



COI QUERY

Country of Origin	Afghanistan
Question(s)	<ol style="list-style-type: none"><u>What was the recruitment procedure for the Afghan National Army in 2004? Did applicants need to fulfil certain criteria and if so, which ones?</u><u>If an Afghan identity military card expires, does the soldier receive a new one? Is it common that Afghan soldiers who were in active service in the period between 2011 and 2016 had expired military identity cards?</u><u>What was the recruitment procedure for the Afghan Special Forces in 2007? Did applicants need to fulfil certain criteria and if so, which ones?</u><u>Have there been any documented cases of violence against civilians committed by the SPG 9 team of the 2nd battalion, 2nd brigade of the Afghan National Army in Zabul, in the period between 2004-2007 during conflict/fights in Shimkey, Nobahar, Atghar, Rangir, or Dakotal? If so, who was targeted and what actors were involved?</u><u>Have there been any documented cases of violence against civilians committed by the 3rd battalion of the Afghan Special Forces, also known as Ezmarai (which was under the command of Bismillah Wazari), based at the 205 military base in Kandahar in the period between 2007 and 2010? If so, who was targeted and what actors were involved?</u><u>Have there been any documented cases of violence against civilians committed by the 2nd battalion of the Afghan Special Forces in 2010? If so, who was targeted and what actors were involved?</u><u>Have there been any documented cases of violence against civilians committed by the 2nd battalion of the Afghan Special Forces uqab, based in Corps 203 in Gardes and falling under the command of Ahmadullah Popal, in 2011-2014? If so, who was targeted and what actors were involved?</u><u>Have there been any documented cases of violence against civilians committed by the soldiers of the Afghan Special Forces involved in "Operation Enduring Freedom – Afghanistan XIX" in Andar district (during the whole operation)? If so, who was targeted and what actors were involved?</u>
Date of completion	5 August 2019
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This response to a COI query has been elaborated according to the [Common EU Guidelines for Processing COI](#) and [EASO COI Report Methodology](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 5 August 2019. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE

1. What was the recruitment procedure for the Afghan National Army in 2004? Did applicants need to fulfil certain criteria and if so, which ones?

1.1 Afghan National Army (ANA)

A Presidential Decree passed in December 2002 established the Afghan transitional government's armed forces. According to the decree, the recruitment of soldiers for the Afghan national army (ANA) will be voluntary and will include all social and ethnic groups.¹

The decree established two sub-commissions, one responsible for recruiting of volunteers representing all the population of Afghanistan who meet the necessary conditions and who are willing follow the ANAs regulations. In order to qualify as soldiers of the ANA, recruits must successfully complete the training program of the ANA. The second sub-commission shall propose criteria for and carry out the process of selection of officers for the ANA on the basis of merit, ethnic representation and national outlook. Officers selected will complete the aforementioned training program.²

Article 50 of the Constitution states:

'The citizens of Afghanistan shall be recruited by the state on the basis of ability, without any discrimination, according to the provisions of the law'.³

¹ Afghanistan, Decree of the President of the Islamic Transitional State of Afghanistan on the Afghan National Army, 1 December 2002, [url](#)

² Afghanistan, Decree of the President of the Islamic Transitional State of Afghanistan on the Afghan National Army, 1 December 2002, [url](#)

³ Afghanistan, Constitution of Afghanistan, 3 January 2004, [url](#)



Article 55 of the country's Constitution reads that:

'Defending the country shall be the duty of all citizens of Afghanistan. Conditions for compulsory military service shall be regulated by law'.⁴

Before 1992, there was a compulsory military and police service in Afghanistan for 'all young men, except religious students and those from some tribal areas bordering Pakistan'. The Australian Department of Foreign Affairs and Trade (DFAT) notes that while the Constitution allows for compulsory military service, the ANA remains 'an all-volunteer organisation'.⁵ The minimum age for military service in the Afghan National Army is 18 years.⁶

An ANA soldier begins his career at Kabul training centre where he is assigned to a *kandak* (battalion) for seven weeks of Basic Warrior Training (BWT). Beyond instilling military skills and teamwork, basic training attempts to forge common bonds and break down barriers between the different ethnic groups. The new course includes basic infantry tactics, customs and courtesies, drill and ceremony, first aid, and basic rifle marksmanship training. After graduating 10-week Basic Warrior Training, soldiers will attend either an advanced infantry training course or another job specialty course, or they will go directly to their newly assigned units. At the conclusion of this initial phase of training, the recruits become Afghan soldiers and are joined by their NCOs (non-commissioned officers) and officers.⁷

