



# Security Council

Distr.: General  
10 September 2019

Original: English

## Children and armed conflict in Afghanistan

### Report of the Secretary-General

#### *Summary*

The present report, submitted pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions, is the fourth report of the Secretary-General on children and armed conflict in Afghanistan. It contains information on the six grave violations committed against children between 1 January 2015 and 31 December 2018 and the context in which they took place, and identifies perpetrators, when possible.

The report sets out the trends and patterns of grave violations against children by parties to the conflict and underlines the continuous disproportionate impact of armed conflict on children. It also provides details on progress made in addressing grave violations against children, including through the implementation of the action plan signed between the Government of Afghanistan and the United Nations.

The report provides a series of recommendations to end and prevent grave violations against children in Afghanistan and to improve the protection of those children.



## I. Introduction

1. The present report, prepared pursuant to Security Council resolution [1612 \(2005\)](#) and subsequent resolutions, is my fourth report on children and armed conflict in Afghanistan. It covers the period from 1 January 2015 to 31 December 2018 and highlights trends and patterns of violations committed against children by parties to conflict in Afghanistan, as well as progress made in ending and preventing such violations, following the adoption on 11 May 2016 by the Working Group on Children and Armed Conflict of its conclusions on children and armed conflict in Afghanistan ([S/AC.51/2016/1](#)). It also includes specific recommendations to strengthen the protection of children affected by armed conflict in Afghanistan. Perpetrators of grave violations are, when possible, identified in the report. In that regard, in the annexes to my most recent annual report on children and armed conflict ([A/73/907-S/2019/509](#)), the Taliban, the Haqqani Network, Hizb-i Islami and Islamic State in Iraq and the Levant-Khorasan Province (ISIL-KP) are listed for the recruitment and use and killing and maiming of children. ISIL-KP is also listed for attacks on schools and/or hospitals. The Taliban is also listed for attacks on schools and/or hospitals and abductions of children. In addition, the Afghan National Police, including the Afghan Local Police, are listed for child recruitment and use.

2. The United Nations country task force on monitoring and reporting in Afghanistan, co-chaired by the United Nations Children's Fund (UNICEF) and the United Nations Assistance Mission in Afghanistan (UNAMA), documented and verified the information contained in the present report. Owing to monitoring and verification constraints, the information presented herein is only indicative of the full extent of grave violations committed against children in Afghanistan.

## II. Overview of political and security developments

3. Compared with the period from 1 September 2010 to 31 December 2014, covered in my previous report on children and armed conflict in Afghanistan ([S/2015/336](#)), the security situation during the current reporting period has deteriorated across the country, notably following the transfer of responsibility for security from international forces to the Afghan National Defence and Security Forces in 2014. In 2015, the Taliban made significant territorial incursions. The Taliban also temporarily captured an estimated 29 district administrative centres, representing a record number documented in any single year, as well as Kunduz city from 28 September to 13 October 2015, the only provincial capital to fall under Taliban control for any considerable period since the collapse of its regime in 2001. The emergence of ISIL-KP from January 2015 onward also greatly affected the security situation, with the group expanding rapidly throughout 2015 and 2016 in eastern Afghanistan, although its territorial expansion was constrained thereafter, including as a result of operations by government and pro-government forces.

4. The armed conflict continued to intensify throughout 2016 and 2017, with recorded armed clashes between parties to conflict reaching the highest levels since 2002. While about half of all security incidents<sup>1</sup> recorded by the United Nations during the reporting period occurred in southern and eastern Afghanistan, the number of such incidents rose in the northern provinces throughout 2016 and 2017.

5. Throughout the reporting period, armed groups increasingly relied on asymmetric tactics, resulting in rising levels of harm to the population from suicide

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<sup>1</sup> Security incidents include but are not limited to armed clashes, the use of improvised explosive devices and suicide attacks.

attacks, and increased the targeting of civilians, including through sectarian attacks. International forces and the Afghan National Defence and Security Forces increased their aerial operations against armed groups, in particular from mid-2017 onward, resulting in the number of child casualties from such operations rising every year. The country task force documented yearly increases in reported aerial attacks from an estimated 302 in 2015 to an estimated 1,352 in 2018.

6. Beginning in mid-2018, the United States of America and the Taliban engaged in direct talks, following two unilateral ceasefires announced by the Government and the Taliban on the occasion of the Eid al-Fitr holiday in June. During the holiday, UNAMA recorded the lowest level of violence in a one-week period since the completion of the 2014 transition of security responsibilities. However, the positive impact of the temporary ceasefires on levels of armed conflict was short-lived. For example, the October 2018 parliamentary elections contributed to a spike in violence. Attacks by armed groups against voter registration and polling centres, many of which were based in schools, affected children's safety and access to education.

### III. Parties to the conflict

#### Government and pro-government forces

##### *Afghan National Defence and Security Forces*

7. The Afghan National Defence and Security Forces is an umbrella term describing all government security forces, including the Afghan National Army (and its subsidiaries the Afghan Air Force and Afghan Territorial Force), the Afghan Special Forces, the National Directorate for Security (the country's State intelligence service), the Afghan National Police, the Afghan Local Police, the Afghan National Civil Order Police and the Afghan Border Police. In 2011, the Government of Afghanistan signed an action plan to end and prevent the recruitment and use of children by its national security forces. A 15-point targeted and measurable road map towards compliance was endorsed by the Government in 2014 to complement and expedite the implementation of the action plan.

8. The Afghan Air Force, with support from the Resolute Support Mission led by the North Atlantic Treaty Organization (NATO), expanded its fleet, and it gained capacity to conduct aerial combat operations at night in December 2018. In February 2018, the creation of the Afghan Territorial Force, a local defence force operating as part of the Afghan National Army, was authorized by a presidential decree and entered into a pilot phase.

