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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1***

Afghanistan

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR) other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. The information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most of the documents used as reference are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have also been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

* Late submission.
GE.09-

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	6 July 1983	Yes (art. 22)	Individual complaints (art. 14): No
ICESCR	24 Jan. 1983	Yes (declaration to article 26 (1) and (3)) ³	-
ICCPR	24 Jan. 1983	Yes	Inter-State complaints (art. 41): No
CEDAW	5 March 2003	No	-
CAT	1 April 1987	Yes (art. 39 (1) and (2))	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): No
CRC	28 March 1994	Yes	-
OP-CRC-AC	24 Sept. 2003	Binding declaration under article 3: 22 years	-
OP-CRC-SC	19 Sept. 2002	None	-

Core treaties to which Afghanistan is not a party: OP-ICESCR⁴, ICCPR-OP1, ICCPR-OP2, OP-CEDAW, OP-CAT, ICRMW, CRPD, OP-CRPD and CED.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	Yes
Palermo Protocol ⁵	No
Refugees and stateless persons ⁶	Yes, except the 1954 and 1961 Conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁷	Yes, except Additional Protocols I, II and III
ILO fundamental conventions ⁸	No, except Conventions Nos. 105, 100 and 111
UNESCO Convention against Discrimination in Education	No

B. Constitutional and legislative framework

1. UNICEF noted that the 2004 Constitution mandates, inter alia, the respect for and promotion of fundamental rights.⁹
2. The High Commissioner for Human Rights reported that a new criminal procedure code¹⁰ and a law on family violence¹¹ were being drafted and noted that many laws relevant for human rights had been recently adopted.¹² However she stressed that implementation is problematic.¹³

C. Institutional and human rights infrastructure

3. The Afghanistan Independent Human Rights Commission (AIHRC) was accredited with "A" status by the International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights (ICC) in 2007.¹⁴ The High Commissioner for Human Rights noted that AIHRC established, with the support of the United Nations Assistance Mission in Afghanistan (UNAMA) a new Special Investigations Team (SIT) for its activities

related to the most serious conflict-related violations of international humanitarian law and human rights law.¹⁵ She stated that AIHRC remains an effective and key national partner but highlighted the concerns expressed by the subcommittee responsible for accreditation applications, namely the fact that external sources compose its core funding, while the State should provide for a minimum allocation in the national budget.¹⁶ She further mentioned the need for a vote of confidence by the Lower House of the Parliament for the appointment of the head of AIHRC risks compromising the AIHRC's independence and effectiveness.¹⁷

4. The High Commissioner welcomed the initiative towards establishing a human rights unit within the Ministry of Justice¹⁸ and human rights offices located inside provincial police headquarters.¹⁹

D. Policy measures

5. UNICEF informed that the Afghanistan National Development Strategy (ANDS), adopted in 2008, provides the framework for the development of government policies and strategic plans and guides the allocation of resources and programmes.²⁰ The High Commissioner for Human Rights reported that, within the ANDS, human rights have been subsumed under governance and public administrative reform rather than being treated as a separate cross-cutting sector.²¹ FAO noted that the ANDS lays the ground for an improved political framework for the incorporation of measures to work towards the right to food.²²

6. The Secretary-General noted that implementation of the National Action Plan for the Women of Afghanistan (NAPWA)²³ had begun but that further progress will depend on political will, the availability of resources and implementation capacity.²⁴ The Secretary-General and the High Commissioner reported that, following the July 2007 Rome Conference on the Rule of Law in Afghanistan, the national justice sector strategy was developed, as well as the National Justice Programme,²⁵ which had already displayed encouraging results.²⁶

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body²⁷</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	1984	March 1997 (in absence of the report)	-	Eight to twelfth report overdue since 1996 to 2006
CESCR	1991	Dec. 1991	-	Second to fourth reports submitted in 2008, scheduled for consideration in November 2009
HR Committee	1984	July 1984	-	Third report overdue since 1994
CEDAW			-	Initial report overdue since 2004
CAT	1992	Nov. 1992	-	Second to fifth reports overdue from 1992 to 2004
CRC	-	-	-	Initial to second report overdue from 1996 to 2001 respectively
OP-CRC- AC	-	-	-	Initial report overdue since 2004

<i>Treaty body²⁷</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
OP-CRC- SC	-	-	-	Initial report overdue since 2004

7. The Human Rights Committee, at its sixty-third session in November 2001, considered that the examination of the second periodic report would not be productive, due to the armed conflict.²⁸

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Representative of the Secretary-General on children in armed conflict (28 June-3 July 2008); Special Rapporteurs on extrajudicial, summary or arbitrary executions (4-15 May 2008) ²⁹ ; on violence against women (9-19 July 2005) ³⁰ ; on adequate housing a (31 August-13 September 2003) ³¹ ; on extrajudicial, summary or arbitrary executions (13-23 October 2002) ³²
<i>Visits agreed upon in principle</i>	Working Group on mercenaries
<i>Visits requested and not yet agreed upon</i>	Representative of the Secretary-General on the human rights of internally displaced persons. Special Rapporteur on the question of torture a, requested in 2005 and 2007. Working Group on Arbitrary Detention, requested in 2005.
<i>Facilitation/cooperation during missions</i>	The Special Rapporteurs on adequate housing, violence against women and extrajudicial, summary or arbitrary executions expressed appreciation to the Government for the cooperation extended to them.
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	In the period under review, 22 communications were sent to the Government. In addition to particular groups, these communications concerned 28 individuals, including six women. In the same period, Afghanistan did not reply to any of the communications.
<i>Responses to questionnaires on thematic issues³³</i>	In the period under review, Afghanistan has not responded to any of the thirteen questionnaires sent by special procedures mandate holders ³⁴ , within the deadlines.

