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Islamic Republic of Afghanistan

Head of state and government: **Muhammad Ashraf Ghani**

The civilian population suffered widespread human rights abuses as a result of the continuing conflict. Conflict-related violence led to deaths, injuries and displacement. Civilian casualties continued to be high; the majority were killed or injured by armed insurgent groups, but a significant minority by pro-government forces. The number of people internally displaced by conflict rose to more than 2 million; about 2.6 million Afghan refugees lived outside the country. Gender-based violence against women and girls persisted by state and non-state actors. An increase in public punishments of women by armed groups applying Shari'a law was reported. Human rights defenders received threats from both state and non-state actors; journalists faced violence and censorship. Death sentences continued to be imposed; five people were executed in November. Members of the Hazara minority group and Shi'a continued to face harassment and increased attacks, mainly by armed insurgent groups.

BACKGROUND

In March, the UN Security Council renewed the mandate of the UN Assistance Mission in Afghanistan (UNAMA) for another year, under the leadership of Tadamichi Yamamoto.

Gulbuddin Hekmatyar, leader of the country's second largest insurgent group, Hezb-i-Islami, joined the Afghan government. On 4 May, after two years of negotiations, the draft peace agreement signed in September 2016 between the government and Gulbuddin Hekmatyar was finalized, granting him amnesty for past offences, including war crimes, and permitting the release of certain Hezb-i-Islami prisoners.

By the end of June, UNAMA had documented 12 incidents of cross-border shelling from Pakistan into Afghanistan, in which at least 10 civilians were killed and 24 injured. This was a substantial increase on the same period in 2016.

The government made amendments to the Penal Code. Some provisions of the Rome Statute of the ICC were incorporated into law and some offences which previously carried the death penalty became punishable by life imprisonment.

ARMED CONFLICT

The non-international armed conflict between "anti-government elements" and pro-government forces continued. The Taliban and the armed group Islamic State (IS) were among the "anti-government elements" but more than 20 armed groups operated inside the country. The Taliban and other armed opposition groups were responsible for the majority of civilian casualties (64%) in the first nine months of the year, according to UNAMA.

By the end of September, UNAMA had documented 8,019 civilian casualties (2,640 killed and 5,379 injured), a small overall decrease compared to the same period in 2016, although there was a 13% increase in the number of women killed or injured. About 20% of the casualties were attributed to pro-government forces, including Afghan national security forces, the Afghan Local Police, pro-government armed groups and international military forces.

While acknowledging that Afghan government forces made some efforts to mitigate civilian casualties, especially during ground engagement, UNAMA also noted that the number of civilians killed or injured in aerial attacks increased by some 50% over 2016; about two-thirds of these were women and children.

ABUSES BY PRO-GOVERNMENT FORCES

In January, according to UNAMA, Afghan National Border Police in Paktika province sexually abused a 13-year-old boy, then shot him; the boy died from his injuries. Those suspected of criminal responsibility were prosecuted by the Afghan National Police, convicted of murder and sentenced to six years' imprisonment.

According to UNAMA, more than a dozen civilians were shot at checkpoints. In one such incident on 16 March, Afghan Local Police at a checkpoint in Jawzjan province shot and injured a man and his mother after mistaking them for insurgents. In April, Afghan National Police shot a 65-year-old man returning from feeding his cows; he later died in hospital. In May, an Afghan National Army soldier shot dead a 13-year-old boy as he collected grass close to a checkpoint in Badghis province.

In June, according to UNAMA, three young children in Saydebad district were killed in their home by a mortar round fired by the Afghan National Army. The same month, pro-government forces on patrol shot dead a father and his two young sons (aged five and

12) outside the brick factory where they worked; there was no known military activity in the area at the time. UNAMA requested updates on any investigation or follow-up action on these cases, but by July had received no information from the Ministry of the Interior.

During the first six months of the year, according to UNAMA, 95 civilians, half of them children, were killed in air strikes.

ABUSES BY ARMED GROUPS

In January, in Badakhshan province, five armed men dragged a pregnant woman from her home and shot her dead in front of her husband and six children; witnesses said her attackers accused her of being a government supporter. On 8 March, armed men entered an Afghan National Army military hospital in central Kabul and killed at least 49 people, including patients. In August, armed groups attacked the village of Mirza Olang, in Sar-e-Pul province, killing at least 36 people, including civilians.

Suicide attacks by armed groups in civilian areas caused at least 382 deaths and 1,202 injuries. In one such attack in December, at least 41 people, including children, were killed in a suicide bomb attack on a Shi'a cultural organization in Kabul.

On 25 August, a Shi'a mosque in Kabul was attacked by IS, killing at least 28 people and injuring dozens more. On 20 October, similar attacks were carried out against two more Shi'a mosques – one in western Kabul and the other in Ghor province – leaving more than 60 people dead and dozens injured.

VIOLENCE AGAINST WOMEN AND GIRLS

The Ministry of Women's Affairs of Afghanistan (MoWA) reported an increase in cases of gender-based violence against women, especially in areas under Taliban control.

In the first half of the year, the Afghanistan Independent Human Rights Commission reported thousands of cases of violence against women and girls across the country, including beatings, killings and acid attacks. Against the backdrop of impunity for such crimes and a failure to investigate, cases of violence against women remained grossly under-reported due to traditional practices, stigmatization and fear of the consequences for the victims.

