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Human Rights Appointments Draw Fire in Afghanistan

July 3, 2013

When Afghan President Hamid Karzai finally appointed new members to the country's top human rights watchdog last month, it was meant to end a long period of limbo for a body that had lost five of its members. Instead, the president's appointments have sparked an uproar in the rights community, both in Afghanistan and abroad.

The president was expected to consult civil society leaders and select commissioners based on their political impartiality and track record of defending human rights. Instead, Karzai sidestepped the public and promoted a former Taliban official, a retired police general, and a former lawmaker linked to a fundamentalist political party to the Afghanistan Independent Human Rights Commission (AIHRC), the presidentially appointed watchdog.

The move is just the latest in a string of developments in Afghanistan that have threatened to undo progress on human rights, including fragile gains made by women. Afghan and Western activists fear that with international scrutiny fading as foreign forces plan their exit from Afghanistan, rights will come under threat from powerful conservative and religious circles in the country.

Karzai's new appointments were a prominent topic as international donors met with Afghan officials on July 3 to assess whether Kabul has lived up to the mutually agreed-upon targets on defending human rights, tackling corruption, and promoting good governance, known as the

Tokyo Mutual Accountability Framework. At least \$16 billion in development aid is dependent on Kabul meeting those standards.

Foreign donors are expected to conclude that Kabul has fallen short on most of its commitments.

The agreement obliges Kabul to uphold the effectiveness and independence of the AIHRC, an internationally funded body that has been central to the West's efforts to promote human rights and investigate violations in Afghanistan.

'Undermines Credibility'

Heather Barr, a senior Afghanistan researcher for Human Rights Watch, says Karzai's appointments, which she says will destroy the AIHRC, are a gross violation of those standards.

"[The appointments] drastically undermine the ability of the AIHRC to do its job," Barr says. "It also undermines the credibility of the AIHRC. We don't know about how these new commissioners are going to do their jobs, but we don't have any reason to have much confidence. But the implications are even broader than what impact it will have on human rights, especially if we look at the Tokyo Mutual Accountability Framework."

Karzai's appointments came after a long period of limbo that had undermined the effectiveness of the AIHRC. One commissioner was killed in a suicide attack in 2011, three were dismissed directly by the president that same year, while another was forced out in 2012. None had been replaced until the new appointments were announced on June 16.

The three controversial figures are Mawlawi Abdul Rahman Hotak, a former Taliban official who worked in the former regime's Ministry of Transport; General Ayub Asil Mangal, a four-star police general from southern Afghanistan; and Qadria Yazdanparast, a former lawmaker with close ties to the fundamentalist Jamiat-e-Islami political party that is dominated by former warlords and commanders of the former Northern Alliance.

Hotak told Reuters on July 3 that in his new post he would continue to "work with women rights activists to lessen the burden and plight of Afghan women."

Amnesty International, in a statement released on July 3, said the "current expertise, independence, and effectiveness of the Afghan Independent Human Rights Commission is a serious concern that Tokyo Framework review participants must urgently resolve."

That came after the UN's high commissioner for human rights, Navi Pillay, on June 28 took the unusual step of condemning Karzai's decision and urging him to reconsider his appointments.

Karzai 'Consolidating Power'

Karzai has not publicly addressed the criticisms or explained his choices. His spokesman declined to respond to RFE/RL's questions, despite repeated attempts.

Graeme Smith, a senior analyst at the International Crisis Group in Kabul, says Karzai has sought to weaken the AIHRC in order to stifle opposition to his government, which has been the target of several damning AIHRC reports.

"There has been a pattern of the president trying to consolidate his power and being very concerned about alternative sources of legitimacy and power in Afghanistan," Smith says. "So, for example, there has been a real reluctance to embrace political pluralism, and there has been nervousness about internationally backed organizations like the AIHRC that tell a different story about what's happening in the country than the story the government tells. These appointments seem intended, not to necessarily silence the body, but to change its tune."

Smith says the appointments could be seen as a reaction to a damning war crimes report written by the AIHRC that implicates senior government officials in gross human rights violations during the country's brutal civil war. The report was completed in 2011 but has yet to be publicly released because it is awaiting the green light from Karzai.

String Of Controversies

Karzai's appointments are just the latest in a string of controversies that have threatened to undo progress on human rights in the country.

The upper house of parliament is currently debating a revised electoral law whose draft text omits passages that set aside 25 percent of seats on provincial and district councils for women. The draft law has already been passed by the lower house of parliament and would, if enforced, effectively deprive women from serving in government at the provincial and local levels, where more conservative and male-dominated society prevails.

That came after lawmakers in May halted a debate on legislation outlawing rape and forced marriages. Female lawmakers had wanted to cement the law -- passed by a presidential decree in 2009 -- through a parliamentary vote. But it received stiff opposition from conservatives who have threatened to scrap it.

Barr says that with Kabul taking a bigger role in its own affairs as international forces plan their exit, conservative forces are trying to exert their influence to shape the country's future to their liking.

"I think what's happening now is that [Karzai] sees -- and the people who are opposed to women's rights see -- the pressure from the international community disappearing," Barr says, "and so they think that now is the moment to take advantage of that."