3. Cooperation with the Office of the High Commissioner for Human Rights

8. In 2008, the Security Council decided that UNAMA continue with the support of OHCHR, to cooperate with AIHRC and relevant international and local non-governmental organizations, to monitor the situation of civilians, to coordinate efforts to ensure their protection and to assist in the full implementation of the human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those related to women's rights.³⁵

9. Former High Commissioner visited Afghanistan in November 2007.³⁶ OHCHR supports the UNAMA Human Rights Unit whose core programme covers transitional justice and the protection of civilians. It works closely with AIHRC and the United Nations Country Team (UNCT).³⁷ OHCHR and other United Nations partners support the Government in meeting its treaty-reporting obligations.³⁸ The High Commissioner for Human Rights indicated that this human rights treaty reporting project, among others, successfully produced a common core document for submission to the treaty bodies and was due to complete the ICESCR country report by January 2008.³⁹ Afghanistan contributed financially to OHCHR in 2008.⁴⁰

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

10. Although the Constitution formally recognizes equality and the principle of non-discrimination, the High Commissioner noted that, in reality, discriminatory practices based on sex, religion, ethnic, tribal, family and political affiliation exist throughout Afghanistan.⁴¹

11. While the Secretary-General and the High Commissioner respectively acknowledged some progress on women's economic advancement⁴² and that women and girls had continued to make gains in the workplace, education and government⁴³, the High Commissioner noted that progress remains tentative, because of pervasive social, political and economic discrimination against women⁴⁴, as well as insecurity and the persistence of customary practices.⁴⁵

12. In 2008, the ILO Committee of Experts asked the Government, inter alia, to include in the new Labour Code a definition of discrimination, in accordance with article 1 of ILO Convention No. 111⁴⁶ and to indicate the measures taken to promote equal access to vocational training and employment and occupation of women, disabled persons and disadvantaged ethnic minorities, including those from nomadic communities.⁴⁷

2. Right to life, liberty and security of the person

13. Both the Secretary-General and the High Commissioner for Human Rights expressed their concerns at the carrying out of death sentences and called upon Afghanistan to halt further executions.⁴⁸ Allegations were transmitted by the Special Rapporteur on extrajudicial, summary or arbitrary executions concerning non-respect of international standards relating to the imposition of capital punishment.⁴⁹ Stressing that the criminal justice system is deeply flawed, he noted that there should be a moratorium on carrying out any death sentences.⁵⁰

14. The High Commissioner⁵¹, the Secretary-General⁵² and the Security Council⁵³ indicated that the impact of the conflict on civilians has become a pre-eminent concern. In 2008, UNAMA noted a growing death toll of civilian casualties which represents an increase of almost 40 per cent compared to 2007.⁵⁴ Both the High Commissioner and the Secretary-General expressed concerns that civilian casualties have been increasing over the past years predominantly due to an escalation of suicide attacks by anti-Government elements (AGEs).⁵⁵ They reported on tactics of AGEs targeting civilians seen to be supporting the Government,⁵⁶ including civil servants or high profile figures.⁵⁷ UNAMA indicated that the relative proportion of deaths attributed to pro-government forces remained relatively stable for 2008. However, the actual number of recorded noncombatant deaths caused by pro-government forces amounts to a 31 per cent increase over the deaths recorded in 2007.⁵⁸ Notwithstanding increased efforts by national and international forces to minimize harm to non-combatants the High Commissioner indicated that there remained allegations of the use of disproportionate force in relation to defensive air strikes and force-protection incidents⁵⁹ and serious misconduct during house searches.⁶⁰ In 2008, the Special Rapporteur on extrajudicial, summary or arbitrary executions stressed that there were large numbers of avoidable killings of civilians.⁶¹ The Secretary-General expressed his concerns at the increase in the number of attacks against local and international humanitarian workers⁶² and indicated that landmines and explosive remnants of war continued to be a significant threat.⁶³

15. The High Commissioner for Human Rights indicated that cases of torture and ill-treatment of detainees held by the Afghan authorities continue to be reported.⁶⁴ In that regard, the use of torture by the National Directorate of Security (NDS) was reported by OHCHR.⁶⁵ Allegations were transmitted by the Special Rapporteur on the question of torture, concerning the transfer by Afghan authorities of non-Afghan suspects to officials of a foreign Government operating in Afghanistan, in whose custody they were allegedly ill-treated and tortured.⁶⁶ Relevant authorities assured the High Commissioner that UNAMA will be given free and unrestricted access to NDS facilities and that the Government would investigate human rights violations attributed to NDS.⁶⁷

16. In 2008, the Secretary-General identified parties to the conflict, both State and non-State actors, who commit grave abuses against children. In particular, he highlighted the fact that children have been recruited and utilized by State and non-State armed groups and that non-State armed groups such as the Taliban continue to train and use children as suicide bombers.⁶⁸ The Special Representative of the Secretary-General for Children in Armed Conflict expressed similar concerns.⁶⁹ UNICEF noted that an unknown number of children have been captured and arrested by Afghan law enforcement agencies and international military forces due to their alleged association with armed groups.⁷⁰ Further concerns were expressed by the Secretary-General.⁷¹

17. In 2005, the Special Rapporteur on violence against women reported that despite a number of significant developments, the situation of women remains dramatic, and severe violence against them is all-pervasive.⁷² The Special Rapporteur on extrajudicial, summary or arbitrary executions stated that honour killings continue to be widespread and numerous.⁷³