9. Under the responsibility of the Ministry of Interior Affairs, the Afghan National Police is the primary law enforcement agency, although it also takes part in hostilities. The Afghan Local Police was created in 2010 to provide a community-based policing capability as part of counter-insurgency efforts. Although it nominally reports to the Afghan National Police and the Ministry of Interior Affairs, the Afghan Local Police is considered a de facto part of the armed forces owing to its combat-related functions.

##### *International forces*

10. On 1 January 2015, the NATO International Security Assistance Force (ISAF) in Afghanistan transitioned to its non-combat successor, the Resolute Support Mission, following the handover of security responsibility to the Afghan security forces. Unlike ISAF, authorized by the Security Council, the legal basis for the Resolute Support Mission was provided by a status-of-forces agreement. In its resolution [2189 \(2014\)](#), the Security Council welcomed the bilateral agreement between Afghanistan and NATO to establish the Resolute Support Mission, a

non-combat mission to train, assist and advise the Afghan National Defence and Security Forces. As at 31 December 2018, the Resolute Support Mission consisted of approximately 16,000 troops from 39 NATO countries and allies.<sup>2</sup>

11. With a total of 14,000 troops in Afghanistan, and in addition to supporting the Resolute Support Mission, the United States conducts Operation Freedom's Sentinel, which replaced Operation Enduring Freedom on 1 January 2015. The Operation focuses on counter-terrorism operations. The commander of the Resolute Support Mission also serves as the commander of the United States forces in Afghanistan, although the chains of command are separate.

#### *Pro-government militias*

12. Pro-government militias are organized non-State militias engaged in operations against armed groups. These militias are distinct from government security forces and lack legal basis under Afghan laws. They operate outside of the regular military command and control structures and are not included in the official government *tashkil*.<sup>3</sup> They include, for example, the National Uprising Movements, a community-based defence initiative set up across Afghan provinces, and the Khost Protection Force, which has carried out specialized operations in the south-east of Afghanistan since at least 2007.

#### *Armed groups*

13. Following the withdrawal of ISAF in 2014, the Taliban incrementally increased its territorial control and continued to conduct large-scale assaults, primarily targeting Afghan security force positions, key transportation routes and district administrative centres across the country, while government and pro-government forces increasingly relied on air strikes. At the time of writing, 45,000 to 65,000 Taliban fighters were reportedly active in Afghanistan, although estimates vary considerably. The Taliban shadow administrative structures exist in all provinces, their functionality being subject to the level of influence in the area.

14. The Haqqani Network has assumed an increasingly influential role in the Taliban's military operations. It is currently led by Sirajuddin Haqqani, who, in 2015, was appointed as one of Taliban leader Mullah Haibatullah Akhundzada's deputies. While the Haqqani Network is part of the Taliban, it has maintained a degree of independence and is believed to be responsible for several attacks on government and international targets in heavily populated areas of Kabul. Since 2017, the United Nations has attributed attacks reportedly committed by the Haqqani Network to the Taliban, as the distinction could no longer be reliably established.

15. In September 2016, the Government of Afghanistan and Hizb-i Islami, led by Gulbuddin Hekmatyar, signed a peace agreement that contained plans for Security Council sanctions delisting, prisoner releases, the integration of combatants affiliated with the group into the Afghan security forces and land allocations to refugees affiliated with the group, contingent upon the cessation of the group's activities. Gulbuddin Hekmatyar returned to Kabul in May 2017 after he was removed from the Islamic State in Iraq and the Levant (Da'esh) and Al-Qaida sanctions list. There has been limited progress in integrating former combatants, as provided for in the peace agreement. The Government has since indicated that the integration would be

<sup>2</sup> See [www.nato.int/cps/en/natohq/topics\\_8189.htm](http://www.nato.int/cps/en/natohq/topics_8189.htm).

<sup>3</sup> Dari word meaning "structure" that refers to the official staffing table and equipment allocations authorized by the Government of Afghanistan for a particular government entity, including security forces and the civilian branch (UNAMA/Office of the United Nations High Commissioner for Human Rights (OHCHR), *Afghanistan: Protection of Civilians in Armed Conflict – Annual Report 2018* (February 2019)).

conducted through the normal recruitment process of its security forces. Some of the group's former followers are reported to continue their involvement in armed conflict at the local level.

16. Al-Qaida is believed to maintain a limited presence in eastern Afghanistan, primarily in Kunar and Nuristan Provinces, and has been seeking to strengthen its presence in Badakhshan and Paktika Provinces, while maintaining links to armed groups operating throughout Afghanistan.

17. Tehrik-e Taliban Pakistan is an alliance of formerly disparate groups that came together in 2007 following military operations by Pakistan against militants connected to Al-Qaida in the Federally Administered Tribal Areas. Formed under the leadership of Baitullah Mehsud, who has since died, the group is rooted along the border between Afghanistan and Pakistan.<sup>4</sup>

18. Islamic State in Iraq and the Levant-Khorasan Province was established in January 2015, following the progressive and partial realignment of some dissident factions or fighters from the Taliban, the Islamic Movement of Uzbekistan<sup>5</sup> and Tehrik-e Taliban Pakistan, among others. ISIL-KP is present in eastern Afghanistan, with 2,500 to 4,000 elements believed to be currently active. Its expansion has been constrained as a result of operations by Afghan security forces and international forces, local militia mobilization and, separately, Taliban offensives. As a result, ISIL-KP has increasingly relied on suicide and complex attacks deliberately targeting civilians in large cities. The country task force also attributed civilian casualties to self-proclaimed "ISIL-KP fighters", involving situations in which armed groups identified as or claimed to be ISIL-KP, but there was no factual information supporting a formal link to the group in Nangarhar Province or to the broader Islamic State organization.<sup>6</sup>

19. Several other non-State armed groups continue to operate in Afghanistan, including militia elements linked to political parties and to leaders of former mujahidin factions, at times in opposition to, or in support of, the Afghan security forces.

