



Blue Mountains Refugee Support Group

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Hazara Asylum Seekers from Afghanistan: the increasing dangers they would face if they return

Supplementary update: 19th May 2013

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The following updates have been published since the original release of this paper.

- **Collection of new material: 8th November 2012**
- **Supplementary update: 12th February 2013**
- **Supplementary update: 19th May 2013**
- **Supplementary update: 28th February 2014**

All of these papers are available on our website:

bmrsg.org.au/research-material/afganistan/

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Summary

In the 3 months since the February 2013 update was published there have been several new general reports, but I have found no new accounts of large scale attacks. Hazara asylum seekers say that most attacks are small scale, though nonetheless deadly or severe in terms of property damage, and go unreported. The following four articles seem especially important in adding new material and insights. They indicate growing fear among the Hazaras of Afghanistan and increasing desperation to find refuge in other countries if at all possible. All are quoted in full.

- **Article #1** reports the plea of a group of 30 Afghan MPs to the Australian Federal Government to abandon any plans to return asylum seekers to Kabul. The appeal is based on the deteriorating security situation and the continuing targeting of Hazaras. It notes that Canada has implemented a moratorium on the return of failed asylum seekers to Afghanistan precisely because of the precarious security situation. Those who signed the letter included a number of non-Hazaras.
- **Article #2** reports that 324 noted poets from 93 countries released an open letter to world leaders on World Poetry Day, 21st March 2013, calling for action against the genocide of the Hazara people. The letter is addressed to The United Nations Secretary-General, the President of the European Commission, and the President of the United States. The letter notes: *“Despite the deployment of thousands of international troops in Afghanistan, Hazaras are regularly attacked by Afghan Kuchis, backed by the Taliban and the Afghan government. Hazara roads are often blocked by Taliban gunmen. Hazara cars are randomly halted and the passengers murdered. In central Afghanistan, a huge population of Hazaras have been marginalized and denied their basic human rights”*.
- **Article #3** is based on the personal story of a young Hazara who sought refuge in Europe. However it also provides well documented up to date information on the security situation for Hazaras in both Afghanistan and Pakistan. For example *“Afghanistan’s Independent Human Rights Commission has produced a report on the dreadful series of incidents in this region. The Karzai government has either largely ignored repeated Hazara pleas for assistance or has been impotent in stopping the violence. No justice was gained for atrocities committed, and bloodshed continues to this day”*. The inadequate security is country-wide and affects every aspect of Hazara life. *“Hazaras fear that when*



NATO troops withdraw in 2014, they will once more be at the mercy of the Taliban.”

- **Article #4** highlights Amnesty Internationals’ recently expressed grave concerns with the Government’s recent move to start returning Hazara asylum seekers to Afghanistan and Pakistan. Amnesty is noted for reliable research and their finding that *“The security situation in Afghanistan is deteriorating and we are extremely fearful for their safety”* must be taken very seriously.

1. Australia warned against returning Afghan refugees

ABC News, 12th March 2012

<http://www.abc.net.au/news/2013-03-12/afghan-letters/4568656>

A group of 30 Afghan MPs has written to the Federal Government urging it to abandon plans to return asylum seekers to Kabul.

The ABC has obtained a copy of the letter, which says the security situation in the Afghan capital is getting worse and attackers are targeting members of the Hazara ethnic group.

Kabul MP Mohammed Ibbrahim Qasemi says the Afghan government would not be able to protect returnees from persecution as it already struggles to provide security and basic services to existing residents.

"We already have too much problem here," he said. "If they came here, we cannot help them.

"Can they guarantee the security for them? No. They can provide the food for them? No.

"They can provide the place for them? No. So I don't know how they do that."

Two years ago Australia and Afghanistan signed a memorandum of understanding on the involuntary return of asylum seekers.

And the MPs have expressed their appreciation to the Australian Government for taking care of so many refugees and contributing to the security and development in Afghanistan.

But they believe sending Hazaras to Kabul would be a mistake.

