

AFGHANISTAN

Head of state and government: Hamid Karzai

Thousands of civilians continued to suffer from targeted and indiscriminate attacks by armed opposition groups, with international and national security forces also responsible for civilian deaths and injuries. The UN Assistance Mission in Afghanistan (UNAMA) reported more than 2,700 civilians killed and 4,805 injured, the vast majority – 81% – by armed groups. Torture and other ill-treatment were common in detention facilities across the country, despite some government efforts to reduce incidence. Violence and discrimination against women and girls remained rife both institutionally and within wider society. The government sought to introduce tougher controls on the media, prompting an outcry among media workers, who continued to be threatened and detained by the authorities and armed groups. Persistent armed conflict prompted more families to flee their homes, with 459,200 people still displaced within Afghanistan by the conflict. Many lived in informal settlements with inadequate shelter, access to water, health care, and education. Some 2.7 million refugees remained outside the country.

Background

In January the Taliban agreed to open a political office in Qatar allowing for direct peace negotiations; efforts faltered in March over requested exchanges of prisoners. In early November, negotiations between Pakistan and Afghanistan's High Peace Council resulted in Pakistan releasing several detained Taliban leaders. On 17 November, the head of the High Peace Council, Salahuddin Rabbani, stated that Taliban officials who joined the peace process would receive immunity from prosecution despite the fact that some of the detained Taliban were suspected of war crimes. Women members of the High Peace Council remained sidelined from the main peace consultations.

States at NATO's biennial Summit in May stressed the importance of women's participation in Afghanistan's peace, political, reconciliation and reconstruction processes, and the need to respect the institutional arrangements protecting their rights. At the same time, women's groups raised concern about their effective exclusion from national consultations over the transfer of security responsibility from international to national security forces. Women activists condemned President Karzai's "code of conduct", proposed on 2 March, which stipulated that women should only travel with a male guardian and not mix with men in work or education.

In July, international donors met in Tokyo, Japan, where they pledged US\$16 billion in civilian aid to Afghanistan until 2015, with sustained support until 2017. However, the UN reported in December that humanitarian funding had decreased from 2011 by nearly 50% to US\$484 million in 2012. According to the Afghanistan NGO Safety Office, threat levels against NGOs and aid workers remained similar to 2011 with 111 security incidents caused by armed groups and pro-government security forces, including killing, injury and abduction.

In September, Parliament confirmed without debate Assadulah Khalid as the new head of the National Directorate of Security (Afghanistan's intelligence services), despite reports of his alleged involvement in acts of torture during his previous terms as Governor of Ghazni and Kandahar provinces.

The work of the Afghanistan Independent Human Rights Commission remained under-resourced following the President's controversial dismissal of three of its nine commissioners

in December 2011. Another post remained vacant since January 2011 when a commissioner and her family were killed in a bomb attack.

Violent protests broke out in February after charred copies of the Qur'an were found on a military base near Kabul; 30 people died in the violence.

Abuses by armed groups

Despite a 2010 Taliban code of conduct (Layeha) ordering fighters to avoid targeting civilians, the Taliban and other armed groups continued to breach the laws of war by indiscriminately killing and maiming civilians in suicide attacks. Improvised explosive devices were the main cause of civilian casualties. Armed groups targeted and attacked public places; civilians, including officials, perceived as supporting the government; and staff of international organizations.

- On 6 April, a suicide bomber killed the head of Kunar Provincial Peace Council Maulavi Mohammad Hashim Munib and his son, as they returned home from Friday prayers.
- On 6 June, two suicide bombers killed at least 22 civilians and injured 24 others in a crowded market in Kandahar province. The Taliban claimed responsibility for the attack.
- On 21 June, Taliban forces attacked the Spozhmay Hotel, a popular resort for locals, killing 12 civilians and injuring nine, in a siege that lasted 12 hours.
- A boy was reportedly abducted and beheaded in August in Zherai district by the Taliban because his brother served in the Afghan Local Police (ALP); the Taliban denied responsibility.
- On 19 October, 18 women were reported killed in Balkh province when a minibus hit a roadside bomb.

Children continued to be recruited by armed groups.

- On 26 October, a suicide bomber, reportedly aged 15, killed 40 civilians, including six children, at a mosque during Eid prayers in Mainmana city, Faryab province.

Violations by Afghan and international forces

Pro-government security forces continued to cause civilian deaths and injury mainly by air strikes. According to UNAMA 8% of civilian deaths were caused by national and international forces.

- On 8 February, eight boys were killed in NATO airstrikes in Kapisa province; the attack was condemned by President Karzai. NATO expressed regret but reportedly claimed the youths had been perceived as a threat.
- On 11 March, a rogue US soldier killed civilians, including nine children, and injured others in a night-time shooting spree in two villages in the Panjwai district of Kandahar province. By December, the soldier was facing a court-martial for 16 counts of murder and six counts of attempted murder.
- On 6 June, 18 civilians, including children, were reportedly killed in a NATO airstrike targeting Taliban fighters who had taken shelter in someone's home during a wedding in Logar province.