#### IV. Grave violations against children

20. Between 2015 and 2018, the country task force verified 14,202 grave violations against children throughout the country. Of serious concern, the killing and maiming of 12,599 children was verified, representing almost a third of all civilian casualties and an increase of 82 per cent in child casualties compared with the previous four years. Notwithstanding monitoring and verification constraints, the recruitment and use of 274 children and the perpetration of sexual violence against 17 children were also verified, as well as the abduction of 231 children, 832 attacks on schools and hospitals and 249 incidents of denial of humanitarian access to children. Armed groups were the main perpetrators of all grave violations except for sexual violence (see para. 37 below). However, the number of child casualties attributed to government and pro-government forces was a concern.

<sup>4</sup> See [www.un.org/securitycouncil/sanctions/1267/aq\\_sanctions\\_list/summaries/entity/tehrick-e-taliban-pakistan-%28ttp%29](http://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list/summaries/entity/tehrick-e-taliban-pakistan-%28ttp%29).

<sup>5</sup> The Islamic Movement of Uzbekistan was created in Uzbekistan and was involved in the civil war in Tajikistan, after which it was granted shelter by the Taliban in the late 1990s. Part of the group has since joined Islamic State in Iraq and the Levant-Khorasan Province. The group operates out of Tajikistan and northern Afghanistan.

<sup>6</sup> UNAMA/OHCHR, *Afghanistan: Protection of Civilians*.

21. Owing to monitoring and verification challenges, the data contained in the present report are believed to underrepresent the actual number of grave violations committed against children.

## A. Recruitment and use

22. During the reporting period, children continued to be recruited and used by parties to conflict in combat and support roles, as well as for sexual purposes. Poverty, unemployment and limited access to basic services, and the absence of social protection, have been key factors driving children to join parties to conflict. The country task force verified the recruitment and use of 274 children (272 boys and 2 girls). However, the actual number of children recruited and used by parties to conflict is estimated to be much higher. In 2016, for example, there were allegations of recruitment, mostly by armed groups, affecting more than 3,000 children, and in 2017 the country task force received credible but unverified reports of 643 children recruited and used by armed groups.

23. Armed groups were responsible for the majority of cases of child recruitment and use, namely, the Taliban (139), ISIL-KP (32), Tehrik-e Taliban Pakistan (17) and unidentified armed groups (23). Children were used in various roles, such as for planting improvised explosive devices, transporting explosives, carrying out suicide attacks and participating in hostilities. For example, in 2016, in Farah Province, a 16-year-old madrasa student was reportedly pushed by his relative to join the Taliban. The boy was later recruited by a senior Taliban commander, directly participated in fighting and was killed two months later. The country task force also received credible reports that the Taliban used large numbers of children to fight during the 2015 and 2016 offensives in Kunduz Province.

24. The Taliban issued multiple public statements declaring the explicit prohibition of child recruitment and use. Article 69 of their code of conduct (*Layeha*) provides that “beardless youth cannot be kept in barracks or military bases”. However, the Taliban’s definition of a child is not in line with national or international law. While efforts were reportedly taken by the Taliban Protection of Civilians Commission, data collected by the country task force indicated that child recruitment and use by the Taliban persists and that they remain the main perpetrator of that violation.

25. The country task force verified the recruitment and use of children by the Afghan National Police (24), Afghan Local Police (23), jointly by the Afghan National Police and Afghan Local Police (1), the Afghan National Army (4) and other components of the Afghan security forces (2). In addition, the recruitment and use of nine children by pro-government militias was verified. Significant progress was made to enable the prevention of child recruitment through the establishment of child protection units in the Afghan National Police recruitment centres. Nevertheless, the country task force continued to receive credible reports of children being used as guards or to serve food or tea at check posts, in particular by the Afghan Local Police and to a lesser extent by the Afghan National Police. In some instances, children were subjected to sexual violence.

### *Deprivation of liberty for alleged association with armed groups and/or on the basis of national security charges*

26. The Ministry of Justice reported that, from 2015 to 2018, boys were detained in juvenile rehabilitation centres on charges related to national security, including association with armed groups (2015, 214 boys; 2016, 167 boys; 2017, 171 boys; and 2018, 205 boys). Often, children detained on such charges faced challenges gaining

access to legal, social and other services. Prolonged pretrial detention also remains an issue.

27. In May 2017, the country task force received a list of 58 children detained on charges related to national security in the juvenile section of the maximum-security detention facility run by the Afghan National Army in Parwan Province, in addition to an unknown number of children detained on similar charges in the detention facility run by the National Directorate for Security in Parwan Province. Following advocacy efforts, 50 children were transferred to the juvenile rehabilitation centre in Kabul; however, after a review and forensic age assessment ordered by the prosecution office, 46 of them were considered adults and sent back. According to national authorities, children were no longer held in the detention facility run by the Afghan National Army at the time of writing, but concerns remain with regard to the age assessment process.

28. In July 2018, 55 children who were part of approximately 250 suspected affiliates of a group of self-proclaimed ISIL-KP fighters surrendered to the Afghan security forces in the Darzab district of Jowzjan Province. In addition to being held for investigation for approximately 100 days without access to basic services, there was no due process and the children had no or very limited contact with their families. Following advocacy efforts by the country task force, the 55 children were transferred from the National Directorate for Security detention facility to the juvenile rehabilitation centre.

## **B. Killing and maiming**

29. During the period under review, the country task force verified the killing of 3,450 children (2,475 boys, 919 girls and 56 of sex unknown) and the maiming of 9,149 others (6,477 boys, 2,577 girls and 95 of sex unknown), representing almost a third of all civilian casualties and an increase of 82 per cent compared with the previous four years. The worrying trend is explained by an increase in child casualties resulting from ground engagements, explosive remnants of war and aerial attacks. Numbers peaked in 2016 and 2017, coinciding with an increasing intensity of the conflict.

