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Afghan security forces yet again demonstrate a chilling disregard for human life

Opening fire on a tent full of demonstrators, the Afghan security forces have demonstrated a chilling disregard for human life. The protestors, who were fired upon on the night of 19 June 2017, had been peacefully protesting against the deterioration of security in the country and the relentless loss of civilian lives since the worst attack on civilians in 15 years struck the capital Kabul on 31 May, killing at least 150 people and wounding hundreds.

The attack on the protestors happened just as they had finished breaking their fast and eating evening meals with relatives of people killed in the 31 May bombing. The protestors, known as the Movement for Uprising Change, have been keeping vigil ever since.

The security forces actions, including the use of firearms, amount to the excessive use of force. This is the second time in a month that the Afghan security forces have flagrantly disregarded their obligations under international law, including their responsibility to respect and protect the right to life. On 2 June, the security forces opened fire on a group of protestors, killing at least four of them and wounding several more.

A spokesperson for the protest group said that two people were killed and four people were injured when police fired upon the demonstrators who resisted attempts to forcibly evict them from the tent. The police took another 11 people into custody, but no details have emerged about their whereabouts or any charges that may have been brought against them.

Killing citizens instead of protecting them

Amnesty International spoke to five people who witnessed the 19 June firing incident. One of them said: "It was around 11pm and we were all sitting and talking with some family members of the victims of the 31 May bombing. I was there because I lost my friend during the demonstration on 2 June.

"Suddenly we heard tanks and police coming towards us. Police started to remove the tent and warned the people inside it not to resist and to let them remove it, but we resisted and didn't allow police to remove the tent because the government had not

responded to our demands for justice and accountability. During the incident police from both the Ministry of Interior and Kabul Garrison opened fire on us and the shooting continued. One person called Ejaz-ul- Haq was killed and nearly a dozen more were injured. Some people fled but we resisted and defended the tent of justice seekers.”

Another eyewitness told Amnesty International: “When they attacked us and we saw our friends and companions were injured and lying in their own blood we tried to take them to the hospital but the police didn’t allow us to do so, and as result one person died, probably of excessive bleeding.”

A wife of one of the protestors said that her husband had been taken into custody, leaving her and her children to anxiously await news of his fate. At 5am, he called his wife to tell her that he was in police custody. The phone call was suddenly terminated. Since then, there has been no news of his whereabouts.

The brazen disregard for human life shown by the attack on the protest camp has left many in fear of the security forces.

“If the Afghan government is killing its own citizens instead of protecting them,” as one eyewitness told Amnesty International, “then I don’t know where we should go to seek protection.”

Among the protestors still languishing in police custody are Asar Hakimi, a well-known and highly regarded advocate for justice and accountability for the victims of the attacks of 31 May and 2 June.

A violation of the right to freedom of peaceful assembly

By cracking down on the protestors, the Afghan authorities have also violated their obligation under international human rights law to respect, protect and fulfil the right to peaceful assembly.

This right includes facilitating assemblies in law and practice. It applies to all types of peaceful assemblies – including meetings, strikes, processions, rallies, and sit-ins.

The only restrictions that are legitimate are those that are demonstrably necessary for the protection of a clear public interest or for the protection of the rights and freedoms of others.

Any decision by the authorities to disperse a peaceful assembly should be taken when the authorities are left with no other means to protect a legitimate interest that outweighs the right of people to assemble. Even then, the police have an obligation as far as possible to avoid the use of force.

Firearms must never be used by police as a tool for the dispersal of public assemblies: they may only be used if there is no other means of defence against an imminent threat of death or serious injury. In such circumstances police must minimize damage and injury and respect and preserve human life, and ensure that assistance and medical aid are rendered at the earliest possible moment to anyone injured or affected

Any assembly during which police have resorted to the use of force resulting in injury or loss of life must be subjected to a thorough investigation with a view to establishing responsibilities and accountability of the officers involved; this includes superior officers who knew or should have known that officials under their command were resorting to the unlawful use of force and firearms, and who did not take all measures in their power to prevent or ensure punishment for it. Governments must ensure that arbitrary or abusive use of force and firearms by police is punished as a criminal offence under the law.

Calls on the Afghan government

The Afghan government should do more to protect the lives of civilians and must respect and protect the lives of peaceful demonstrators. They should show no tolerance of excessive use of force by police and should ensure that there are thorough, effective and impartial investigations into the use of force by police on 2 June and 19 June, and that those responsible for excessive use of force are held accountable, including by means of prosecution in fair trials without recourse to the death penalty. They should ensure that the victims receive effective reparation, including adequate compensation, and that such incidents do not occur in the future.