18. The Secretary-General referred to the insufficient protection for victims of or witnesses to sexual violence and the low level of cases being prosecuted, notably due to fear of violent retaliation and to the lack of specific legislation in line with CRC.⁷⁴ In 2008, the Secretary-General noted that in the system of administration of justice, the criminalization of women who have been victims of gender-based violence and gender discrimination in the application of customary law continues to be a major concern.⁷⁵ The High Commissioner highlighted that there were signs of increasing willingness on the part of victims to report rape, and of the authorities to investigate and prosecute some high profile cases in 2008.⁷⁶ The Special Representative of the Secretary-General for Children and Armed conflict reported about worrisome allegations about sexual violence against boys by armed actors.⁷⁷

19. The High Commissioner reported that monitoring programmes confirmed widespread arbitrary and illegal detentions⁷⁸, including for customary practices, breach of Sharia law and civil disputes. She also noted that victims, particularly of sexual offences, often find themselves accused and detained illegally on charges of adultery or elopement.⁷⁹

20. The High Commissioner underlined that the population of detention centres has increased exponentially⁸⁰ and that the conditions of detention still fail to meet minimum internationally accepted standards.⁸¹ Despite this there was some progress noted.⁸² The Secretary-General stated that there is a critical need for increased investment in the Central Prison Department.⁸³

3. Administration of justice, including impunity, and the rule of law

21. The High Commissioner for Human Rights noted that customary law prevails, where traditional dispute resolution mechanisms are frequently used in place of formal court systems in

criminal and non-criminal cases. These mechanisms often fail to respect even the most basic human rights standards, especially as regards women and girls.⁸⁴ A particular issue of concern is the practice of *baad*, by which girls as young as seven years of age are given away to settle feuds and murder cases.⁸⁵

22. The 2004 Common Country Assessment (CCA) report noted that women's and children's rights are particularly affected by the lack of functioning formal justice mechanisms at every stage, including knowledge of rights, access to justice, and trial and detention. Particularly nomadic tribes and the poorest sector of society face similar disadvantages.⁸⁶

23. The High Commissioner reported that corruption, insecurity and inadequacy of legal and regulatory frameworks, qualified personnel and physical infrastructure severely undermine executive, judicial and law enforcement institutions' functionality and promotion of the rule of law.⁸⁷ In addition the Secretary-General noted, inter alia, the lack of transparent and merit-based processes for appointments and career advancement but welcomed the establishment of the National Legal Training Centre.⁸⁸

24. The High Commissioner reported on complaints received by UNAMA concerning police failure to conduct proper investigations or to act impartially and independently⁸⁹, but was encouraged by the Ministry of Interior's development of a Human Rights Unit⁹⁰ and the campaign to tackle corruption launched by the new Attorney-General.⁹¹

25. The High Commissioner highlighted that NDS conducts intelligence gathering, surveillance, arrest, detention and prosecution of those suspected of crimes against national security but operates under an unpublished presidential decree and is apparently accountable only to the President.⁹² She expressed concerns at the growing number of Afghan and international Private Security Companies (PSCs), which remain largely unregulated. A draft regulation on PSCs was discussed throughout 2007 but had yet to be finalized.⁹³

26. UNICEF informed that an under-developed independent bar and the lack of a state funded legal aid system is a major impediment to providing the necessary legal representation for vulnerable groups including children.⁹⁴ The High Commissioner reported that detainees are rarely informed of their rights or given access to legal counsel,⁹⁵ and defence lawyers are not given the opportunity to correctly carry out their activities.⁹⁶ Both the Secretary-General and the High Commissioner noted slow improvements.⁹⁷

27. The Special Rapporteurs on the independence of judges and lawyers and on the promotion and protection of human rights while countering terrorism transmitted allegations relating to trials of detainees and to the system of detention and transfer of detainees failing to comply with fair trial international standards.⁹⁸

28. The High Commissioner underlined that impunity⁹⁹ prevails for past and present crimes, including war crimes that alleged perpetrators continue to hold high-ranking positions of authority.¹⁰⁰

29. Despite the launch of the Action Plan on Peace, Reconciliation and Justice¹⁰¹, both the High Commissioner¹⁰² and the Secretary-General¹⁰³ noted the lack of progress and political support on transitional justice. The High Commissioner reported that the Parliament passed the "National Reconciliation Charter", which grants all political parties and other belligerent groups

associated with the two and a half decades of conflict in Afghanistan full immunity from prosecution. President Karzai refused to sign the Charter.¹⁰⁴

30. UNICEF noted that lack of due process in juvenile justice system is a serious concern.¹⁰⁵ It noted that the Juvenile Code raised the minimum age of criminal responsibility from 7 to 12 years old. Yet, mainly due to the lack of means of age verification, children under the age of 12 years can be arrested and imprisoned for minor crimes such as theft.¹⁰⁶

4. Right to privacy, marriage and family life

31. The High Commissioner for Human Rights made reference to a 2006 AIHRC study, which indicated that the largest category of cases of violence against women consisted of forced marriages.¹⁰⁷ She stated that there is a failure by officials to bring about redress for forced marriage.¹⁰⁸ Nevertheless, she made reference to a then signed protocol on the eradication of child forced marriages.¹⁰⁹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

32. An allegation was transmitted by the Special Rapporteur on the right to freedom of opinion and expression concerning a death sentence imposed for apostasy.¹¹⁰ The Special Rapporteur stated that a law prohibiting conversion would constitute a State policy aiming at influencing individuals' desire to have or adopt a religion or belief and would therefore not be acceptable under human rights law.¹¹¹

33. The Special Rapporteur also transmitted an allegation concerning a draft plan to re-establish the Department for the Promotion of Virtue and Prevention of Vice.¹¹² She urged the Government to ensure compliance with article 2, paragraph 1 of the ICCPR.¹¹³