ANA has implemented a training system in which soldiers are assigned to train new recruits at BWT, the NCOs are being trained to be drill sergeants and non-commissioned officers are training BWT graduates for further responsibilities and assignments within the army. A new class of recruits begins BWT about every two weeks at KMTC, and non-commissioned officers are taking the lead in teaching the core curriculum.⁸

Afghan army officials were alarmed by the high disqualification rate among recruits during the initial screening process, attributing it to miscommunication over pay and training, promises about money and life in America, and recruits being 'forced to join under quotas imposed by local militia commanders'.⁹ In 2003, basic salary for a soldier was some 70 USD a month.¹⁰

The Afghan army was supposed to be multi-ethnic, however the ethnicity might play a role when enlisting with a certain *kandak*. ICG reported that when a soldier's contract was ending, re-enlisting was easy if the commander was of the same ethnicity. If not, 'you had to travel to another province to renew your contract and get an assignment with a new battalion'.¹¹ For example, Pashtun soldiers would be sent from the country's south to serve elsewhere and the troops in the south would consist

⁴ Afghanistan, Constitution of Afghanistan, 3 January 2004, [url](#)

⁵ Australia, DFAT, DFAT COUNTRY INFORMATION REPORT, AFGHANISTAN, 18 September 2017, [url](#)

⁶ USDoL, 2005 Findings on the Worst Forms of Child Labor - Afghanistan, 29 August 2006, [url](#)

⁷ Chan, S., Sentinels of Afghan Democracy: The Afghan National Army, In: Military review, January-February 2009, [url](#); Ready to serve, 700 recruits graduate from ANA's first 10-week training course, In: The Enduring Ledger, October 2007, [url](#)

⁸ Ready to serve, 700 recruits graduate from ANA's first 10-week training course, In: The Enduring Ledger, October 2007, [url](#)

⁹ Ann Scott Tyson, "Desertions Deplete Afghan Army," The Christian Science Monitor, 17 December 2003, [url](#)

¹⁰ Chan, S., Sentinels of Afghan Democracy: The Afghan National Army, In: Military review, January-February 2009, [url](#), p. 32; Ann Scott Tyson, "Desertions Deplete Afghan Army," The Christian Science Monitor, 17 December 2003, [url](#)

¹¹ International Crisis Group, A force in fragments: Reconstituting the Afghan National Army, Asia Report N°190, 12 May 2010, [url](#), pp. 19-20



mostly of Tajiks and Uzbeks.¹² In 2010, despite efforts to diversify, the military remained dominated by young men with ties to former mujahedin factions.¹³

1.2 Requirements to join the Afghan army

Tom Goering, a retired member of the US Navy Recruiting Command, states that in order to be enlisted to Afghan army, 'The applicant must be an Afghan citizen, 18-35 years of age, with a valid *Taskira* (identity document that shows birth date) and be loyal to Afghan territorial integrity, national independence, and the instructions of Islam. Additionally, the applicant must be physically and mentally healthy, with no infectious diseases or disabilities/handicaps, which would prevent them from carrying out their duties. One must have a clean criminal background, and cannot already be serving in, or assigned to, any other armed force.'¹⁴

In a report published in 2009, the USDoD (US Department of Defense) described the steps of ANA recruitment as follows:

'Step 1: The applicant provides 12 passport photos and secures a national identification card from the district. This is verified by the governor or another designated individual. Recruits must be between 18 and 28 years old. Age waivers are considered based on the applicant's qualifications.

Step 2: The applicant sees a recruiter at a provincial headquarters and completes a contract. An escort guides the applicant through the screening process which examines health and criminal records, as well as other relevant background information. The applicant must get two village elders to sign the form vouching for his character. The form must also be signed by an official at the district center. All documents are then taken by the escort to the ANA Commissar headquarters for verification and signature.

Step 3: Medical pre-screening is conducted at the Commissar's office. All documents go back to the sub-governor for signature. Ultimately, the MoI or the MoD reviews all the documentation and then notifies the provincial authorities of acceptance by issuing the directive to commence training.