Sonia Caton, a lawyer and the chair of the Refugee Council of Australia, says a test case is yet to be resolved in the Federal Court, and advises the Government to follow the lead of other countries, and wait.

"It's interesting that Canada has had in place a moratorium on the return of failed asylum seekers to Afghanistan, in recognition of the pretty precarious security situation in that country," she said.

The latest letter from Afghan MPs raises concerns about 125 failed Afghan asylum seekers.

Most of the parliamentarians who signed it are ethnic Hazaras, but it also includes MPs from other ethnic groups, something Ms Caton says is important.

"The fact that MPs from other ethnicities are also signing this letter is remarkable," she said.

Some of the asylum seekers who could be returned to Afghanistan have spent extended periods in detention in Australia though their applications for asylum have failed.

Hasan Ghulam from the Australian Hazara Federation says the asylum process is flawed.



"These people they have collected, they are asylum seekers but the system was not really fair," he said.

PM has contacted the office of Immigration Minister Brendan O'Connor and Opposition spokesman Scott Morrison. Both are yet to respond.

2. World Poetry Day: 324 Poets from 93 Countries Unite to Stop Genocide of Hazara

Kabul Press Editorial Staff

21st March 2013,

<http://kabulpress.org/my/spip.php?article150600>

324 noted poets including Nobel, Pulitzer, continental and national literary prize winners as well as the presidents of the international poetry festivals, presidents of PEN clubs, and writers associations from 93 countries have chosen to release an open letter to world leaders, this March 21st. They have chosen to observe World Poetry Day by raising awareness and saying ENOUGH IS ENOUGH and that something must be done to stop the genocide of the Hazara people.

The letter is addressed to The United Nations Secretary-General Ban Ki-moon, the President of the European Commission José Manuel Barroso, and President of the United States, Barack Obama. The letter is requesting that they take the necessary steps to ensure the security and safety of the Hazara people.

For more than a century now, the Hazara people of Afghanistan and Pakistan have been victims of systematic crimes such as genocide, slavery, sexual abuse, war crimes, and discrimination.

Hazara poet, Kamran Mir Hazar, who crafted the letter notes, "Article two of the Convention on Genocide describes the dire situation of the Hazaras, and the world must no longer ignore the continuing ethnic cleansing and genocide of the Hazaras. We the poets around the world will continue our work to support the Hazaras by writing a chain poem and collecting more signatures." he added.

Despite the deployment of thousands of international troops in Afghanistan, Hazaras are regularly attacked by Afghan Kuchis, backed by the Taliban and the Afghan government. Hazara roads are often blocked by Taliban gunmen. Hazara cars are randomly halted and the passengers murdered. In central Afghanistan, a huge population of Hazaras have been marginalized and denied their basic human rights. (emphasis added) As a result, millions of Hazaras have fled Afghanistan, creating unnecessary refugee populations in countries like Turkey, Greece, Australia, and Indonesia. In Pakistan as recently as 16 February 2013, more than three hundred Hazara men, women and children were killed or injured in a terrorist bombing in Quetta, Pakistan.

Poets World-wide implore world leaders to declare of a state of emergency regarding the Hazara situation in Afghanistan; to pressure Afghan and Pakistani governments to stop discrimination and stop supporting terrorists groups; to grant asylum to Hazara asylum seekers; establish an international Truth Commission to investigate the systematic crimes against Hazaras; to open cases concerning genocide and human rights violations in international courts such as the ICC; to protect Hazaras in Afghanistan with international troops. We appeal to international media to investigate and report on activities against Hazaras in Afghanistan and Pakistan.



3. **Mohammad Ahmadi's Story: a personal story of a Hazara boy who fled Afghanistan and the story of a generation**

Marina Mogli

9th April 2013

<http://www.hazarapeople.com/2013/04/09/mohammad-ahmadis-story-a-personal-story-of-a-hazara-boy-who-fled-afghanistan-and-the-story-of-a-generation/>

(Note: Apart from headings, bold text represents added emphasis for this update)

1. Mohammad, a Hazara refugee and asylum seeker in Sweden

Mohammad's story starts 23 years ago in Qarabagh, Afghanistan. He is a Hazara, one of the most oppressed ethnic groups of Afghanistan.