34. In 2008, the Secretary-General noted that extrajudicial measures continue to be used to suppress criticism and dissenting religious and political views.¹¹⁴ The High Commissioner for Human Rights reported that the media, which has flourished in recent years, faced increased levels of violence and serious threats in 2007 and 2008¹¹⁵, and the Secretary-General reported on tactics of intimidation used by AGEs.¹¹⁶ The Special Rapporteur on the right to freedom of opinion and expression transmitted allegations concerning harassment and attacks against journalists,¹¹⁷ as well as attempts by the Minister of Culture and Information to maintain and increase government control over the media.¹¹⁸ The Special Rapporteur noted that the draft amnesty law contains provisions which would prevent journalists from reporting on certain issues.¹¹⁹ She also reported that a new media law adopted by the Parliament was rejected by President Karzai at the end of 2007.¹²⁰

35. The Special Representative of the Secretary-General on the situation of human rights defenders expressed concern about the continuing lack of security and the ensuing instability, which impacts negatively on the ability of human rights defenders to carry out their work.¹²¹

36. As reported by the Secretary-General, the National Assembly was not able to adopt a new electoral law.¹²² In view of the coming elections, the High Commissioner expressed various concerns, notably at the participation of women, freedom of movement due to hostilities, the vetting of candidates, and the complaints processes.¹²³

6. Right to work and to just and favourable conditions of work

37. UNICEF referred to findings of a 2003 survey indicating that 24.3 per cent of children aged between 7 and 14 years were working, that girls work more than boys and that there is more child labour in rural than urban areas. According to UNICEF, much more needs to be learned about the nature, forms, concentration and cause of child labour in Afghanistan.¹²⁴

7. Right to social security and to an adequate standard of living

38. The High Commissioner for Human Rights referred to an AIHRC report according to which the Government is failing to meet its minimum core obligations under ICESCR.¹²⁵ She noted that vulnerability and widespread poverty most severely impact upon women, children, the disabled, elderly, and the landless.¹²⁶

39. The Special Rapporteur on the right to food stated that the volatile security situation is endangering nutritional status and livelihoods through the displacement of increasing numbers of people in the southern and south-eastern regions, and is restricting the work of humanitarian organizations.¹²⁷ A 2008 WFP report noted that since December 2006 there has been a significant decline in accessibility to food in urban areas, due to a growing disparity between food prices and income.¹²⁸ FAO informed that national assessments conducted in 2005 showed that 44 per cent of the households classify themselves as food insecure.¹²⁹

40. A 2007 WHO brief indicated that the lack of physical infrastructure impedes the improvement of health. Also, the low status given to women, low level of water supply and sanitation coverage, extremely poor hygiene and environmental health shortcomings contribute to high infant and child mortality and morbidity. Due to the long period of conflict, over two million Afghans are affected by mental health problems.¹³⁰ UNICEF informed that a substantial long-term investment to strengthen the health system was needed while making efforts to increase access to high impact in un-reached areas and addressing neonatal deaths.¹³¹

41. The High Commissioner reported that Afghanistan continues to suffer from high mortality rates.¹³² She also underlined that, despite some progress, provision of and access to adequate health care, particularly for women and children, remains a serious concern.¹³³ She noted that, although child mortality rate in Afghanistan is the third highest globally, the country has managed to reduce this rate by 25 per cent since 2001.¹³⁴

42. In 2003, the Special Rapporteur on adequate housing underlined that the complexity of housing and land rights in Afghanistan will necessitate working at all levels of the system.¹³⁵ The High Commissioner mentioned that AIHRC reported illicit land seizures, particularly in rural areas, among the most prevalent human rights violations. According to UNAMA, difficulties in resolving disputes over land persist because of lack of coherent legal framework, policy, administration, and enforcement and that this also undermines the rule of law and economic development.¹³⁶

43. The High Commissioner noted that the consequent land-grabbing, subversion of rule of law and insecurity caused by the illicit narcotics trade further undermine the Government's ability to deliver services and implement development programming.¹³⁷

44. The Secretary-General reported that the ANDS recognizes that poverty and lack of access to food, medical care and education remained major obstacles to equitable and sustainable socio-economic development. He added that progress continued in several sectors but still much more needed to be done.¹³⁸

8. Right to education and to participate in the cultural life of the community

45. In 2009, the Special Representative of the Secretary-General for Children and Armed Conflict expressed grave concern about the increase in the number of child victims of attacks against schools by Taliban insurgents who deny children the right to education.¹³⁹ She deplored the throwing of acid to prevent girl children and female teachers from going to school.¹⁴⁰

46. UNESCO informed that in terms of access to education and of reducing gender disparities, Afghanistan has made significant progress during the last years.¹⁴¹ UNICEF noted that there are still enormous gender gaps and that lack of security is a major challenge.¹⁴² The High-Commissioner for Human Rights noted that early marriage also tends to deprive girls of the opportunity to receive secondary education.¹⁴³

9. Minorities and indigenous peoples

47. The 2004 CCA report mentioned that discriminatory practices have provided preferential access to land as a reward for certain ethnic groups and power bases and have levied heavy taxes against groups in political or social disfavour. As a result, violent repercussions have taken place against numerous ethnic groups and are heightened by the return and resettlement of large numbers of refugees and IDPs.¹⁴⁴ The High Commissioner stated that the Kuchis (nomads predominantly Pashtun) were facing discrimination notably regarding access to land and also to identity cards.¹⁴⁵