The ANA has also implemented an additional level of review for potential ANA recruits. An Afghan who requests to join the ANA is given a form to complete at the recruiting center. The recruit's name is then added to a list that is circulated among various MoD offices, including the ANA General Staff G2, for a rudimentary background check.'¹⁵

According to a North Atlantic Treaty Organization's (NATO) paper on the Afghan National Security Forces (ANSF), dated 2011:

'Recruitment follows an eight-step vetting process. Upon signing an enlistment contract agreement, the recruit must get two individuals (village elder, Mullah, or other local

¹² RFE/RL, Afghanistan: National Army Short Of Everything But Spirit, 21 September 2017, [url](#)

¹³ RFE/RL, Afghanistan Considers Conscript Army, To Mixed Reviews, 9 February 2010, [url](#)

¹⁴ Navy CyberSpace, Afghan Military Enlistment, 19 May 2011, updated 13 March 2017, [url](#)

¹⁵ USDoD, Progress toward Security and Stability in Afghanistan, [url](#), January 2009, p. 40



government representative) to sign and vouch for the recruit. These individuals are held responsible if any discrepancy in the contract is found. The recruit's paperwork and government ID are reviewed and basic biometric and medical information (iris scan, fingerprints, height, age, and weight) is collected, added to the recruit's personnel file and accompanies the recruit to training. The biometric data is then checked to see if the individual has any known criminal or insurgent links. Recruits are also tested for drugs - approximately 6% of applicants are screened out for either drug use or medical conditions.¹⁶

Letters signed by the two village elders or guarantors sign letters are meant to testify recruit's 'identity and motivation to serve.'¹⁷

In 2012, according to the BBC, the Army recruitment conditions were as follows:

- 'A recruit must be an Afghan citizen and must have Afghan national identity
- A recruit should be between 18 and 35
- A recruit must have a guarantee letter from two senior figures in his district vouching for his physical abilities and his background
- At Kabul's Military Training Centre a biometric test will determine if the recruit has a criminal record or has deserted the army before
- Approval from a health commission is necessary to prove that a soldier is not disabled and has no mental illnesses
- Urine tests are necessary to weed out drug addicts
- A recruit must not have deserted the army before
- Biometrics and personal details must be shared with CID to determine the recruit has no criminal record'.¹⁸

In 2018, Nasrat Rahimi, deputy spokesman of the Ministry of Interior quoted by the Salaam Times, indicated that '[The recruit] must be a [citizen] of Afghanistan, have an Afghan identification card and maintain the necessary physical strength and must not have committed a crime'. The hired recruits receive training from six to nine months.¹⁹

The same source added that the presence of enemy infiltrators among security forces was a concern, as it had occurred in the past. In order to prevent infiltration by such individuals:

'Every ANA volunteer must provide two legal documents in which two different individuals guarantee the applicant's character and suitability for the job. The documents undergo scrutiny by a recruitment investigation team, which includes representatives of the National Directorate of Security (NDS) and the Department of Intelligence and Investigation at the Defence Ministry. Newly recruited individuals will then be transferred to the military training centre, where they complete training programmes and receive practical lessons.'²⁰

No specific information on the recruitment process in 2004 could be found.

¹⁶ NATO, Afghan National Security Forces (ANSF): Training and Development, December 2011, [url](#)

¹⁷ New York Times (The), Afghans Build Security, and Hope to Avoid Infiltrators, 27 June 2011, [url](#)

¹⁸ BBC News, Afghanistan's army recruitment mess, 10 February 2012, [url](#)

¹⁹ Salaam Times, Thousands of Afghans signing up to join security forces, 12 October 2018, [url](#)

²⁰ Salaam Times, Thousands of Afghans signing up to join security forces, 12 October 2018, [url](#)



2. If an Afghan identity military card expires, does the soldier receive a new one? Is it common that Afghan soldiers who were in active service in the period between 2011 and 2016 had expired military identity cards?

According to a 2015 report by the Special Inspector General for Afghanistan Reconstruction (SIGAR), the regular use of ANA-issued identification cards within the force was lacking. During initial training, the Ministry of Defence issued all recruits ANA identification cards with unique identification numbers and these cards were meant to be used for 'in-person physical identification purposes'. However, the use of ID cards was inconsistent resulting in a limited ability of ANA and the Ministry of Defence to track personnel.²¹

No further information was found on this topic withing the time constraints in the draft of this query answer.

3. What was the recruitment procedure for the Afghan Special Forces in 2007? Did applicants need to fulfil certain criteria and if so, which ones?

