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Annual Report on Human Rights 2008 - Afghanistan

Introduction

Since the fall of the Taliban from power in 2001, significant progress has been made to improve the lives of the Afghan people, though much remains to be done. Building the Afghan capacity necessary to deliver the effective governance and security that is essential to protecting human rights is a long-term endeavour. Decades of conflict, war and the brutal and repressive Taliban regime have taken a heavy toll. UN figures measure Afghans' life expectancy as 43 years and the adult literacy rate as 28 per cent, compared with an average life expectancy of 52 years and 64 per cent adult literacy rate in the world's least developed countries.

The UK is committed, for the long-term, to helping the people and government of Afghanistan build a better future for their country. Creating a stable and secure Afghanistan will help prevent it from becoming again a training ground for terrorists, who threaten the security of the global community. Promoting human rights and democracy is integral to building this stability and security.

Central to this effort and to improving the overall human rights situation is developing Afghan capacity. We are supporting this in a range of ways through a clear, comprehensive approach, joining up our civilian and military effort to ensure maximum effectiveness. We are the second largest contributor to NATO's International Security Assistance Force (ISAF), with around 8,300 UK troops on the ground. Since 2001, we have committed around £1.65 billion to the reconstruction, stabilisation and development of Afghanistan; the UK is Afghanistan's second largest bilateral donor.

Current concerns

Security

Ensuring security is vital for protecting human rights. The security situation in Afghanistan remains challenging. The insurgents continue to target civilians – including through beheadings, kidnappings, suicide bombings and attacks on NGO workers and schoolchildren. In November, a group of schoolgirls and their teachers in Kandahar suffered severe burns after acid was sprayed into their faces by members of the Taliban. The attack was condemned by the Afghan government as "un-Islamic".

Increasing numbers of Afghan National Army and Police are being trained, enabling the Afghan security forces to play a growing role in providing security for their country. The Afghan army is now 65,000 strong and this year it was agreed to increase this number to 122,000. The Afghan police are now just over 76,000 strong; they have further to go in

terms of professionalism and training to win the confidence of the Afghan people.

Our military action against the insurgency in Helmand has opened opportunities for Afghan-led development and better governance. Improvements are happening, but at a slow rate. The speed of development is further slowed by the security risks faced by NGOs, some of which are contracted by the Afghan government to deliver its programmes on the ground.

The Taliban preference for basing themselves in, and launching attacks from, public buildings increases the risk of civilian casualties as a result of military action by international forces against terrorists and insurgents. Any deliberate targeting of insurgent strongholds is carried out with detailed planning and precision weapons, to limit this risk as far as possible. The Commander of ISAF has issued tactical directives to all ISAF forces, including having respect for Afghan customs and religion; limiting house searches; making proportional use of air strikes and indirect fire; and being "first with the truth" in the event of any mistake. These are constantly being reviewed in the light of experience. Any allegations of civilian casualties are investigated promptly and action taken where necessary.

2009-10 elections

The Afghan people have endorsed democracy to decide their leaders and their future – demonstrated by the successful elections held in 2004 and 2005. Presidential and provincial council elections are due to be held in autumn 2009, and parliamentary and district council elections in spring 2010. Low voter turnout, caused by fears over security, combined with voter apathy, is a risk. However, by December, geographically phased voter registration had been conducted across half the country without major incident.

Women's rights

Many women in Afghanistan still face significant hardships and unequal treatment – in part as a result of poverty and insecurity, and in part because of deeply held cultural views. A lack of legal protection and inadequate access to justice increases the risks women face in a society where the rule of law is still weak. Outspoken women face severe risks – as demonstrated by the murder of the country's most prominent policewoman in Kandahar last September. Many women, such as Dr Sima Samar, who heads the Afghanistan Independent Human Rights Commission, continue their work despite this. But there has been progress; over a third of children now enrolled in school are girls, and with the help of a constitutional quota, 27 per cent of seats in the Lower House of the Afghan Parliament are now held by women.

Death penalty – resumption of executions

Afghanistan retains the death penalty under the new constitution. All death sentences require the approval of the President. Sixteen criminals, convicted of serious crimes, have been executed since 7 November 2008. These were the first executions carried out since 15 men were executed on 8 October 2007. A moratorium on executions ended on 20 April 2004 when President Karzai authorised the execution of Abdullah Shah, a militia commander accused of cannibalism, torture and murder. The death penalty had not been used again until the 8 October 2007 executions.

Freedom of expression

Intimidation of journalists remains an issue in a society where rule of law is still weak. However, the media is enjoying greater freedom in Afghanistan, with one government run and 16 independent TV channels, and 290 newspapers. The most popular TV station in Kabul is the privately owned Tolo (Dawn). Its investigative journalism and entertainment programmes are favoured by the younger generation. Radio is the most popular form of media across Afghanistan as a whole, with 60 independent radio

stations. September saw the passing of a progressive media law. This law consolidated existing freedoms and should help protect the fledgling independent media.

Food shortages

Severe food shortages in Afghanistan, resulting from rapidly rising global food prices and a poor harvest due to drought, have left at least 4.5 million Afghans dependent on humanitarian assistance. The UN and Afghan government launched an appeal in July 2008 to avert a crisis, but it has faced a shortage of international funding.

UK action

2009-10 elections – supporting the right to vote

We are committed to supporting the Afghan elections. We have already given £6 million, as an initial contribution, to support voter registration, which began on 6 October and is due to finish in February 2009. We continue to lobby other countries to provide financial support for the elections and we are working closely through ISAF to support thorough Afghan-led security for the electoral process.

