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Afghanistan: Defer parliamentary vote on appointment of National Security Director

The Parliament of Afghanistan is due to vote on President Karzai's proposal to appoint Assadullah Khalid as the new Director of Afghanistan's intelligence service, the National Directorate of Security (NDS). Amnesty International urges all parliamentarians to defer voting on this appointment until all acts of torture and other serious human rights violations allegedly committed by Assadullah Khalid are fully investigated.

On 2 September (12 *Sunbulla* 1391, in the Afghan calendar), President Karzai nominated Assadullah Khalid for the post of NDS Director. The Afghan parliament is required to approve or reject nominations by the President for senior government positions including for Ministers, the NDS Director, and Supreme Court judges.

There have been numerous reports of Assadullah Khalid's alleged involvement, both directly and in a supervisory role, in the commission of crimes under international law, including torture and unlawful killings in particular during his service as Governor of Ghazni Province between 2001-2005 and the Governor of Kandahar Province between 2005-2008.¹

In 2007 Amnesty International reported on cases of torture including at the Kandahar NDS detention facility, while Assadullah Khalid was serving as Governor of Kandahar and had oversight of all provincial departments including the NDS.²

There are also credible allegations that Assadullah Khalid was involved in the bombing of a UN vehicle in Kandahar that killed five UN workers in April 2007.³ As Kandahar Governor, Khalid supervised Brigade 888, which comprised tens of armed men, who are alleged to have arbitrarily arrested and tortured individuals, perceived as having links with the Taliban and other insurgent groups in Kandahar. It is widely reported that detainees were tortured on the Kandahar governor's premises.⁴

Afghanistan government as a state party to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has obligation to investigate all the allegations of

1 See for example Parliament of Canada, *40th Parliament, Second Session, Special Committee on the Canadian Mission in Afghanistan, Evidence, 18 November 2009*, <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=4236267&Language=E&Mode=1&Parl=40&Ses=2> (accessed 3 September 2012)

2 Amnesty International, *Afghanistan Detainees Transferred to Torture: ISAF complicity?*, AI Index: ASA 11/011/2007, November 2007, <http://amnesty.org/en/library/info/ASA11/011/2007/en>

3 CBC News, *Afghan governor's rights abuses known in '07*, April 2010, <http://www.cbc.ca/news/politics/story/2010/04/12/afghan-governor-human-rights-abuses.html> (accessed 3 September 2012);

4 The Globe and Mail, *House of pain: Canada's connection with Kandahar's ruthless palace guard*, 10 April 2010, <http://www.theglobeandmail.com/news/politics/house-of-pain-canadas-connection-with-kandahars-ruthless-palace-guard/article1372156/> (accessed 3 September 2012)

torture committed by Afghan government officials or institutions and to make sure the victims are protected and provided with justice, compensation or reparation and to remove and prosecute individuals responsible for torture.

Amnesty International urges President Karzai, the Afghan Parliament and all other Afghan authorities to guarantee that all individuals, suspected of having committed serious violations of human rights law and humanitarian law violations, including war crimes, are held to account for their actions.

Amnesty International also calls upon the Afghan president and all members of the Afghan parliament to make sure that the human rights records of every nominee for a senior government position including for the NDS Director, the Minister of Defence and the Minister of Interior – all now before parliament – have been fully assessed by the President's Advisory Panel on Senior Appointments, as required. Any credible allegations of links to serious human rights violations should be fully and openly considered by parliament before any voting on the proposed appointments.

Amnesty International once again also urges international partners of the Afghan government to ensure that rule of law, accountability and access to justice are meaningfully delivered to the Afghan people as promised at the Tokyo Conference in July 2012 declaration.