10. Refugees and internally displaced persons

48. UNHCR informed that the deteriorating security situation, landlessness, and limited livelihood opportunities are the factors preventing the reintegration of IDPs and returnees as well as the return of refugees.¹⁴⁶ The Representative of the Secretary-General on the human rights of internally displaced persons (IDPs) raised similar concerns.¹⁴⁷ UNHCR noted a national report in August 2008, profiling IDPs situation across Afghanistan, which was a direct response to a recommendation of the Representative of the Secretary General.¹⁴⁸

49. UNHCR informed that different displacements have occurred at different times, in different parts of the country and for different reasons, and that, therefore, finding durable solutions will be neither easy nor quick.¹⁴⁹ The Representative of the Secretary-General on the human rights of IDPs stated that the fact that most areas affected by the conflict are not accessible for humanitarian organizations for security reasons hampers the delivery of urgently needed humanitarian assistance.¹⁵⁰

11. Human rights and counter-terrorism

50. In 2008, the Security Council expressed strong concern about and the increasingly strong links between terrorism activities and illicit drugs.¹⁵¹

51. In 2006, a communication was transmitted by the Special Rapporteur on the promotion and protection of human rights while countering terrorism, concerning the draft law against terrorism and the definition of terrorist crimes.¹⁵²

52. The Secretary-General noted that child protection actors have welcomed the juvenile-specific provisions, including on offences relating to children associated with armed groups, in

the Law on combating terrorist offences adopted in 2008. The Law states that when an offence has been committed by individuals below the age of 18, the 2005 juvenile code will apply.¹⁵³

53. The High Commissioner for Human Rights expressed concerns at cases of alleged mistreatment and prolonged arbitrary detention of some persons detained by international forces¹⁵⁴ and, in this regard, the Independent Expert on the situation of human rights in Afghanistan reported on actions committed in these places of detention, which can be qualified as acts of torture.¹⁵⁵ The High Commissioner hoped that UNAMA and AIHRC will be granted access to them promptly and unrestrictedly.¹⁵⁶ Regarding individuals detained by Operation Enduring Freedom and held in a detention facility in Bagram Airbase, she highlighted that detainees have no right to legal counsel or to trial before a court established by law. Some individuals have reportedly been in detention at Bagram for as long as five years and some have allegedly been subjected to torture. At the end of 2008, Bagram authorities agreed to permit visitation rights to the relatives of certain detainees.¹⁵⁷ In addition, the Secretary-General reported on allegations of incommunicado detention of children in Bagram Airbase.¹⁵⁸

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

54. In 2008, the High Commissioner for Human Rights was encouraged by the President's support for the campaign against gender violence, his endorsement of NAPWA and his active support for its realization.¹⁵⁹ She welcomed the decision by the Ministry of Justice to take up the mantle as lead agency in respect of human rights vis-à-vis the ANDS process.¹⁶⁰

55. UNICEF noted that despite the many challenges, Afghanistan has made significant progress towards achieving its MDG goals and targets in the areas of health and education. Still, it is possible that not all goals may be achieved by 2020.¹⁶¹ In 2008, the Secretary-General noted some progress in the area of governance, notably in fighting against corruption. Despite positive developments, the key challenge for the central Government would be to create capacity at the subnational level, where the lack of resources, as well as corruption, continues to have a crippling effect.¹⁶²

56. UNICEF noted that over the three decades of conflict, Afghanistan has experienced destruction of institutions, infrastructure and most importantly, human and social capital. There are still serious capacity gaps in terms of policymaking, programming and implementation.¹⁶³

57. In 2008, the Secretary-General noted that Afghanistan continues to face serious deficiencies in the area of human rights which contribute to very high levels of poverty.¹⁶⁴

58. A 2007 UNODC report noted that despite progress made, women continue to face enormous social, economic, security and human rights challenges.¹⁶⁵

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

Specific recommendations for follow-up

59. In 2003, the Special Rapporteur on adequate housing issued recommendations with respect to, inter alia, the development of a comprehensive national policy and legislation on housing and land rights,¹⁶⁶

60. In 2005, the Special Rapporteur on violence against women made recommendations with respect to, inter alia, reviewing of family and criminal law; women in detention; and prioritizing in public policy women's human rights and the elimination of violence against women.¹⁶⁷

61. In 2008, the Special Rapporteur on extrajudicial, summary or arbitrary executions issued preliminary recommendations with respect to, inter alia, police reform to end unlawful killings; a moratorium on executions; honour killings; establishment of an independent anti-corruption agency; respect of the principles of accountability and transparency by the international forces present in Afghanistan.¹⁶⁸

62. UNHCR noted that the Government must develop and implement practical steps to resolve land disputes.¹⁶⁹ The Government also has to develop a long-term coping strategy to address food insecurity and to invest in developing water resources.¹⁷⁰

63. The High Commissioner for Human Rights made recommendations to the Government, inter alia, to recommit to the human rights and transitional justice agenda; fully develop the Afghan National Police as a civilian law enforcement body; prevent arbitrary arrests and detentions; to promptly commence reforms needed within NDS; reinstate its moratorium on the death penalty;¹⁷¹ criminalize and investigate allegations of family and other forms of violence; enact legislation implementing the provisions of the Rome Statute in domestic law.¹⁷²

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

64. The 2006-2008 United Nations Development Assistance Framework (UNDAF) lists the following priority areas of cooperation: governance, rule of law and human rights, sustainable livelihoods, health and education, and environment and natural resources.¹⁷³ In July 2008, the Afghanistan UNCT commenced its preparation of the 2010-2013 UNDAF.¹⁷⁴ FAO, UNEP, UNESCO, UNHCR and UNICEF submitted information on their capacity-building and technical assistance programmes.¹⁷⁵

