

AMNESTY INTERNATIONAL

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Afghanistan: UN Security Council mission must ensure international commitment to human rights is long term

Amnesty International welcomes the UN Security Council (UNSC) mission to Afghanistan scheduled between 11-16 November. Amnesty International calls on the mission to ensure that international commitment to the security and reconstruction of Afghanistan must be for the long-term and that human rights standards guide counter-insurgency and reconstruction efforts.

Amnesty International considers it essential that human rights standards guide the strategy of the United Nation's presence in Afghanistan both in terms of the bodies under direct control of the UN and security forces mandated to maintain rule of law in the country. The Security Council must ensure that military forces operating under its mandate respect human rights standards, ensure transparency and accountability regarding its operations.

Amnesty International urges the Security Council to make the findings from its mission available to the public following and to fully assess the findings, including by inviting experts and other relevant parties to brief them.

The organisation calls on the Security Council to re-double its efforts to re-establish rule of law in Afghanistan by ensuring that it is fully informed of the mounting challenges facing the Afghan people and the international community.

Amnesty International believes that principles of impartiality must be reinforced by the Security Council through the authorisation of comprehensive human rights monitoring and reporting by the United Nations Assistance Mission to Afghanistan (UNAMA), including in relating to violations of international humanitarian law (IHL) by all parties to the conflict in the country. Frequent, routine and detailed briefings to the Security Council by UNAMA and by the SC-mandated International Security Assistance Force (ISAF) and, are crucial to ensuring that co-ordinated efforts are being made to extend the rule of law and implement human rights standards.

In addition Amnesty International believes that members of Afghanistan's human rights community should also be called on to provide briefings to Security Council members.

The ongoing failure to effectively uphold the rule of law in Afghanistan continues to result in human rights violations being committed with impunity, including by armed groups.

Amnesty International is concerned that national bodies, such as the National Security Directorate and provincial governments, who are charged with maintaining the rule of law, are reportedly carrying out human rights violations, beyond the reach of justice.

The failure of such national bodies to be held accountable under Afghan law flies in the face of human rights standards to which Afghanistan is a state party and goes against the objectives mandated for ISAF in successive UN Security Council Resolutions. It undermines Afghanistan's national security and that of individual Afghans.

The alarming climate of insecurity and concerns over the stability of the state have created an atmosphere in which human rights defenders are increasingly reluctant to speak out. Simultaneously, defenders face threats against their lives as many fear that they, too, could be killed, like the woman human rights defender and head of the Department of Women's Affairs in Kandahar, Safiye Amajan.

Demands by Afghans for justice to be served in instances of past violations remain unheard as progress toward implementing the Action Plan for Transitional Justice is slow and unsatisfactory. Meanwhile ongoing security operations by foreign forces including those present in Afghanistan under the mandate of the Security Council result in reports of widespread killing and injury of civilian casualties. While these forces claim that they seek to provide remedy, no formal mechanisms for redress or reparation have been created, in contravention of Afghanistan's human rights commitments.

Until steps are taken by the international community to fully deliver on their commitments to the security and human rights in Afghanistan the future of the country and its people will remain in the balance. The UNSC needs now, more than ever, to truly be 'seized' of this matter.