



Afghanistan Independent Human Rights Commission



**Annual Report
January 1-December 31, 2009**

ACRONYMS

ACSF	Afghan Civil Society Forum
AIHRC	Afghanistan Independent Human Rights Commission
ANA	Afghan National Army
ANDS	Afghanistan National Development Strategy
ANP	Afghan National Police
ANSF	Afghan National Security Forces
AGEs	Anti-Government Elements
ARCS	Afghan Red Crescent Society
APF	Asia-Pacific Forum of National Human Rights Institutions
AWSE	Afghan Women Services and Education
AWEC	Afghan Woman's Education Centre
AWN	Afghan Women's Network
AWSDC	Afghan Women Skill Development Centre
BEST	Basic Education and Employable Skill Training
BMT	Border Monitoring Team
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CCCs	Child Correction Centres
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPAN	Child Protection Action Network
CTFMRM	Country Task Force Monitoring, Reporting and Response Mechanism
ICCPR	International Covenant on Civil and Political Rights
ICCR	Indian Centre for Cultural Relations
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IPAC	Indraprastha Public Affairs Centre
CRC	Convention on the Rights of the Child
CRFM	Child Rights Field Monitoring
CRU	Child Rights Unit
CSOs	Civil Society Organisations
DAD	Development Assistance Database
DCs	Detention Centres
IMS	Information Management Section
DSCG	Disability Stakeholders Coordination Group
DoWA	Department of Women Affairs
FEFA	Free and Fair Election Foundation of Afghanistan
HR	Human Rights
HREU	Human Rights Education Unit
HRFM	Human Rights Field Monitoring
HRVs	Human Rights Violations
ICC	International Criminal Court/International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights
ICTJ	International Centre for Transitional Justice

IDLG	Independent Directorate of Local Governance
IEDs	Improvised Explosive Devices
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMF	International Military Forces
M&IU	Monitoring and Investigation Unit
MoE	Ministry of Education
MoFA	Ministry of Foreign Affairs
MoHE	Ministry of Higher Education
MoJ	Ministry of Justice
MoI	Ministry of Interior
MoLSAMD	Ministry of Labour, Social Affairs, Martyrs and Disabled
MoU	Memorandum of Understanding
NATO	North Atlantic Treaty Organisation
NDS	National Directorate of Security
NGOs	Non-Governmental Organisations
NHRCK	National Human Rights Commission of Korea
NPWJ	No Peace Without Justice
OHCHR	Office of the High Commissioner for Human Rights
PWDs	Persons with Disabilities
PWDU	Persons with Disabilities Unit
RWI	Raoul Wallenberg Institute
SCS-N	Save the Children Sweden-Norway
SIT	Special Investigation Team
SPRC	Strategic Planning and Review Committee
TJU	Transitional Justice Unit
ToT	Training of Trainers
UDHR	Universal Declaration of Human Rights
UNAMA	United Nations Assistance Mission in Afghanistan
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMACA	United Nations Mine Action Centre for Afghanistan
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
UPF	Universal Peace Federation
UPR	Universal Periodic Review
USAID	United States Agency for International Development
VAW	Violence against Women
WRU	Women's Rights Unit

TABLE OF CONTENTS

WORDS FROM THE CHAIR	5
FORWARD BY THE EXECUTIVE DIRECTOR	6
EXECUTIVE SUMMARY	7
ABOUT THE AIHRC	10
COMPLAINT STATISTICS IN 2009.....	15
AIHRC RESULTS AND IMPACT IN 2009.....	18
Objective 1: Institutional Strengthening.....	18
Objective 2: Promotion of Human Rights	24
Objective 3: Protection of Human Rights	41
Objective 4: Monitoring of Human Rights.....	45
CHALLENGES AND LESSONS LEARNED	54
APPENDIX 1: AIHRC Publications Released in 2009	56
APPENDIX 2: List of AIHRC Press Interviews and Public Statements.....	58
APPENDIX 3: List of Trainings Attended	59
APPENDIX 4: List of International Meetings/Conferences Attended	62
APPENDIX 5: National Advocacy Efforts.....	64
APPENDIX 6: List of Partners in 2009.....	66
APPENDIX 7: Financial Report.....	68

WORDS FROM THE CHAIR



As Chair of the Afghanistan Independent Human Rights Commission (AIHRC), I am pleased to present our Annual Report for 2009. This report presents the major activities and achievements of the AIHRC in the four main areas of our work in Afghanistan: (1) human rights promotion, (2) human rights protection, (3) human rights monitoring and (4) AIHRC's own institutional strengthening and capacity-building.