Accounting for up to one-fifth of Afghanistan's population, Hazaras have long been branded outsiders. Their current persecution is born out of an unresolved, century-old ethnic hatred of them. This has resulted in massacres, dispossession of their lands and decades of institutionalised discrimination. Their persecution was fiercely reignited during the civil war and by the Taliban in the 1990s.

Growing up, Mohammad heard the stories of where his people came from, why they looked different from Pashtuns and Tajiks. Their Asian features—narrow eyes, flat noses, broad cheeks—have set them apart in a de facto lower caste, reminded so often of their inferiority that some accept it as truth. Mohammad was still a young boy when the Taliban rose to power in 1996, promising security to a populace tired of the bitter conflict among ethnic warlords, including Hazara factions. Instead of this, it marked the beginning of another wave of persecution and repression against the Hazara. The Taliban saw them as animals. A Taliban talking about Afghanistan's non-Pashtun ethnic groups said: "Tajiks to Tajikistan, Uzbeks to Uzbekistan, and Hazaras to goristan," the graveyard. From 1998 to this day, thousands of Hazaras have been massacred by the Taliban.

The civil war that followed was very ugly. Schools closed, the Taliban killed the teachers or anyone who dared to protest. Crops lay unattended. Families left their properties to Pashtun and fled for Iran, other cities in Afghanistan, for the hills or Pakistan. Taliban forces burned down thousands of homes, shops, and public buildings. They destroyed entire towns in western Bamian Province. Many of Mohammad's relatives and friends were killed, injured, some went missing and his family escaped to Pakistan to avoid certain death. He never saw them again. Mohammad fled to Iran and from there he managed to get to Greece through a dangerous journey. He had to cross Turkey and was put on a boat to Greece together with other refugees who couldn't even swim. The sea was rough and they almost drowned. They ran out of food and water because they were in the boat for days. They drank sea water after a point. When they arrived, the authorities found it hard to believe they were in the boat for so many days and survived. They were lucky enough to get to Greece alive. He was 17 years old.

He stayed there for four years, worked hard, had Greek lessons and learned the language. Waiting in order to get his asylum application examined, he was issued temporary permits which he had to renew every couple of months. With the dire financial crisis affecting Greece it became all the more difficult to find work and with the situation for asylum seekers not improving, losing hope of ever getting his case examined, he used all his savings to escape to Sweden. He had hoped that would be the end of his adventures. Unfortunately, there his application for asylum was denied twice on the grounds that it had been a long time since he had left Afghanistan and he could relocate there. He can appeal once more



but then he would have to return. **He would rather die than go back, since he feels it is a matter of time before the Taliban kill him. He will not be safe anywhere in Afghanistan.**

If Mohammad had to go back, he would have two options, both of which would put his life in grave danger: stay in Afghanistan, where he wouldn't be safe anywhere and even trying to get to any place would mean being killed on the road, or go to Quetta, the capital of Balochistan province, in what is now Pakistan, where since the nineteenth century, Hazaras have traditionally fled or migrated to. Over the last decade, however, Hazaras in Balochistan have been dying in an escalating spate of attacks, often occurring daily.

Mohammad's story is a true story and his fear for his life if he has to go back is very real. He came to Europe to escape the bloodshed and with hopes of a better future. There are hundreds of other Mohammads from Afghanistan, young men who risk their lives crossing dangerous borders to escape the violence in their native land. Mohammad was one of the lucky ones who didn't die trying like so many others. **If he is sent back his life will surely be at risk.** Nobody as young as he was when he left would voluntarily leave their homeland if there was no serious reason to do this. He should be given a chance to live in Europe and he should be given a new chance on life. **With the situation for Hazaras in Afghanistan being as it is, deportation would equal to a death sentence.**

2. The dangers for Hazara people in Afghanistan

In the West it is mistakenly believed that the situation in Afghanistan has improved and it is now safe for Hazaras to go back to Afghanistan. After U.S. forces drove the Taliban from power, the Hazaras thought deliverance was at hand. The Afghan constitution gave fundamental protection to persecuted minorities. However, with critical failures to implement the rule of law beyond Kabul –or even maintain it in Kabul –reform has not translated to improved safety for Hazaras. They are feeling ignored by the government—led as it is by a Pashtun president.