Armed groups perpetrated gender-based violence, torture and other ill-treatment and other human rights abuses, imposing corporal punishments on women for having sex outside of marriage or engaging in sex work. In one instance, according to UNAMA, men severely beat a woman in her home in Darah-i-Suf Payin district, Samangan province, after accusing her of having sex outside of marriage and engaging in sex work.

UNAMA also noted that armed groups tried to restrict girls' access to education. In February, threats forced the closure of girls' schools in several villages in Farah province, temporarily denying education to more than 3,500 girls. When the schools reopened 10 days later, the vast majority of the girls were initially afraid to return.

The head of the women's affairs department in Badakhshan reported that in March the Taliban stoned a woman to death and whipped a man on charges of having sex outside of marriage in Wardoj district, northeastern Badakhshan province.

In August, a woman named Azadeh was shot dead by Taliban members in Jawzjan province. According to the governor's spokesman, the woman had fled some months earlier to a safe house in Sheberghan city due to domestic violence. She returned after local mediation, but was then dragged from her house and shot by Taliban members.

REFUGEES AND INTERNALLY DISPLACED PEOPLE

Some 2.6 million Afghan refugees were living in more than 70 countries around the world during 2017. Around 95% were hosted in just two countries, Iran and Pakistan, where they faced discrimination, racial attacks, lack of basic amenities and the risk of mass deportation.

Between 2002 and 2017, more than 5.8 million Afghans were returned home, many of them involuntarily by other governments.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) said that some 437,907 people were displaced by the conflict in 2017 alone, bringing the total number of internally displaced people (IDPs) to more than 2 million. Despite the promises made by successive Afghan governments, IDPs continued to lack adequate housing, food, water, health care and opportunities to pursue education and employment. Most were forced to make long daily trips to fetch water and struggled to obtain one daily meal. Most IDPs lacked access to basic health care facilities. Private health care was unaffordable for most IDPs, and mobile clinics, operated by NGOs or the government, were only available sporadically.

IDPs also faced repeated threats of forced eviction from both government and private actors.

HUMAN RIGHTS DEFENDERS

Human rights defenders faced constant threats to their life and security. In June, at least four people were killed when police opened fire on demonstrators protesting deteriorating security conditions in Kabul following a 31 May truck bombing that killed more than 150 people. No investigations appeared to have been conducted into the police shootings. Relatives of the victims subsequently staged a sit-in for several weeks in Kabul, which the police broke up by force. One person was killed and at least five others were reported to have been arbitrarily detained in a private house and questioned by plain-clothes officers before being released the next day. In July, the government proposed amendments to the laws on associations, strikes and demonstrations, which would limit the rights to freedom of association and expression by introducing new restrictions on the organization of demonstrations and strikes. The proposed amendments would also give police enhanced authority to stop or prevent demonstrations or strikes, further undermining the right to peaceful assembly.

Women human rights defenders continued to face threats and intimidation by both state and non-state actors across Afghanistan. Most cases were not reported to police because of lack of trust in the security agencies, which consistently failed to investigate and address these threats. Some who did report threats were not given support or protection.

FREEDOM OF EXPRESSION

A string of violent attacks and intimidation against journalists, including killings, further underlined the steady erosion of freedom of expression.

Media freedom watchdog Nai reported more than 150 attacks against journalists, media workers and media offices during the year. These included killings, beatings, detention, arson, attacks, threats and other forms of violence by both state and non-state actors.

In March, a reporter working for Ariana TV in Sar-e-Pul province was beaten by police after trying to report on excessive use of force against civilians. Officers seized the reporter's camera and other equipment; he sought refuge in the governor's office.

In August, a prominent reporter from Zabul province received death threats from Taliban members, followed by attempts on his life. Security officials made little effort to protect him after he reported the incidents, and he left the province for his safety.

In November, IS fighters attacked Shamshad TV's station in Kabul; one staff member was killed and others wounded. Nai reported that in 2016 it had submitted to the authorities at least 240 cases of violence against media workers, including reporters and journalists. One year later the government had taken no action in response and no one had been brought to justice.

TORTURE AND OTHER ILL-TREATMENT

Afghans across the country remained at risk of torture and other ill-treatment, with little progress towards curbing impunity. The UN Committee against Torture found "widespread acceptance and legitimization of torture in Afghan society".

Many of those suspected of criminal responsibility continued to hold official executive positions, including in government. The Committee also found that detainees held by the National Directorate of Security, the Afghan National Police and the Afghan Local Police were subject to "beatings, electric shocks, suspensions, threats, sexual abuse, and other forms of mental and physical abuse". UNAMA and OHCHR investigators who had interviewed 469 detainees said that 39% of them gave credible accounts of torture and other ill-treatment during their arrest and interrogation.

In March the government enacted an Anti-Torture Law, which criminalized torture but did not provide for restitution or compensation to victims.

Armed groups including the Taliban continued to commit crimes under international law, including killings, torture and other abuses as punishment for perceived crimes or offences. The executions and severe punishments imposed by the parallel justice system amounted to criminal acts under the law, and in some circumstances could amount to war crimes.

DEATH PENALTY

In a revision to the Penal Code, life imprisonment replaced the death penalty for some offences.

Five executions were carried out in November at Pul-e-Charki prison in Kabul. The Ministry of the Interior said that the five had been convicted in 2016 of murder and kidnapping, and that they had been executed despite their sentences being under review by three appeal courts.