the different groups. However, it is a fact that people still favor a group or another, and that groups try to maintain their influence (eg: *Harakat-e-Islami* in Zardalu), while other simply struggle to survive (Aqbari in North of the district), while sources also report that *Hezb-e-Wahdat (Khalili)*, particularly in Nai Qala is attempting to recruit new members, allegedly through notably Deh Badai secondary school.

Groups are no longer constituted as armed militias, in the sense that men do not devote their time to military activities and vacate to daily tasks (agriculture, shop owners). However, bitterness remains between the different groups, who fought each other during almost a decade, but UNHCR has not heard of any returnee being harmed or abused due to his past politico-military activities. However, one could advance that prominent figures of *jihadi* groups, if they were to return in an area which has fallen under influence of an opposite group, would certainly not feel welcomed, given the hostility of the population.

It is worth adding that like in Pashtun areas, people in Hazara areas still have weapons, perceived to be a deterrent mostly against robberies. Each head of family considers himself in charge of the security of his dependants.

As far as relations between Pashtun and Hazara are concerned, there is one reported incident of open tensions. Indeed, a dispute opposed Nikhta village (Hazara) to Sherabad (Pashtun – *Mahaz-e-Milli*), over access to water. Indeed, Pashtun complained that they did not have access to water, Hazara cutting their water way, contrary to a written agreement. Fighting took place between the two villages, and a high ranking provincial delegation went to the area to solve the matter.

During its monitoring, UNHCR also perceived that both communities in these above mentioned areas were hostile one to the other, villagers in Gawmishak (Pashtun) notably reporting that one of their men had been beaten by Hazaras while collecting firewood. Moreover, another dispute over digging of a deep well opposed Shagoli (Pashtun) to Gulko (Hazara).

In these locations, both communities complained that the other was still armed and could use its weapons anytime.

Some Hazara leaders pleaded for the division of the district in several entities, not arguing along ethnic lines, but explaining that this would enable assistance to be equally divided between all communities. In fact, this would also enable Hazara leaders to gain more visibility and representatives in district and provincial fora.

**Jaghori district:** Jaghori is located South West of Ghazni province, and is one of the main districts that is receiving returnees from Pakistan and Iran. It is also one of the IDP producing and receiving districts. Generally it is a heavily populated area, which has around 30,000 individuals. It is mostly inhabited by Hazaras (around 95%). The principal ethnic tension in the past was between the Hazaras and the Kuchis. The latter had reportedly occupied the land of the former under the *Taliban* regime. Currently, there are no Kuchi temporary settlements in Jaghori. Due to the outstanding ethnic tensions, the Kuchis have shifted their settlements to other districts in the province, such as Ghazni centre.

In Jaghori district, an official District Administrator was appointed end June 2003, by Central and provincial government. The new head of the district – Mohammad Zafar Sharif – native of Sang-e-Masha, centre of the district, is a former army officer, and was previously working with a local NGO. He is an educated man, apparently not connected to any party, especially with any branch of *Hezb-e-Wahdat*. He was warmly welcomed by the population who gathered in the district capital and pledged to put an end to the rule of weapons.

It is worth noting that the previous Security Commander – Mohammad Anif Hissani – was confirmed as the official district Police Chief. He belongs to *Hezb-e-Wahdat (Khalili)*, *Nasr* faction, and was apparently confirmed on his post under close control of the provincial Governor. He has distanced himself from the Head of Garrison and is apparently “co-habiting” with the District Administrator.

According to official provincial sources, more than sixty policemen, recruited among militias of Hissani are officially working under his command and are not reported to have created difficulties to the local people so far. In the district, the recruitment process for the national army has not started yet, as in most districts of the province.

Even though the District Administrator’s personal position is still weak, he has enjoyed a good reputation since he took office and benefits from support from the provincial governor and the people, tired of the rule of armed elements.

During 2003 abuses were committed by local militias, rallied to *Nasr* 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 or their abuses.

The local population stated that they suffered ill-treatment of *Taliban* under their rule, notably due to the blockage of roads going to/through the Hazara districts, preventing any economic activities.

The district is bordered by Hazara districts (Nawur, Malistan), mixed district Hazara-Pashtun (Qarabagh), Pashtun districts (Moqur, Zabul province), and no reports of any ill-treatment of Jaghori inhabitants by other ethnic groups has been brought to the attention of UNHCR, either by the local population or the authorities, since the fall of *Taliban* rule.

It is possible for Hazaras to go to Jaghori and cross the Pashtun areas without problems. Nevertheless, if a Hazara has a person problem or had in the past with one of the Pashtuns, he would not be able to do so. There are routes that go straight to the Pashtun districts of Qarabagh, Moqur, and Gilan.