65. The Secretary-General noted that UNAMA, UNDP and the UNIFEM are providing support to improve the capacity of the Ministry of Women's Affairs for the effective coordination of NAPWA implementation at all levels of governance.¹⁷⁶

66. UNICEF informed of the Afghan New Beginnings Programme, a joint United Nations-Afghan Government programme leading the disarmament, demobilization and reintegration of former combatants across the country.¹⁷⁷

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ The presiding body of the Revolutionary Council of the Democratic Republic of Afghanistan declares that the provisions of paragraphs 1 and 3 of article 48 of the International Covenant on Civil and Political Rights and provisions of paragraphs 1 and 3 of article 26 of the International Covenant on Economic, Social and Cultural Rights, according to which some countries cannot join the aforesaid Covenants, contradicts the international character of the aforesaid Treaties. Therefore, according to the equal rights of all States to sovereignty, both Covenants should be left open for the purpose of the participation of all States.

⁴ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008, in which the General Assembly recommended that a signing ceremony be organized in 2009. Article 17, para. 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”

⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁶ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁷ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁸ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No.105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁹ UNICEF submission to the UPR on Afghanistan, p. 1. See also UNESCO submission to the UPR on Afghanistan, p. 1; UNEP submission to the UPR on Afghanistan, p. 1.

¹⁰ A/HRC/10/23, para. 59.

¹¹ A/HRC/4/98, para. 17.

¹² A/60/343, paras. 17-18. See also UNESCO submission to the UPR on Afghanistan, pp. 1-2; UNICEF submission to the UPR on Afghanistan, p. 4.

¹³ A/60/343, para. 18.

¹⁴ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex 1.

¹⁵ A/HRC/7/27, para.71.

¹⁶ *Ibid.*, para. 69.

¹⁷ *Ibid.*, para. 70.

¹⁸ A/HRC/10/23, para. 12.

¹⁹ E/CN.4/2006/108, para. 70.

²⁰ UNICEF submission to the UPR on Afghanistan, p. 1. See also UNHCR submission to the UPR on Afghanistan, p. 2.; FAO submission to the UPR on Afghanistan, p. 1.

²¹ A/HRC/7/27, para. 54.

²² FAO submission to the UPR on Afghanistan, p. 1.

²³ A/62/722-S/2008/159, para. 44. See also IMF, Islamic Republic of Afghanistan: Poverty Reduction Strategy Paper—Progress Report, IMF Country Report No. 08/73, 2008, Washington D.C., p. 7, available at <http://imf.org/external/pubs/ft/scr/2008/cr0873.pdf>.

²⁴ A/62/722-S/2008/159, para. 44.

²⁵ A/HRC/7/27, para. 55; A/62/722-S/2008/159, para. 26.

²⁶ A/63/372-S/2008/617, para. 28.

²⁷ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

²⁸ CCPR/C/SR.1966, para.1.

²⁹ A/HRC/8/3/Add.6.

³⁰ E/CN.4/2006/61/Add.5.

³¹ E/CN.4/2004/48/Add.2.

³² E/CN.4/2003/3/Add.4.

³³ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

³⁴ See (a) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (b) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005; (e) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (f) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special

Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (g) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005; (h) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent on July 2006; (j) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004; (k) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (l) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (m) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007.

³⁵ Security Council resolution 1806(2008). See also HRC decision 2/113.

³⁶ OHCHR 2007 Report on activities and results, p. 93.

³⁷ Ibid.

³⁸ Ibid.

³⁹ A/HRC/7/27, para. 73.

⁴⁰ OHCHR 2008, Report on activities and results.

⁴¹ A/HRC/7/27, para. 14.

⁴² A/62/722-S/2008/159, para. 45.

⁴³ A/HRC/7/27, para. 15.

⁴⁴ Ibid.

⁴⁵ A/HRC/4/98, para.13., A/HRC/7/27, para.21; United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 28, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

⁴⁶ ILO Committee of Experts on the Application of Conventions and Recommendations, 2008, Geneva, Doc. No. 062008AFG111, para. 1.

⁴⁷ Ibid, para. 3. See also United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 45, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

⁴⁸ OHCHR press release, 9 October 2007; A/HRC/7/27, para. 64; A/62/722-S/2008/159, para. 39. OHCHR Press release, 11 November 2008; A/HRC/10/23, para. 63.

⁴⁹ E/CN.4/2006/53/Add.1, p. 23; A/HRC/4/20/Add.1, p. 24.

⁵⁰ A/HRC/8/3/Add.6, para. 24.

⁵¹ A/HRC/7/27, para. 24.

⁵² S/2008/695, para. 32.

⁵³ S/PRST/2007/27; Security Council resolutions 1806 (2008) and 1833 (2008).

⁵⁴ UNAMA Annual Report on Protection of Civilians in Armed conflict, 2008, para. 4.

⁵⁵ A/HRC/4/98, para. 25; A/HRC/10/23, paras. 13 and 15; A/62/722-S/2008/159, para. 17; S/2008/695, para. 4; A/63/372-S/2008/617, para. 17; A/HRC/7/27, para. 25.

⁵⁶ A/HRC/4/98, para. 28; A/HRC/7/27, para. 28; A/HRC/10/23, para. 18; S A/63/372-S/2008/617, para. 54.

⁵⁷ A/HRC/4/98, para. 30.

⁵⁸ UNAMA Annual Report on Protection of Civilians in Armed conflict, 2008, para. 5.

⁵⁹ A/HRC/7/27, paras. 31 and 33.

⁶⁰ A/HRC/7/27, para. 32; A/HRC/10/23, para. 21.

⁶¹ A/HRC/8/3/Add.6, paras. 2-3.