30. Armed groups were responsible for 43 per cent of the child casualties. While the majority were attributed to the Taliban (3,921), the number attributed to ISIL-KP increased overall over the years, from 14 in 2015 to 102 in 2016, 94 in 2017 and 217 in 2018. Child casualties were also attributed to self-proclaimed ISIL-KP fighters (28), Hizb-i Islami (6) and unidentified armed groups (953), and the remaining cases were jointly attributed to armed groups.

31. Government and pro-government forces were responsible for 30 per cent of the child casualties, a significant increase compared with the previous four years (19 per cent). Of these, Afghan security forces were responsible for 2,794 child casualties, including but not limited to the Afghan National Army (1,898), the Afghan National Police (157) and the Afghan Local Police (101), while international forces were responsible for 512 child casualties and pro-government militias for 177. Of the total child casualties, 10 per cent were jointly attributed to different government and pro-government forces or could not be attributed to a specific government or pro-government force, while 17 per cent (2,159) were attributed jointly to armed groups and government and pro-government forces.

32. Ground engagements between government and pro-government forces and armed groups were the leading cause of child casualties, causing almost half of the total number (1,284 killed and 4,537 maimed), an increase of 129 per cent compared with the previous four years. Of these, 41 per cent were attributed to government and

pro-government forces, 30 per cent to armed groups and 28 per cent jointly to both parties. A total of 67 child casualties resulted from cross-border shelling from Pakistan.

33. Non-suicide attacks by armed groups involving the use of improvised explosive devices were the second main cause of child casualties (614 killed and 1,534 maimed), with children accounting for 26 per cent of civilian casualties from this tactic, compared with 17 per cent during the previous four years. The Taliban was responsible for 71 per cent of those child casualties, ISIL-KP for 4 per cent and self-proclaimed ISIL-KP fighters for 1 per cent. The remaining 24 per cent could not be attributed to a specific armed group.

34. Explosive remnants of war left behind from decades of conflict and the persistent and pervasive use of indirect fire systems and/or explosive weapons by parties to conflict disproportionately affected children throughout the reporting period. Explosive remnants of war resulted in 1,922 child casualties (576 killed and 1,346 maimed), an increase of over 100 per cent compared with the previous four years. Children accounted for 84 per cent of all civilian casualties from explosive remnants of wars. In many cases, children were killed or injured because they touched explosive remnants of war they had found, played with or carried home. For example, in September 2018, in the Shirin Tagab district of Faryab Province, a group of children grazing animals found an unexploded ordnance, took it to the village and hit it with stones until it exploded, killing nine children and maiming five others. Since 2017, child casualties from explosive remnants of war have decreased.

35. Of grave concern, children have been heavily affected by air strikes, with a total of 1,049 child casualties, representing 40 per cent of civilian casualties from this tactic. Child casualties from aerial attacks have significantly increased every year since 2015, reversing the downward trend observed in my previous report. The country task force verified a total of 91 child casualties (36 killed and 55 maimed) from aerial operations in 2015, 200 in 2016 (78 killed and 122 maimed), 266 in 2017 (114 killed and 152 maimed) and 492 in 2018 (236 killed and 256 maimed). The upward trend followed the deployment by the Afghan Air Force of aircraft capable of aerial attacks in 2015 and the subsequent expansion of its capacity, as a result of which the Air Force conducted its first night strike in December 2018. In one incident, on 2 April 2018, Air Force helicopters conducted aerial operations in the Dasht-e Archi district of Kunduz Province, firing multiple rockets and heavy machine guns during an open-air graduation ceremony at a madrasa, resulting in at least 30 children killed and 51 injured. On 16 May 2018, the President of Afghanistan, Mohammad Ashraf Ghani, apologized to the families of the victims of the air strike and extended his sympathies to elders from the area, although challenges remain.<sup>7</sup> An increase in child casualties from air strikes conducted by international forces was also observed. For example, on 30 August 2017, in the Pul-e Alam district of Logar Province, an air strike carried out by international forces targeting Taliban fighters in a residential area killed five girls and five boys and injured four girls and two boys.

36. Throughout the reporting period, armed groups carried out suicide and complex attacks against military and civilian targets, causing 862 child casualties (164 killed and 698 maimed), the majority of which were attributed to the Taliban and ISIL-KP. Child casualties from this tactic increased by 36 per cent compared with the previous four years, mainly owing to the presence of ISIL-KP in Afghanistan. Child casualties

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<sup>7</sup> The country task force welcomes that important step in providing reparations to the victims for the harm suffered and urges the Government to release the findings of the report of the presidential commission, address the logistical issues and challenges that have been raised by the community concerned about the payment of compensation and ensure that those responsible along the chain of command are held accountable.

attributed to ISIL-KP went from none in 2015, to 46 in 2016, 59 in 2017 and 152 in 2018.

### C. Rape and other forms of sexual violence

37. During the reporting period, the country task force verified 17 cases of sexual violence, affecting 13 boys and 4 girls, committed by parties to conflict, 13 of which were attributed to the Afghan security forces, including the Afghan National Police (7), the Afghan Local Police (4), the Afghan National Army (1) and the Afghan Border Police (1), 1 was attributed to a pro-government militia and 3 to the Taliban. Those figures, however, do not reflect the extent of the incidents countrywide, as sexual violence is known to be underreported as a result of prevailing social norms, fear of retaliation and impunity. When cases are reported, verification is often not possible owing to cultural sensitivities and concerns for the protection of victims. In addition, information available consistently indicates that ensuring accountability remains a central challenge and that response mechanisms to provide support and protection to victims are lacking.