Minority communities continued to have grievances under Hamid Karzai's government and violence continues. **Afghanistan's Independent Human Rights Commission has produced a report on the dreadful series of incidents in this region. The Karzai government has either largely ignored repeated Hazara pleas for assistance or has been impotent in stopping the violence. No justice was gained for atrocities committed, and bloodshed continues to this day.**

The security situation in parts of Afghanistan with a Hazara population has greatly affected the livelihood of the inhabitants, posing serious threats to their life, security and freedom. The districts are inaccessible except through Taliban territory, where the road has been reportedly mined and in some areas vehicles have been banned. According to reports, many roads, for instance the road from Qarabagh District to Jaghori, are under particular threat, with ambushes, robberies, kidnappings and killings occurring regularly. Many Hazaras also live in Kabul, where some 40 percent of the population is now Hazara. Conditions are no better for them there. There is a huge Hazara underclass there made up of manual laborers living in neighborhoods that have neither electricity nor clean water, doing the jobs no one else wants. Brutal assaults have also occurred in Kabul recently. The Taliban have also intimidated, threatened and killed individuals suspected of working for, or being supportive of, the Government and the international military forces. **Hazaras fear that when NATO troops withdraw in 2014, they will once more be at the mercy of the Taliban. London-based Minority Rights Group (MRG) has identified the Hazara as the 'most under threat minority group' in Afghanistan. Amnesty International has grave concerns with the recent move to start returning Hazara asylum seekers to Afghanistan and Pakistan.**

3. Reasons why it is illegal to deport a Hazara

The Hazara should not be deported because international and European laws protect them. For example, the 1948 Convention for the Prevention and Punishment of the Crime of Genocide by the United Nations focuses on the protection of national, racial, ethnic and religious minorities from threats to their existence. The 1976 Council of Europe's Recommendation 773 on the Situation of de facto Refugees and the 2004 European Union's Council Directive on minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection should also be mentioned.

As Afghanistan moves towards a possible Taliban alliance or faces growing lawlessness, and as Hazaras continue to be slain or attacked in Hazara-populated regions and in neighbouring Quetta, **Hazaras are likely to continue to flee and have grounds under the 1951 Refugee Convention to fear persecution.**

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4. Amnesty International: Imminent deportation poses grave risk for Hazaras' safety

17th March, 2013

<http://www.hazarapeople.com/2013/03/17/amnesty-international-imminent-deportation-poses-grave-risk-for-hazaras-safety/>

Amnesty International has grave concerns with the Government's recent move to start returning Hazara asylum seekers to Afghanistan and Pakistan.

"The security situation in Afghanistan is deteriorating and we are extremely fearful for their safety should the Government send these asylum seekers back," said Alex Pagliaro, Amnesty International's Refugee Spokesperson.



“The Government also indicated that it plans to return some of these asylum seekers to Islamabad, where they will likely end up in Quetta.

“The continued targeting of Hazaras in Quetta, including the two bombings in recent months with over 100 people killed, shows just how dangerous the situation is for them.

“Amnesty International has worked closely with Hazara asylum seekers who are now facing imminent return to Ghazni province, and has serious concerns that the decisions are based on incorrect or out-dated country information.

“The constantly evolving situation in countries like Afghanistan and Pakistan must be taken into consideration in Australia’s asylum review process, especially when the risk of returning people to such volatile and uncertain circumstances has consequences too severe to ignore,” said Pagliaro.

Amnesty International urges the Australian Government to review its country information when assessing cases to ensure that asylum seekers are processed in the fairest and most humane way.

“Australia has an obligation under international law to prioritise the safety and dignity of these vulnerable individuals and unfortunately we have not seen evidence that their protection is currently the top priority,” said Pagliaro.