⁶² A/62/722-S/2008/159, para. 20; S/2008/695, para. 51; A/63/372-S/2008/617, A/HRC/10/23, para. 23.

⁶³ A/62/722-S/2008/159, paras. 27-28; S/2008/695, paras. 38 and 60.

⁶⁴ A/HRC/7/27, para. 58. A/HRC/4/98, para. 66.

⁶⁵ A/HRC/4/98, para. 66.

⁶⁶ E/CN.4/2006/6/Add.1, para. 1; A/HRC/7/3/Add.1, para. 1.

⁶⁷ A/HRC/7/27, para. 65.

⁶⁸ S/2008/695, p. 1.

⁶⁹ S/2008/695, para. 19. See also United Nations Press Release, "Afghanistan : Taliban continue to train children as suicide bombers", 19 January 2009.

⁷⁰ UNICEF submission to the UPR on Afghanistan, p. 5. See also S/2008/695, p. 1. See also S/2008/695, para. 26.

⁷¹ S/2008/695, para. 27.

⁷² E/CN.4/2006/61/Add.5, para. 75. E/CN.4/2006/61/Add.1, paras. 1-3; A/HRC/4/98, para. 2; A/HRC/7/27, para. 18. See also UNICEF submission to the UPR on Afghanistan, p. 1; A/HRC/7/27, para. 18; A/62/722-S/2008/159, para. 46; UNODC, Afghanistan: Female Prisoners and their Social Reintegration, New York, 2007, pp. 14-15, available at www.unodc.org/pdf/criminal_justice/Afghan_women_prison_web.pdf.

⁷³ A/HRC/8/3/Add.6, para. 23.

⁷⁴ S/2008/695, paras. 48 and 63. See also UNODC, Afghanistan: Female Prisoners and their Social Reintegration, New York, 2007, pp. 14-15, available at www.unodc.org/pdf/criminal_justice/Afghan_women_prison_web.pdf.

⁷⁵ A/63/372, S/2008/617, para. 52.

⁷⁶ A/HRC/10/23, para. 31.

⁷⁷ S/2008/695, para. 19.

⁷⁸ A/HRC/7/27, paras. 56 and 60.

⁷⁹ A/HRC/7/27, paras. 22-23. See also A/HRC/4/98, para. 15.

⁸⁰ A/HRC/7/27, para. 61.

⁸¹ A/HRC/7/27, para. 62. See also A/63/372-S/2008/617, para. 32. United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 31, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

⁸² A/HRC/4/98, para. 58.

⁸³ A/63/372, S/2008/617, para. 32.

⁸⁴ A/HRC/4/98, para. 16. See also UNICEF submission to the UPR on Afghanistan, p. 1; A/HRC/7/27, para. 21.

⁸⁵ A/HRC/4/98, para. 16.

⁸⁶ United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 30, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

⁸⁷ A/HRC/7/27, para. 50.

⁸⁸ A/62/722-S/2008/159, para. 24.

⁸⁹ A/HRC/7/27, para. 44.

⁹⁰ *Ibid.*, para. 66.

⁹¹ A/HRC/4/98, para. 60. See also A/63/372-S/2008/617, para. 41.

⁹² A/HRC/7/27, para. 65.

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- ⁹³ Ibid., para. 68.
- ⁹⁴ UNICEF submission to the UPR on Afghanistan, p. 2.
- ⁹⁵ A/HRC/7/27, para. 57.
- ⁹⁶ Ibid., para. 59.
- ⁹⁷ A/HRC/7/27, para. 59; A/62/722-S/2008/159, para. 26.
- ⁹⁸ Special Rapporteur on the independence of judges and lawyers, to appear in forthcoming communications report; and Special Rapporteur on terrorism, communications report (A/HRC/10/3/Add1), paras. 6-12.
- ⁹⁹ See also A/HRC/8/3/Add.6, para. 25; A/63/372, S/2008/617, para. 47.
- ¹⁰⁰ A/HRC/7/27, paras. 37-38.
- ¹⁰¹ A/HRC/4/84, para. 9.
- ¹⁰² A/HRC/7/27, para. 41.
- ¹⁰³ A/63/372-S/2008/617, para. 48.
- ¹⁰⁴ A/HRC/7/27, para. 40.
- ¹⁰⁵ UNICEF submission to the UPR on Afghanistan, p. 5.
- ¹⁰⁶ Ibid., p. 5.
- ¹⁰⁷ A/HRC/4/98, para. 19; A/HRC/7/27, para.19; A/62/345-S/2007/555, para. 52.
- ¹⁰⁸ E/CN.4/2006/108, para. 19.
- ¹⁰⁹ Ibid., para. 23.
- ¹¹⁰ A/HRC/4/21/Add.1, para. 4.
- ¹¹¹ Ibid., para. 6.
- ¹¹² A/HRC/4/21/Add.1, para. 7.
- ¹¹³ Ibid., para. 8.
- ¹¹⁴ A/63/372, S/2008/617, para. 50.
- ¹¹⁵ A/HRC/7/27, para. 48; A/HRC/10/23, para. 50.
- ¹¹⁶ A/62/722-S/2008/159, para. 38.
- ¹¹⁷ A/HRC/4/27/Add.1, paras. 8-10; A/HRC/7/14/Add.1, para. 11; E/CN.4/2006/55/Add.1, paras. 7-8.
- ¹¹⁸ A/HRC/7/14/Add.1, paras. 7-9.
- ¹¹⁹ Ibid, para. 10.
- ¹²⁰ A/HRC/7/27, para.. 47.
- ¹²¹ E/CN.4/2006/95/Add.5, paras. 11-27.
- ¹²² A/63/372-S/2008/617, para. 8. See also UNDP Afghanistan, Democratization and Civil Society Empowerment Programme, 2008, Kabul, pp. 5 and 7, available at http://www.undp.org.af/Publications/KeyDocuments/Factsheets/dcse/DCSE_Fact_Sheet_July08.pdf See also A/63/372-S/2008/617, para. 8.
- ¹²³ A/HRC/10/23, para. 55-58. See also A/HRC/7/27, para. 16.
- ¹²⁴ UNICEF submission to the UPR on Afghanistan, p. 4.
- ¹²⁵ A/HRC/7/27, para. 5.
- ¹²⁶ Ibid., para. 10.