38. The verified incidents included cases of *bacha bazi*, a practice whereby boys are exploited by wealthy or powerful men for entertainment, in particular for dancing and sexual activities. For example, in Takhar Province, for about a year, a boy was held by several armed commanders, including Afghan National Police commanders, and used for *bacha bazi*. In February 2018, an arrest warrant for suspected perpetrators was issued. However, at the time of writing, no one had been arrested.

39. In a study conducted by UNAMA between October 2016 and December 2017, people from communities in all regions of Afghanistan shared their perceptions that the use of boys for the purposes of sexual abuse and exploitation, including *bacha bazi*, by parties to conflict was common and widespread. Despite the criminalization of *bacha bazi* in the revised Penal Code, ensuring accountability for such crimes remains a challenge. Owing to the involvement of powerful men and cultural sensitivities, impunity is widespread and victims face stigma and exclusion from society. At the time of writing, the country task force was unaware of any prosecutions or convictions for *bacha bazi*, although, in some of the cases, arrest warrants had been issued and the cases were being prosecuted in the same way as other crimes in the Penal Code, such as kidnapping.

### D. Attacks on schools and hospitals

#### Attacks on schools and education personnel

40. The country task force verified 467 attacks on schools and education personnel during the reporting period, involving schools targeted or damaged during hostilities, the killing, injury and abduction of education personnel and threats against education facilities and personnel. After the number of attacks decreased between 2015 (131) and 2017 (68), there was a significant increase in 2018 (191), mainly owing to attacks by armed groups on schools used as voter registration and polling centres for the 2018 parliamentary elections.

41. Armed groups were responsible for 87 per cent of the attacks on schools and education personnel (408), most of which were attributed to the Taliban (296). The emergence of ISIL-KP in the east also increasingly affected education, as the group was responsible for 42 attacks in 2018, compared with 27 during 2015, 2016 and 2017 combined.

42. During 2018, the country task force verified 92 attacks and threats of attacks on schools and education personnel relating to elections, leading to schools being damaged and school closures and/or reduced attendance, which had an impact on children's safety and right to education. Of the approximately 5,000 polling and registration centres, over 50 per cent were located in schools.

43. During 2018, a trend also emerged of attacks and threats against education facilities by armed groups as a reaction to actions taken by the Government, leading to widespread school closures and child casualties. The Taliban attacked schools with rockets, mortars and improvised explosive devices in response to military operations conducted by government and pro-government forces or the arrest of some Taliban members. Also, the country task force verified 34 attacks in Nangarhar Province attributed to ISIL-KP, following threats by the group that they would target schools for girls in response to aerial attacks that they claimed had killed approximately 100 women and children.

44. The Taliban continued to attack and threaten schools for girls and the school personnel, burning the schools or detonating improvised explosive devices, resulting in damage to facilities and the disruption of classes. In various parts of the country, the Taliban opposed the education of girls beyond grade six.

45. The Afghan National Defence and Security Forces (30) and pro-government militias (8) were also responsible for attacks on schools, including damage to buildings and property, intimidation of education personnel and raids and looting of education materials, although to a far lesser extent. International forces were responsible for damage to schools as a result of aerial operations (2).

46. The country task force verified the military use of 95 schools: 35 in 2015, 42 in 2016, 13 in 2017 and 5 in 2018. Afghan security forces were responsible for the military use of 70 schools, armed groups for 24 and pro-government militias for 1. While the military use of schools by Afghan security forces remained high in 2015 (24) and 2016 (34), they used significantly fewer schools for such purposes in 2017 (8) and 2018 (4). In that regard, the signing of the Safe Schools Declaration by the Government in 2015 and the promulgation of two directives by the Ministry of Education in 2016 instructing Afghan security forces to stop using schools for military purposes was noteworthy progress. Attention now needs to be given to ensuring the implementation of the various elements of the Safe Schools Declaration.

#### **Attacks on hospitals and medical personnel**

47. The country task force verified 365 attacks against health-care facilities and medical personnel. While the total number of attacks verified is higher than the previous four years, the number decreased overall during the reporting period: from 125 attacks in 2015 to 119 in 2016, 59 in 2017 and 62 in 2018. Armed groups were responsible for 86 per cent of those attacks, with the Taliban alone responsible for 226 attacks. Government and pro-government forces were responsible for 48 attacks, attributed to Afghan security forces (33), international forces (5), jointly to Afghan security forces and international forces (3), pro-government militias (4) and undetermined government or pro-government forces (3).

48. Armed groups deliberately targeted health-care facilities and personnel. Threats by armed groups led to multiple closures of health centres and the resignation of health-care personnel, thereby depriving children of their right to have access to health care. The Afghan security forces were also responsible for incidents affecting health care, such as search operations in medical facilities that resulted in damage to or the closure of clinics, or harassment of medical personnel.

49. On 3 October 2015, the United States military carried out an air strike on the Médecins sans frontières hospital in Kunduz city that killed 42 civilians and injured 43, including 49 medical personnel killed or injured and at least 10 children killed and 8 children injured. The attack destroyed the hospital, which severely affected access to health care in the province over the long term. As at the end of 2018, Médecins sans frontières had a much smaller presence in Kunduz city. The country task force acknowledges the actions taken by the United States in the aftermath of the attack, including a public apology by the then-President, Barack Obama. While welcoming the investigation by the United States and the steps taken to strengthen operational practices, independent and impartial investigations and appropriate action and accountability remain essential for all parties in all such incidents.

50. In 2018, health facilities were also affected by election-related violence, although to a lesser extent than schools. A total of 2 per cent of the polling centres were located in health clinics, placing 141 health facilities at risk of attacks. The use of indirect fire in and from civilian-populated areas during elections also caused damage to clinics. For example, in June 2018, in Nangarhar Province, an improvised explosive device planted near a voter registration centre established inside a local clinic detonated, killing an 11-year-old girl.