According to a 2011 blog post by the Long War Journal, a new Afghan Special Operations Command (ANASOC) was established with its headquarters at Camp Moorehead in Wardak province. ANASOC commands two different types of units, the existing ANA Commandos and a newly formed unit, the ANA Special Forces (ANASF).²²

According to a 2010 article by StrategyPage, an online defense magazine, the US Army Special Forces were helping Afghanistan to create Special Forces units similar to the American ones. The goal was to create a force of four Afghan Special Forces battalions, each with 18 A-Teams. In terms of recruitment, 'all the Special Forces candidates will come from the Commando Brigade, and will only require ten weeks of training. After that, Special Forces recruiting will be conducted throughout the army, and initial Special Forces training will be 15 weeks.' In the first selection 145 commandos volunteered and were put through a one week qualification process (similar to the one used in the US) and in the end only about half (69) passed.²³

4. Have there been any documented cases of violence against civilians committed by the SPG 9 team of the 2nd battalion, 2nd brigade of the Afghan National Army in Zabul, in the period between 2004-2007 during conflict/fights in Shimkey, Nobahar, Atghar, Rangir, or Dakotal? If so, who was targeted and what actors were involved?

No information could be found amongst consulted and listed sources on documented cases of violence against civilians committed by the the SPG 9 team of the 2nd battalion, 2nd brigade of the Afghan National Army in Zabul in the period 2004-2007.

²¹ SIGAR, Afghan National Army: Millions of Dollars at Risk Due to Minimal Oversight of Personnel and Payroll Data, April 2015, [url](#), pp.13-14

²² LWJ, Afghan National Army update, May 2011, [url](#)

²³ StrategyPage, Special Operations: Afghans Create A-Teams, 23 May 2010, [url](#)



5. **Have there been any documented cases of violence against civilians committed by the 3rd battalion of the Afghan Special Forces, also known as Ezmarai (which was under the command of Bismillah Wazari), based at the 205 military base in Kandahar in the period between 2007 and 2010? If so, who was targeted and what actors were involved?**

No information could be found amongst consulted and listed sources on documented cases of violence against civilians committed by the 3rd battalion of the Afghan Special Forces in Kandahar in the period between 2007 and 2010.

6. **Have there been any documented cases of violence against civilians committed by the 2nd battalion of the Afghan Special Forces in 2010? If so, who was targeted and what actors were involved?**

Although no specific information was found on violence against civilians committed by the 2nd battalion of the Afghans Special Forces in 2010, the information below might be of interest in this context.

According to the US DoS 2010 Country Reports on Human Rights Practices Report on Afghanistan:

‘Although international forces revised their rules of engagement to minimize civilian casualties, government and progovernment forces were responsible for civilian casualties. The joint AIHRC/UNAMA 2010 Annual Report on the Protection of Citizens in Armed Conflict stated that there were 2,777 conflict-related deaths during the year, an increase of 15 percent from 2009. However, progovernment forces were responsible for 440 deaths or 16 percent of total civilian deaths, a decrease of 26 percent.

The MOI reported 1,286 civilians killed and 2,987 injured during the year. The AIHRC/UNAMA report documented 4,343 conflict-related civilian injuries, an increase of 22 percent from 2009. Antigovernment forces were responsible for 78 percent of the civilian injuries. Progovernment forces were responsible for 9 percent of the injuries. HRW reported that the third quarter of the year saw an increase in civilian casualties.

There were several incidents of alleged misuse of force by progovernment forces. Operations by progovernment forces resulted in civilian casualties due to "escalation of force" incidents, in which civilians were injured or killed at military checkpoints or within the vicinity of military convoys. These incidents accounted for 45 civilian deaths. The second leading cause of death of civilians at the hands of progovernment forces was action taken during search and seizure operations; the AIHRC/UNAMA report stated that 80 civilians were killed during the year, which represented an 18 percent decline from 2009.”²⁴

There were reports of the sexual abuse of boys by members of the Afghan National Police (ANP) and the Afghan National Army (ANA).²⁵

UNAMA’s Annual Report on Protection of Civilians in Armed Conflict 2010 states that:

²⁴ USDOS, 2010 Country Reports on Human Rights Practices Report - Afghanistan, 8 April 2011, [url](#)

²⁵ USDOS, 2010 Country Reports on Human Rights Practices Report - Afghanistan, 8 April 2011, [url](#)



'In 2010, 840 civilian casualties were attributed to ProGovernment Forces (PGF), with 440 civilian deaths and 400 injuries. This represents a decrease of 21 per cent from 1,057 civilian casualties linked to PGF in 2009. The AIHRC and UNAMA Human Rights recorded a significant decline in civilian deaths from air strikes (171), escalation of force incidents (45) and search and seizure operations (80) during 2010.