The police force is not very effective in providing protection against criminal activity if it is directed at perceived wealthy and westernised returnees. Westernized and wealthy returnees could be targeted, particularly for their wealth, and if they transcend rather strongly the norms of the society.

Erfani is the Commander that is currently and de facto controlling Jaghori district of Ghazni province and affiliated with *Hezb-e-Wahdat (Khalili)*. He is a native Hazara and used to be one of the two representatives of Jaghori district at the provincial *shura* level. He also used to be the head of the military *shura* in Jaghori (which is said to gather around 15 commanders). Erfani has however been isolated by the provincial authorities and Commander Ahsani has officially been appointed in 2003 as the Jaghori Chief of Jaghori Police. He has also been ordered by the provincial authorities to stay away from any role that would portray him as the representative of Jaghori district. He remains however to be an important figure for *Hezb-e-Wahdat* in Ghazni Province. (UNHCR Canberra 2004, 'Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia', 22 March – Attachment 3).

Another expert on Afghanistan gives the following assessment of potential problems faced by Hazaras in the areas bordering with Pakistan:

[...] one of the biggest problems for the Hazaras in the border areas where they live, like areas where they mix with Pashtuns, that is first of all a problem with the Kuchis, the nomads, who traditionally graze in the Hazara areas and then were backed by the Taliban to in fact take over some of their grazing areas. Now some of these Kuchis wanted to come back and to kind of reassert themselves and to take up some of the land that was given to them by the Taliban, which of course Hazaras are now refusing to do. So there is a tension there. Secondly, when they settle in the Pashtun population, I would say there are ethnic tensions, there is a lot of mistrust because of the massacres, there is a lot of distrust on both sides. But, again, if you ask me, does it mean that Pashtuns and Hazaras are killing each other, and again, no they're not. Are they being victimized? Well, yes in some areas, because you would have a Pashtun governor, or a police official or somebody who may be trying to victimize some Hazaras by robbing them or taking their money or something like that. That is, I think still going on. Again, I come back to my main point which is that the quicker you develop the Hazarajat, and allow the Hazaras to go back to their abode and their villages, and reconstitute their lives, house Hazaras in their own areas, I think the quicker you see a lot of these tensions being reduced (Rashid, Ahmed 2004, *Transcription Of Conference Telephone Call Between RRT Melbourne, RRT Sydney And Ahmed Rashid In Lahore, Pakistan On Thursday, 22 April 2004*, 22 April – Attachment 7).

While it is not clear whether a village named *Dehmarde-Gulzar* is same as *Dahmarda*, UNHCR refers to the security situation therein as follows:

This is a sub-district of Ghazni and it has two roads leading to it. One road goes through the districts of Moqor and Qarabagh. The second road is through Sanga Masga, The first road is not safe, since there is a base located there that belongs to a well-known commander (Bashi Habib) whose staff are involved in robbery. The second road however is considered to be a safe and reasonable road (UNHCR 2003, *Compilation of Answers to COI Requests on Afghanistan - 2002/2003*, 17 December – Attachment 8).

On the issue of the status of the Nasr party in the area, the above UNHCR report of 2004 comments as follows (repeating an earlier report):

**Qarya Baba village, Jaghori District:** Qarya Baba (known also under Deh Baba), is located in the West of Jaghori centre, and has an estimated population of 2,000 families, belonging to *Attai* tribe. There is no check post in this location, and Qarya Baba and two neighbouring villages are reportedly under control of Hussein Ali Muradi, apparently son of Commander Erfani.

No reports of abuses committed by this Commander has been collected. However, 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 (UNHCR 2004, *Compilation of Country of Origin Information on Afghanistan Relevant in the Context of Refugee Status Determination in Australia*, 22 March – Attachment 3).

The Pashtun Kakar tribe is called variously - Kak-kor, Kak, Kakar-khel or Kakarkhil (Attachment 20). They reside in the Gelan district of the Ghazni province ('Kakar' 2005, *Nodeworks Encyclopedia*, nodeworks.com website <http://pedia.nodeworks.com/K/KA/KAK/Kakar/> - Accessed 19 July 2005 - Attachment 9). Although no information has been located on how active the tribe is in Dahmarda and the surrounding region, the Gelan district was considered unsafe for aid agencies in October 2002. It is exclusively populated by Pashtun and a village inhabited by the only Hazara families in the district has recently been attached to the Jaghori district (UNHCR Sub Office Central Region 2002, *Afghanistan: Gelan District Profile (Ghazni Province)*, 15 October - Attachment 10). The assessment was copied by the Afghan Friends Network Inc. in 2003 ('Afghanistan: Ghazni Government' 2003, *Afghan Friends Network Inc* - Attachment 11).

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