51. The country task force verified the military use of 38 health facilities, including by Afghan security forces (17), the Taliban (13) and ISIL-KP (3). The remaining health facilities were used by undetermined armed groups (3), an undetermined government or pro-government force (1) and jointly by the Afghan National Army and the Taliban (1). It is worth noting that the verified number of health facilities used for military purposes by Afghan security forces dropped in 2018, to one health facility used by the Afghan National Army and one by both the Taliban and the Afghan National Army.

## **E. Abduction**

52. During the reporting period, the country task force verified the abduction of 231 children, including 13 girls, some as young as 4 years old. A total of 92 abductions were verified in 2015, 53 in 2016, 43 in 2017 and 43 in 2018. The total number of abductions significantly increased compared with the previous reporting period, during which the abduction of 100 children was verified, in addition to an unverified number of 142 abducted children.

53. Most cases were attributed to armed groups, namely, the Taliban (172), ISIL-KP (13), self-proclaimed ISIL-KP fighters (4), Tehrik-e Taliban Pakistan (1) and Hizb-i Islami (1) and unidentified armed groups (20). In several cases, armed groups abducted boys whom they perceived to be government supporters, related to members of the Afghan security forces or linked to rival armed groups. For example, in 2017, in Faryab Province, the Taliban abducted four boys, aged between 4 and 10 years old, to force their fathers, both commanders of pro-government militias, to withdraw from the area and end the fighting.

54. The country task force verified the abduction of 7 children by the Afghan National Army, 2 by the Afghan Local Police and 11 by pro-government militias. In some cases, other violations occurred during captivity, such as rape. For example, in 2016 in Kunduz Province, an Afghan Local Police commander kidnapped a 16-year-old boy from his home, brought him to his check post and kept him in captivity for three days, subjecting him to rape and ill-treatment.

## **F. Denial of humanitarian access**

55. The country task force verified 249 incidents of denial of humanitarian access during the reporting period, 89 per cent of which were attributed to armed groups, including 156 to the Taliban. A total of 7 per cent of the incidents were attributed to government and pro-government forces (18).

56. Armed groups intimidated, abducted, killed and injured humanitarian personnel and were responsible for attacks against humanitarian organizations. For example, on 24 January 2018, in Jalalabad city, Nangarhar Province, ISIL-KP attacked the office of Save the Children International, causing 26 civilian casualties, including 5 children injured and 4 staff members killed.

57. Armed groups also affected demining activities, attacking deminers and in some instances destroying their equipment. Hundreds of deminers were abducted and dozens killed and injured, mostly by the Taliban but also by ISIL-KP. Attacks on humanitarian deminers are prohibited under international humanitarian law and undermine demining efforts, which is likely to result in the loss of children's lives and limbs, as children continue to comprise the vast majority of the victims of explosive remnants of war.

58. Armed groups also hindered vaccination campaigns, especially those relating to polio immunization, by banning campaigns, threatening, abducting, killing and injuring vaccinators and destroying vaccination supplies. According to the Ministry of Public Health, at the time of writing, Afghanistan had 21 cases of polio, the highest number worldwide. Furthermore, nearly 1 million children under the age of 5 have not been immunized since May 2018 owing to an ongoing immunization ban by armed groups in most of the southern region, where there is an outbreak of polio.

59. The Afghan National Defence and Security Forces were responsible for 11 incidents of denial of humanitarian access, often as a result of allegations that humanitarian aid benefited armed groups.

## **V. Progress and challenges in ending and preventing grave violations against children**

60. Following the endorsement of the road map towards compliance in 2014, the country task force noted significant progress and concrete steps taken by the Government to end and prevent child recruitment and use by its security forces.

61. The Government enacted a law criminalizing child recruitment and use in the Afghan National Defence and Security Forces, published in the official gazette in February 2015. The Ministry of Interior Affairs investigated allegations of child recruitment by the Afghan National Police, replaced the head of a recruitment centre and released a small number of child recruits from their ranks. In December 2015, the Inter-Ministerial Steering Committee on Children and Armed Conflict endorsed the national age assessment guidelines, developed with support from UNICEF and UNAMA.

62. In May 2015, the Government signed the Safe Schools Declaration, aimed at protecting education facilities from military use during armed conflict. In that regard, on 4 June and 4 July 2016, respectively, the Ministry of Education promulgated two directives to all security-related ministries, calling upon the security forces to stop using schools for military purposes.

63. In 2016, the Ministry of Interior Affairs issued a directive prohibiting the media exposure of children arrested on charges related to national security. In addition, the

National Directorate for Security issued a directive instructing that children should be separated from adult detainees and that children should not be kept in the National Directorate for Security detention facilities for the purpose of primary investigation. The directive also provides that children arrested on security-related charges should be referred to a juvenile rehabilitation centre as soon as possible. In 2018, annex 1 to the Criminal Procedure Code was amended to provide that children held on charges related to national security should be kept in the juvenile rehabilitation centres.

64. In August 2017, the Government ratified Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. The Protocol, also known as the Protocol on Explosive Remnants of War, came into effect in February 2018. Given that most victims of explosive remnants of war are children, the ratification is an important step in strengthening the protection of children. According to the Government, the Ministry of Defence defused 6,129 landmines in 2017 and 6,335 in 2018. In 2017, the Government also endorsed the National Policy on Civilian Casualty Prevention and Mitigation. Ensuring the impartial examination and systematic tracking of civilian casualties, as well as independent investigations into incidents that resulted in civilian casualties, must now be prioritized. In addition, the Government revised targeting protocols for aerial attacks and began including legal advisers in targeting processes. Furthermore, through the Resolute Support Mission, international forces continued to support the Afghan security forces, including in revising their policies, in order to synergize and streamline civilian protection measures.<sup>8</sup>

65. Regarding measures taken by international forces, the Resolute Support Mission reported that it had reorganized certain processes to review allegations of civilian casualties caused by international forces. The country task force encourages international forces to continue their efforts to review incidents that resulted in child casualties and that the international forces have verified in order to help to identify broader patterns of harm and ensure that the information is considered at the operational level, especially in the light of the alarming increase in the number of child casualties caused by air strikes.<sup>9</sup> In 2016, the Resolute Support Mission deployed a Senior Child Protection Adviser to support efforts to protect children from armed conflict. The United States also informed my Special Representative for Children and Armed Conflict of the designation within the Department of Defense of a senior civilian officer responsible for coordinating compliance with policies relating to non-combatant casualties in military operations conducted by the United States, and of the development of a policy to guide the efforts of its forces to minimize civilian casualties.