According to a number of ISAF statements reported in the media, 2010 saw more aerial attacks, more operations by more Special Operations Forces and more night raids than in previous years. In spite of this surge of international military forces and operations, the AIHRC and UNAMA Human Rights observed a decline in the number of civilians killed and injured by PGF in 2010. The conduct of Pro-Government forces, however, continued to generate anger and resentment among a large majority of Afghans.

Reported were incidents of excessive use of force, ill treatment, arbitrary detention and deaths and injuries of civilians coupled with a lack of accountability. Aerial attacks continued to be the most deadly tactic used by Pro-Government Forces in the conflict. Although the number of civilian casualties decreased by 43 per cent from aerial attacks in 2010 compared to 2009 these attacks continued to cause the most civilian harm with 171 deaths and 133 injuries.²⁶

The special forces' main target were Taliban structures in the southern part of the country, Jalaluddin Haqqani's terror network in the east and foreign fighters with connections to al-Qaida.²⁷

The mentioned UNAMA report further adds:

'UNAMA Human Rights and the AIHRC have found it very difficult to monitor and adequately document the activities of Special Forces, particularly US Special Operations Forces (SOF). Both tactical reasons and deliberate lack of information about such operations account for this. The majority of US Special Forces were reportedly brought under COMISAF command in March to ensure greater integration and coordination of military operations. In 2010, more Afghan civilians were affected by operations of Special Forces due to reported increases in both the number of Special Forces and the increased numbers of raids.

Special Forces conducted nearly 3,000 night raids in which 365 'insurgent leaders', 1,355 Taliban rank and file fighters were captured and 1,031 were killed. Excessive use of force, ill treatment, death and injury to civilians and damage to property has occurred in some cases involving Special Forces.

The AIHRC and UNAMA Human Rights documented a sample of 13 incidents in 2010 that involved Special Forces. Civilian casualties occurred in many of these incidents which included aerial and ground operations where Special Operations Forces were reportedly involved. In at least six of the incidents, either Afghan Commandos or ANSF were present.²⁸

²⁶ UNAMA, Afghanistan, Annual Report on Protection of Civilians in Armed Conflict 2010, March 2011, [url](#)

²⁷ Der Spiegel, Special Forces Ratchet Up Fight Against Taliban, 26 August 2010, [url](#)

²⁸ UNAMA, Afghanistan, Annual Report on Protection of Civilians in Armed Conflict 2010, March 2011, [url](#), p. 33



The source continues:

‘Affected communities, as well as provincial civil and security officials have often directly expressed concerns about the conduct of Special Forces, particularly during night raids and search and seizure operations.

Special Forces often do not respond to requests for information or make information available. Civilians harmed by these operations often do not know who to contact or how to enquire about the location of detainees and compensation.’²⁹

7. Have there been any documented cases of violence against civilians committed by the 2nd battalion of the Afghan Special Forces uqab, based in Corps 203 in Gardes and falling under the command of Ahmadullah Popal, in 2011-2014? If so, who was targeted and what actors were involved?

According to the 2015 US DoS report on human rights practices:

‘In 2014, there were reports of impunity and lack of accountability by security forces throughout the year.

There were some prosecutions. In October ANDSF personnel accused of sexual assault during a clearing operation were tried and convicted, and each was sentenced to six years in prison. In December 2014 the 203rd Corps Primary Court convicted four ANA soldiers of murdering and robbing three individuals in Ghazni Province and sentenced them to death.’³⁰

No further information was found on this topic within the time constraints in the draft of this query answer.

8. Have there been any documented cases of violence against civilians committed by the soldiers of the Afghan Special Forces involved in “Operation Enduring Freedom – Afghanistan XIX” in Andar district (during the whole operation? If so, who was targeted and what actors were involved?

Operation Enduring Freedom (OEF) started on 7 October 2001 ‘to stop the Taliban from providing a safe haven to al Qaeda and to stop al Qaeda's use of Afghanistan as a base of operations for terrorist activities’.³¹ After 13 years of combat operations, the end of OEF was officially announced on 28 December 2014.³²

No further information was found on this topic within the time constraints in the draft of this query answer.

²⁹ UNAMA, Afghanistan, Annual Report on Protection of Civilians in Armed Conflict 2010, March 2011, [url](#), p. 34

³⁰ USDOS, 2015 Country Reports on Human Rights Practices - Afghanistan, 13 April 2016, [url](#)

³¹ CNN, Operation Enduring Freedom Fast Facts, 5 October 2018, [url](#)

³² CNN, Operation Enduring Freedom Fast Facts, 5 October 2018, [url](#); US, CRS, U.S. Periods of War and Dates of Recent Conflicts, 14 December 2018, [url](#), p. 7



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