¹²⁷ A/61/306, para. 23. See also A/63/372, S/2008/617, para. 56; United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 55, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

¹²⁸ WFP/EB.A/2008/10, p. 4.

¹²⁹ FAO submission to the UPR on Afghanistan, p. 1.

¹³⁰ WHO, Country Cooperation Strategy, May 2007, Geneva, p. 1, available at http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_afg_en.pdf. See also http://www.who.int/countryfocus/cooperation_strategy/ccs_afg_en.pdf.

¹³¹ UNICEF submission to the UPR on Afghanistan, pp. 3-4.

¹³² A/HRC/7/27, para. 6.

¹³³ Ibid., para. 7.

¹³⁴ Ibid.

¹³⁵ E/CN.4/2004/48/Add.2, p. 2.

¹³⁶ A/HRC/7/27, para. 11

¹³⁷ Ibid., para. 12.

¹³⁸ A/62/722-S/2008/159, para. 53.

¹³⁹ UN Press Release, « Afghanistan : Taliban continue to train children as suicide bombers », 19 January 2009. See also United Nations Press Release, “Special Rapporteur on the right to education appeals to anti-government groups to stop attacks on schools in Afghanistan”, 9 August 2006; S/2008/695, paras. 40-43 and 61; A/HRC/4/98, paras. 31-32; United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 58, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

¹⁴⁰ UN Press Release, « Afghanistan : Taliban continue to train children as suicide bombers », 19 January 2009.

¹⁴¹ UNESCO submission to the UPR on Afghanistan, p.2..

¹⁴² UNICEF submission to the UPR on Afghanistan, p. 3. See also . A/HRC/4/98, para. 8.

¹⁴³ A/HRC/7/27, para. 9.

¹⁴⁴ United Nations Country Team in Afghanistan, Common Country Assessment, Kabul, 2004, p. 45, available at http://www.undg.org/archive_docs/7403-Afghanistan_CCA.pdf.

¹⁴⁵ A/HRC/10/23, paras. 35-37.

¹⁴⁶ UNHCR submission to the UPR on Afghanistan, p. 3. See also A/62/722-S/2008/159, para. 52.

¹⁴⁷ United Nations Press Release, “UN expert concerned about growing problem of internal displacement in Afghanistan”, 20 August 2007.

¹⁴⁸ UNHCR submission to the UPR on Afghanistan, pp. 3-4.

¹⁴⁹ Ibid., p. 4.

¹⁵⁰ United Nations Press Release, “UN expert concerned about growing problem of internal displacement in Afghanistan”, 20 August 2007. See also A/62/722-S/2008/159, para. 53.

¹⁵¹ Security Council resolution 1833 (2008)

¹⁵² A/HRC/4/26/Add.1, para. 6.

¹⁵³ S/2008/695, para. 57.

¹⁵⁴ A/HRC/7/27, para. 32.

¹⁵⁵ E/CN.4/2005/122, para. 46

¹⁵⁶ A/HRC/7/27, para. 56.

¹⁵⁷ A/HRC/10/23, para. 26

¹⁵⁸ S/2008/695, para. 29.

¹⁵⁹ A/HRC/7/27, para. 17.

¹⁶⁰ Ibid., para. 53.

¹⁶¹ UNICEF submission to the UPR on Afghanistan, p. 3. See also UNHCR submission to the UPR on Afghanistan, pp. 1 and 5.

¹⁶² A/63/372- S/2008/617, paras. 40 and 45.

¹⁶³ UNICEF submission to the UPR on Afghanistan, p. 5.

¹⁶⁴ A/63/372- S/2008/617, para. 46.

¹⁶⁵ UNODC, Afghanistan: Female Prisoners and their Social Reintegration, New York, 2007, p. 9, available at www.unodc.org/pdf/criminal_justice/Afghan_women_prison_web.pdf . See also . A/62/722-S/2008/159, para. 44.

¹⁶⁶ E/CN.4/2004/48/Add.2, para. 97.

¹⁶⁷ E/CN.4/2006/61/Add.5, paras. 78-89.

¹⁶⁸ A/HRC/8/3/Add.6, paras. 30-36.

¹⁶⁹ UNHCR submission to the UPR on Afghanistan, pp. 4-5.

¹⁷⁰ Ibid., p.5.

¹⁷¹ A/HRC/7/27 para. 78.

¹⁷² A/HRC/4/98, para. 72 (i) and (m).

¹⁷³ UNCT Afghanistan, United Nations Development Assistance Framework 2006-2008, Kabul, 2005, available at http://www.undg.org/archive_docs/6568-Afghanistan_UNDAF_-_Afghanistan_UNDAF.pdf.

¹⁷⁴ A/HRC/10/23, para. 64

¹⁷⁵ FAO, UNEP, UNESCO, UNHCR and UNICEF submissions to the UPR on Afghanistan.

¹⁷⁶ A/63/372-S/2008/617, para. 51.

¹⁷⁷ UNICEF submission to the UPR on Afghanistan, pp. 4-5.