66. In December 2017, the Ministry of Defence of Afghanistan officially launched its child protection policy focusing on the prevention of the six grave violations against children in armed conflict and of the military use of education and health facilities, applicable to all personnel of the Afghan National Army.

67. On the basis of joint advocacy efforts by the Afghanistan Independent Human Rights Commission, UNICEF and UNAMA, the 2017 revised Penal Code, which entered into force in February 2018, explicitly criminalizes *bacha bazi*, the recruitment and use of children and the falsification of national identification cards (*tazkeras*). The addition of those provisions is an important step since the criminalization of child recruitment and use in 2015 and lies at the centre of all efforts to ensure accountability and prevent this violation. However, challenges remain

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<sup>8</sup> UNAMA/OHCHR, *Afghanistan: Protection of Civilians*.

<sup>9</sup> *Ibid.*

concerning the implementation of the Penal Code and the prosecution of perpetrators for the recruitment and use of children or *bacha bazi*.

68. The country task force also supported the Government in drafting a Child Act, ensuring the inclusion of provisions on the recruitment and use of children and sexual violence against children, including *bacha bazi*. The Act was approved by the Ministry of Justice but had been pending approval by Parliament. Some parliamentarians do not accept the definition of a child as any person who has not reached the age of 18, although that definition is included in the Juvenile Code and the revised Penal Code. At the time of writing, the Child Act had been adopted by presidential decree.

69. Another important development was the inauguration of 30 additional child protection units in the Afghan National Police recruitment centres by the Ministry of Interior Affairs, with the support of UNICEF and UNAMA, now covering all 34 provinces. From 2015 to 2018, following the application of their age assessment procedures, child protection units prevented 1,501 child applicants from enlisting in the ranks of the Afghan National Police. The country task force advocated with the Ministry of Interior Affairs to use the child protection units to proactively monitor check posts and ensure that no children are present in such locations. Challenges remain concerning progress on screening mechanisms in the Afghan Local Police.

70. The country task force continued sensitizing and training personnel of the Afghan security forces on the protection of children in armed conflict, including 103 personnel in 2015. In 2016, 20 human rights personnel of the National Directorate for Security were trained on the directive on handling cases involving children and other key child protection issues. In 2017, the country task force trained 17 chiefs of police in Kabul on child protection and ethical reporting on children arrested on charges related to national security, on the handover of children allegedly associated with armed groups and on provisions in the Child Act and the revised Penal Code regarding recruitment and sexual violence. A total of 22 communications personnel of the National Directorate for Security were also trained on ethical reporting on children. In 2018, 46 personnel of child protection units from 12 provinces were trained on national age assessment guidelines.

71. In February 2016, my Special Representative for Children and Armed Conflict visited Afghanistan and met with key government officials, including the President, Mr. Ghani. She welcomed the Government's strong commitment and the important progress made to end and prevent child recruitment and use by Afghan security forces and discussed gaps and challenges yet to be addressed. The Office of my Special Representative also conducted two technical visits, in 2016 and 2017, to support the work of the country task force.

72. Despite notable progress, the country task force is concerned about the continuous use of children, including for sexual purposes, especially by the Afghan National Police and the Afghan Local Police. Challenges remain in the full implementation of the measures outlined in the road map, in particular regarding the development of a national plan on children detained on charges related to national security.

73. In addition to the need for stronger prevention measures, it is essential to put in place a solid response mechanism to address the needs of children formerly associated with parties to conflict, released from detention facilities or rejected during formal recruitment processes, to ensure their recovery, protection and reintegration, and to prevent further recruitment and use. At the time of writing, programmatic response mechanisms existed in 11 out of 24 juvenile rehabilitation centres to provide psychosocial support, health care, education, vocational training and support through income-generating schemes. Challenges remain with respect to support for

reintegration and the use of referral pathways for all affected children, given the limited financial resources and few social workers in the region.

74. Response mechanisms to provide support and protection to victims of sexual violence are also lacking. It is important to establish mechanisms to refer those children to psychosocial support and health-care services, support their reintegration and ensure their safety. In addition, the country task force is unaware of concrete steps taken to prosecute suspected perpetrators, in particular those within the security forces. Instead, when measures against perpetrators were taken, they were often of an administrative nature, such as the removal of the perpetrators to a different province or district or to a new unit, which placed other children at risk.

75. In addition, measures are yet to be fully put in place to ensure that no children are recruited as part of the Afghan Territorial Force, a new structure being operationalized at the time of writing, as well as in the integration of former members of Hizb-i Islami into Afghan security forces following the peace agreement.

76. In its ongoing dialogue with the Taliban, the United Nations continued to stress the distinction between civilian and military targets and the need to take preventive measures to protect civilians. While acknowledging the statements by the Taliban concerning measures taken to better protect civilians, the country task force remains concerned by the use of indirect fire systems and improvised explosive devices targeting civilians and civilian objects, as well as the indiscriminate use of those weapons in civilian areas.<sup>10</sup>

77. As children also continue to be recruited and used by the Taliban, ending that practice is a key aspect of the ongoing dialogue between the United Nations and the group. The Taliban stated that any members found to be involved in child recruitment were held accountable, including through dismissal from their positions, which the group believed had resulted in a decrease in child recruitment. However, according to information verified by the country task force, the Taliban remains the main perpetrator of child recruitment and use.