Women's rights

We work to enhance the status of women in three ways: through policy engagement with the Afghan government; through support for national programmes and services that benefit women; and through bilateral programmes. We regularly discuss women's rights with members of the Afghan government, NGOs and parliamentarians.

Our major support is channelled through the Afghan government, since gender inequality is a deeply embedded and long-term problem, which needs a strategic approach. We worked with the Afghan government to ensure that gender equality was integrated into the Afghanistan National Development Strategy (launched in June) and that women are fully reflected in the development process. We have committed over £35 million to support the Afghan government's micro-finance programme, giving women in particular better access to finance.

We are providing £500,000 to support a women's empowerment programme, implemented by the NGO Womankind (running 2005-10). The programme focuses on promoting women's equal participation in governance; building awareness of women's rights among civil society and policy-makers; and on providing educational, health, community and psycho-social support to women affected by violence and conflict.

The Afghanistan Independent Human Rights Commission now has representatives in Helmand province, who are helping support the new Women and Children's Justice Group, established in Lashkar Gah in August 2008. Run by prominent female members of the community, the Group is developing and implementing practical programmes on the ground to support women and children's rights and justice issues.

Death penalty

We were very concerned to learn that the Afghan government resumed executions on 7 November 2008. We have raised our concerns about this in partnership with the EU, as well as bilaterally with the Afghan government, including at ministerial level.

Freedom of expression

We have intervened in individual cases where journalists' freedom has been threatened. We are working with the BBC World Service and the BBC World Service Trust (the World Service's charitable arm) on projects to improve and develop the media in Afghanistan.

For example, we are involving female Afghan journalists in "Afghan Woman's Hour", which informs and empowers women in Afghanistan.

Food shortages

We have been swift in responding to the Afghan food crisis (caused by drought and high global food prices), committing £8 million to the food security component of the UN and Afghan government's July appeal. This funding is in addition to the £5.5 million committed to the agricultural recovery component of the appeal, and the £3 million given to the World Food Programme's January 2008 appeal. We have also provided £4 million in humanitarian assistance to the International Committee of the Red Cross, making our total contribution to alleviating the current humanitarian situation £20.5 million.

The UK will continue to encourage the international community to commit greater support to the UN and Afghan government appeal in the coming months.

Strengthening security

The UK is the second largest contributor to ISAF. Our contribution includes 7 operational mentor and liaison teams to help train the Afghan army. The UK continues to work across all areas of rule of law reform. In 2008-09, the UK plans to spend £31 million on interdiction and law enforcement efforts. We are a major contributor to the EU Policing Mission in Kabul and Helmand. We also provide police officers to assist the US police reform programme and run bilateral programmes to support the counter narcotics police and the police in Helmand.

We are working to improve the security and operation of prison facilities, by training Afghan prison officers and building new infrastructure. We are also assisting with the development of the Criminal Justice Task Force, an Afghan institution which investigates and prosecutes narcotics traffickers. We regularly lobby the Afghan government to take action against corruption and continue to lobby international partners to increase their support for the Afghan government's law enforcement efforts.

Supporting Afghan human rights institutions

We are continuing to fund the Afghanistan Independent Human Rights Commission (AIHRC), giving a further £200,000 this financial year to support its 2009-10 action plan. The AIHRC has over 500 staff across Afghanistan – from Badakhshan in the north to Helmand in the south – actively tackling issues such as women's rights, children's rights and false imprisonment, as well as reporting on concerns. Our support has also helped enable the AIHRC to continue to collect and record evidence of past human rights abuses, raise awareness about transitional justice and lobby the Afghan government for action.

In addition to supporting the AIHRC and small Afghan NGOs, we are also working with the UN Development Programme and international partners to create a Human Rights Support Unit in the Afghan Ministry of Justice. This unit will support and coordinate Afghan government efforts to protect and promote human rights.

Detentions

ISAF forces are able to arrest and detain by virtue of UN Security Council Resolution authorisations. UK forces receive human rights training before going to Afghanistan, including where relevant specific training on handling detainees. In accordance with ISAF guidelines and the terms of the memorandum of understanding between the UK and Afghanistan (23 April 2006), UK forces transfer any detainee to the Afghan authorities within 96 hours. The memorandum includes undertakings about respect for international obligations, and access to detainees by UK officials and human rights organisations such as the International Committee of the Red Cross. Royal Military Police carry out regular

visits until the individual is released or convicted.

Strengthening governance

Governance, particularly at the local level, is weak. We are working to support the government of Afghanistan to improve governance – to help ensure people feel part of the Afghan state and have access to services. This work is wide-ranging, but includes supporting:

- the government's provincial capacity to deliver services to the rural poor;
- the government's drive against corruption by removing the loopholes that enable daily corruption, and strengthening sanctions for the big offenders;
- public administration reforms including pay and performance; and
- government efforts, led by the Afghan Independent Directorate of Local Governance, to build better relations with informal structures of authority and leadership, particularly in insecure provinces.

We continue to channel most of our spending on aid through the Afghan government, to build up its power to deliver for the people. An example of where our money is going is the funding we donate to the Afghanistan Reconstruction Trust Fund. In 2007-08 we provided £55 million to the Trust Fund, which helps finance the salaries of over 100,000 teachers, which in turn is helping Afghan children to realise their right to education. These resources have contributed to increasing the number of pupils enrolled in school from 2 million in 2002 to around 6 million today.

Forward look

The UK and the international community will continue to work together, to support the Afghans to achieve a secure, stable and prosperous Afghanistan. The new US administration as well as elections in Afghanistan will have an impact on the country's future. We will continue to do our best to ensure that the rights and views of Afghans are respected and that Afghans play the lead role in governing and defending their country.
