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Afghanistan: No compromise on the promise to deliver security, justice and human rights

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"A year after the historic Bonn Agreement, the most important rebuilding project in Afghanistan is bringing security to the country. Without it everything is in jeopardy," said Irene Khan, Secretary General of Amnesty International, today in Kabul.

Very often the targets of insecurity are women and young girls. Outbreaks of violence have set back the pace of humanitarian aid and rehabilitation in many parts of the country.

"The people of Afghanistan were promised security, development and human rights for all. But with the International Security Assistance Force (ISAF) confined to Kabul, the real power is back in the hands of feudal power holders and regional commanders. The vast majority of the population live in fear under their control," Irene Khan emphasized. "Many promises were made in Bonn but they have fallen short of expectations, short of results, short of strategy."

The main challenge for Afghanistan now is building the institutions that will uphold the rule of law and protect human rights. "This process presents massive challenges in both the short and long term," said Irene Khan launching the report on prisons *"Afghanistan: Crumbling prison system desperately in need of repair"* -- as part of Amnesty International's year-long project to reform the criminal justice sector.

"All around the country, men and women suffer in detention, deprived not only of their liberty but stripped also of their dignity," continued Irene Khan during the press conference in Kabul.

The prisoners, some of them shackled, are held for months in overcrowded cells, with inadequate food and bedding. Prison buildings are unsafe and dilapidated with poor sanitation.

Donors do not like prisons very much. Amnesty International calls upon the government of Italy, which has taken the lead on rehabilitation of the penal system, to make sure that donors come up with the money, training and skills desperately needed by the Ministry of Justice

But money alone will not solve the problem. The Afghan Transitional Administration (ATA) must

develop a plan for prison reform and set up an independent investigation body to protect prisoners from abuse.

"All detainees must be brought promptly before a judge and anyone who is being held without evidence of having committed a crime must be released immediately. Arbitrary detention and "private prisons" must end," said Irene Khan.

Building an effective police force, judicial system and prisons based on international human rights standards will be a long and complicated process in Afghanistan, but if human rights are to have any meaning in the lives of ordinary people, the government and the donor community must show sustained long term commitment.

"There is no short cut to justice," added the Secretary General. "Nor is justice the privilege of the few."

By focussing justice sector reform mainly on Kabul, the rule of law has been replaced by the rule of factions in other parts of the country. President Hamid Karzai must take a bold political stand to assert the authority of his government over the regional commanders to extend human rights and the rule of law consistently throughout the country. Fragmentation of justice is a failure of justice.

Amnesty International urges the international community to:

- expand security arrangements outside Kabul;
- invest in the criminal justice system;
- build human rights institutions in all provinces.

"The recent history of Afghanistan shows that insecurity has a higher cost than security."

As the time table set by the Bonn agreement on the Constitutional Loya Jirga and national elections come close, the Transitional Administration and the international community must stand by their promise to the Afghan people.

"Human rights must not be allowed to fall to the bottom of the political agenda," concluded Irene Khan.

Background

In June 2002, Amnesty International established a year-long project for the reform of the criminal justice system in Afghanistan. The purpose has been to conduct research, consult local and international NGOs and to provide recommendations to the Afghan authorities, the United Nations and the international donor community. A report on policing was released in March 2003, followed by the report on prisons in July 2003. Two more reports will focus on judicial reform and women in the criminal justice system.

An Amnesty International delegation headed by Irene Khan, Secretary General, and including Barbara Lochbihler, Director AI Germany, and AI staff visited Kabul this week to meet: President Hamid Karzai; Ambassador Lakhdar Brahimi; Minister of Justice, Abdul Rahim Karimi; Interior Minister, Ali Ahmad Jalali; Minister of Women's Affairs, Habiba Sorabi; Afghan Independent Human Rights Commission; senior government officials, women's groups, local and international NGOs, and members of the UN and diplomatic community.

For the full text of the report on prisons, please see:
<http://web.amnesty.org/library/index/engasa110172003>

For the full text of our recent report on policing, please see:

<http://web.amnesty.org/library/index/engasa110032003>

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