78. Dialogue with armed groups at the local level remained impeded by the security situation and the fragmentation of those groups. It remains important to include child protection in all current and future dialogues with parties to conflict.

79. Since its first meeting in December 2015, the Group of Friends of Children and Armed Conflict in Afghanistan has been meeting on a regular basis and has focused on common advocacy and mobilizing resources and support for the Government to meet its commitments under the action plan and address related issues.

## **VI. Observations and recommendations**

80. I am deeply disturbed by the scale, severity and recurrence of grave violations endured by the children in Afghanistan and by the fact that they continue to bear the brunt of the armed conflict. I condemn the alarming level of grave violations against children committed by all parties to conflict, in particular the high number of incidents of killing and maiming. I urge all parties to immediately cease all violations and abide by their obligations under international humanitarian and human rights law, including by refraining from using indirect fire systems in civilian-populated areas.

81. I am extremely concerned about the significant increase in the number of child casualties, including those resulting from aerial operations conducted by government and pro-government forces. I urge the relevant parties to take all measures necessary

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<sup>10</sup> Ibid.

to prevent child casualties in the conduct of their operations. I also encourage parties to continue to follow up on allegations of child casualties to identify broader patterns, improve operational practices and promote accountability, as well as to ensure adequate and effective reparations. While I welcome its endorsement of the National Policy on Civilian Casualty Prevention and Mitigation, I call upon the Government to prioritize the full implementation of the Policy.

82. I also welcome the deployment of a Senior Child Protection Adviser at the Resolute Support Mission and the mitigation measures announced by the United States. I request my Special Representative to engage proactively with and follow up on the implementation of all measures taken by the Government and international forces to mitigate child casualties. I strongly urge those parties to immediately take additional extraordinary measures to protect children during military operations, including during aerial operations, and to continue to abide by their obligations under international law.

83. I commend the Government for ratifying the Protocol on Explosive Remnants of War. I encourage the Government to develop an implementation plan and continue to conduct awareness-raising programmes on the dangers of explosive remnants of war among communities.

84. I praise the Government for the progress made in implementing its action plan to end and prevent child recruitment and use by its security forces, and I encourage efforts to expedite the completion of the action plan. I commend the establishment of child protection units in recruitment centres of the Afghan National Police in all provinces. I encourage the strengthening of age assessment and screening procedures and the expansion of the functions of the child protection units to incorporate proactive monitoring at check posts. Notwithstanding such progress, I remain concerned about the lack of mechanisms in place to end and prevent the recruitment and use of children by the Afghan Local Police and urge the Government to intensify its efforts in that regard. I also encourage the Government to put in place screening mechanisms when operationalizing the Afghan Territorial Force as a new structure within its security forces to ensure that no children are among its ranks.

85. I congratulate the Government for the entry into force of the revised Penal Code. In that regard, I call for the enforcement of the provisions criminalizing the recruitment and use of children and *bacha bazi* and for efforts to swiftly address the lack of accountability, as the prevalent impunity is of serious concern.

86. I welcome the signing of the Safe Schools Declaration and subsequent promulgation of two directives by the Ministry of Education to better protect schools. I encourage the Government to continue to strengthen laws and policies to prevent the military use of schools.

87. As armed groups remain the main perpetrators of the recruitment and use of children, I urgently call upon those parties to immediately halt and prevent the recruitment and use of children in any role, consistent with national and international laws, including through the development and dissemination of military orders prohibiting the recruitment and use of anyone under the age of 18, and to immediately release all children from their ranks and support the children's return to civilian life.

88. The lack of reintegration opportunities for children formerly associated with parties to conflict, as well as for those released from detention, remains a major concern. I urge the Government to increase efforts to support the effective reintegration of those children. I also encourage the Government to put in place measures to ensure the protection of all children formally rejected from entering the ranks of the Afghan security forces and facilitate their reintegration into society.

89. All children allegedly associated with parties to conflict should be treated primarily as victims of recruitment and use. I call upon the Government to release those children from detention, in line with the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles), which it has endorsed. In addition, children detained on charges related to national security should be transferred to juvenile rehabilitation centres and have access to all services, in line with international juvenile justice standards.

90. The continuation of attacks against health-care workers and facilities, including during vaccination campaigns, as well as against schools and education personnel, mostly by armed groups, is extremely alarming. I urge those parties to immediately halt such attacks. Furthermore, in the context of future electoral processes, I urge armed groups to refrain from all attacks on schools and health facilities when used as voter registration and polling centres, to ensure safe access to those facilities.

91. In the light of the upcoming elections, I strongly encourage the Government to prioritize the protection of schools and hospitals, given the widespread use of schools and, to a lesser extent, of health facilities as election-related sites.

92. I stress the importance of sustained, rapid and unimpeded humanitarian access to populations in need without discrimination, and I urge those parties involved in attacks against humanitarian personnel, including deminers and vaccinators, to immediately halt such attacks.

93. The abduction of children, mostly by armed groups, remains of grave concern. I urge the parties to conflict to stop abducting children for any purpose, considering the disruptive effects on the children's lives and on their families.

94. I urgently call upon all listed parties who have not done so to enter into dialogue with the United Nations for the development and implementation of action plans to end and prevent all grave violations against children. Furthermore, following the signing of the peace agreement between the Government and Hizb-i Islami, I urge the Government to put in place child protection measures when integrating former combatants of the group into the Afghan security forces.

95. I urge all stakeholders involved in current and future peace talks and dialogues with parties to conflict to prioritize the protection of children in those processes.

96. I further call upon all Member States and the donor community to assist the Government of Afghanistan, in particular through resource mobilization, in fully implementing its commitments under the action plan, including for the reintegration of children, and to ensure active cooperation with, and support for, the country task force on monitoring and reporting of grave violations against children in Afghanistan.