In September, the Afghan authorities assumed nominal control of the US detention facility at Bagram, north of Kabul. However, the degree of continued US influence over the cases of individual Bagram detainees remained unclear. The Afghan authorities were reported to have

taken custody of approximately 3,100 Afghan nationals who were at the facility as of 9 March, when the transfer agreement was finalized. More than 600 detainees reported to have been taken to the base since March apparently remained under US military jurisdiction, as did the cases of at least 50 non-Afghan nationals currently held at the base, many of whom were rendered from third countries to Afghanistan and had been in US custody for a decade. An unknown number of Afghans, captured before the agreement, had not been transferred to Afghan custody.

According to UNAMA, there was a slight drop in incidence of torture and other ill-treatment as of October by the National Directorate of Security, but an increase in its use by national police and border police.

Allegations of human rights violations by members of ALP were widespread and human rights groups raised concern that members were not vetted. More than 100 ALP members were reportedly jailed for murder, rape, bombings, beatings and robbery.

- In November, four members of the ALP unit in Kunduz were jailed for 16 years each for abducting, raping and beating 18-year-old Lal Bibi over five days in May.

Freedom of expression

A draft media law proposed greater government control over the media. It called for the creation of a 15-member High Media Council, headed by the Minister of Information and Culture and comprising other government officials, charged with checking and controlling press and broadcast media.

Journalists were threatened, arbitrarily arrested, beaten or killed during the year. Afghan media watchdog Nai recorded 69 attacks on journalists by security forces, armed groups and private individuals; this was 14% fewer attacks than in 2011. Prompted by the Ulema Council, the Attorney General threatened criminal proceedings against media organizations for writing or talking about matters deemed immoral or against Islam.

- Afghan TV journalist Nasto Naderi was detained on 21 April for several days without charge or access to a lawyer.

Violence against women and girls

Despite the passage of the Elimination of Violence against Women Act in 2009, law enforcement and judicial officials failed to properly investigate violence against women and girls and bring perpetrators to justice.

Women and girls continued to be beaten, raped and killed. They were targeted and attacked by armed groups, and faced discrimination by the authorities and threats within their own communities and families. The Afghanistan Independent Human Rights Commission documented more than 4,000 cases of violence against women from 21 March to 21 October – a rise of 28% compared with the same period for 2011, reportedly due to increased public awareness. The actual number of incidents was likely to be still higher given the continuing stigma and risk of reprisal associated with reporting such violence.

- In May, an appeals court in Kabul upheld prison sentences of 10 years each in the case against the in-laws of an Afghan girl. The girl had been severely abused by them after being forced to marry at the age of 13.
- In July, an Afghan woman, named in media reports as 22-year-old Najiba, was shot dead on “charges” of adultery, reportedly by a Taliban insurgent.

- On 16 September, a 16-year-old girl was publicly flogged in the southern province of Ghazni for an “illicit relationship”. The girl had been sentenced to 100 lashes, following a verdict issued by three mullahs in Jaghori district.
- On 10 December, Nadia Sidiqi, the acting head of the Department for Women’s Affairs in Laghman province, was killed by unidentified gunmen while on her way to work. Her predecessor, Hanifa Safi, was killed and her family injured by a remote-controlled explosive device on 13 July. No one claimed responsibility for either incident.

Refugees and internally displaced people

By the end of October, about half a million people remained internally displaced as a result of the conflict and natural disaster. Many continued to seek refuge in city slums and other informal settlements, fashioning makeshift shelters from plastic sheeting, and living under the constant threat of forced and sometimes violent evictions. Poor sanitation and lack of access to education and health care coupled with bitter 2011/2012 weather conditions meant that scores died of illness, cold or both. Over 100, mainly children, reportedly died during this period amid criticism over the lack of timely humanitarian assistance provided. By March, the government had responded with an announcement that it was developing a comprehensive national policy on internal displacement.

In September, the Pakistan government agreed that Afghan refugees could remain in Pakistan for another three years, rescinding an order by officials in Khyber-Pakhtunkhwa province calling for all illegal Afghan immigrants to leave the country by 25 May, or face imprisonment and deportation.

Death penalty

On 20 and 21 November, the authorities executed 14 prisoners on death row, the first executions since June 2011, despite serious concerns about the lack of guarantee of a fair trial in the country. Thirty people had their death sentences confirmed by the Supreme Court; 10 people had their death sentences commuted to long prison terms. By the end of November more than 250 people remained on death row.

Country Reports

- [Fleeing war, finding misery: The plight of the internally displaced in Afghanistan](#)
- [Strengthening the rule of law and protection of human rights, including women’s rights, is key to any development plan for Afghanistan](#)
- [Open letter to the Government of Afghanistan, the United Nations, other humanitarian organizations and international donors](#)

Country Visits

Amnesty International delegates visited Afghanistan in February, March, May, June, October and December.