The human rights situation in Afghanistan remains bleak. The deteriorating security situation has continued to severely hamper the enjoyment of human rights throughout the country, particularly by vulnerable people such as women, children, persons with disabilities and internally displaced persons. Despite existing commitments, strategies, and policies developed to improve the human rights situation, many men, women and children continue to suffer from extreme poverty, high unemployment, systemic discrimination and a lack of access to healthcare, schools and adequate housing. Implementation and enforcement of legislation to protect human rights also remains limited due to weak judicial institutions. The low level of public awareness about human rights has also prevented citizens from realising and accessing their rights and misperceptions about human rights have been used to justify human rights violations such as forced and child marriage and to deny women's rights to education, work and political participation.

There remains much work to be done and the Commission's success will depend on our joint efforts with Government, civil society and the international community to ensure the full protection and promotion of human rights for all persons throughout our country.

Over 2009, the Commission's staff members have remained steadfast in their tireless and courageous efforts to protect, promote and monitor human rights across the country. I am confident that with the support of our national and international partners, we can achieve our shared objectives and improve the human rights situation of all men, women and children in Afghanistan.

Dr. Sima Samar
Chair
Afghanistan Independent Human Rights Commission

FORWARD BY THE EXECUTIVE DIRECTOR



As the Executive Director of the Afghanistan Independent Human Rights Commission, my work has focused on findings ways to further improve the Commission's overall effectiveness and impact. In November and December, the AIHRC consulted with more than 500 stakeholders across the country in order to examine our strengths and weakness and identify key challenges and opportunities.

Based on the input we received, at the end of 2009, we developed a comprehensive Strategic Plan for 1389-1392 (2010-2013). With this Plan, we have identified five overarching objectives related to leadership, education, empowerment, advocacy and monitoring and investigation that will guide and focus the work of the Commission over the next four years. In 2009, we increasingly adopted a results-based approach in managing, monitoring and measuring the impact of our work and ensuring effective use of our resources. The Commission also welcomed the feedback and recommendations of quarterly audits conducted and external evaluations of our performance and results.

During the past year, in order to build our institutional capacity, the Commission's staff benefited from increased training and educational opportunities in order to further deepen our knowledge and skills. We also conducted a country-wide assessment in order to identify the capacity development needs of our staff. Based on the input we received, we will prepare a comprehensive plan to further develop the skills and institutional capacity of the Commission.

Unfortunately, the Commission faced significant institutional challenges in 2009, including the lack of government funding towards the AIHRC's overall budget. This lack of sustainable funding and our ongoing dependency on donor contributions continues to undermine the future stability of the AIHRC. Another challenge was that, during the last year, the AIHRC was prevented from fully implementing all of the activities planned under our 2009 Action Plan – this was due to the deteriorating security situation which required us to cancel many planned activities. Another contributing factor was the late arrival of more than one quarter of our required funds (during the last two months of 2009) and the inability of Commission staff to implement remaining activities within this limited timeframe.

We hope that this year's Annual Report will provide the public, our partners and donors with an increased understanding about the Commission's achievements and results in the promotion, protection and monitoring of human rights throughout the country in 2009.

Mohammad Musa Mahmodi
Executive Director
Afghanistan Independent Human Rights Commission

EXECUTIVE SUMMARY

This Annual Report for 2009 aims to provide information for the public, Government, civil society, the international community and donors about the achievements and results of the Afghanistan Independent Human Rights Commission (AIHRC). The 2009 Action Plan set out four overarching objectives for the AIHRC, including: 1) institutional strengthening; 2) promotion of human rights; 3) protection of human rights; and 4) monitoring of human rights. This report provides an overview of results achieved in each of these four areas.

The past year was marked by key developments within the AIHRC. Mr. Mohammad Musa Mahmudi was welcomed as the new Executive Director of the AIHRC. The Commission's achievements and leadership was also recognised at an international level through various awards bestowed upon the AIHRC Chairperson, Dr. Sima Samar. In addition to being made an Honorary Officer of the Order of Canada in July, Dr. Samar, received the Pundik Freedom Award by the Danish daily newspaper 'Politiken' on 26 September in Copenhagen. Dr. Samar was also nominated for the 2009 Peace Noble Prize - an honour for her, the AIHRC and the people of Afghanistan

The AIHRC continued to face numerous challenges in achieving its objectives and implementing its activities including the deteriorating security situation, which not only adversely affected the work of the AIHRC but also posed a serious threat to the life and well-being of Afghan citizens. Other obstacles included a weak presence of the rule of law, a persistent culture of impunity and the abuse of power by government officials as well as a weak judicial system. The human rights of women and children continued to be undermined by reports of egregious crimes, including rape and violence, and failure to bring perpetrators of such crimes to justice. Continuing civilian casualties resulting from the ongoing conflict also exacerbated the human rights situation and the ongoing conflict hindered the progress of development and construction in many areas throughout the country. One of the greatest challenges the AIHRC faced in 2009 was the lack of sustainable government funding and its continued reliance on donors in order to fulfil and implement its constitutional mandate.

Throughout the year, there were many important lessons learned by the AIHRC including the benefits of a participatory strategic planning process and the importance of genuine engagement of the Commission's partners in identifying key human rights priorities to guide the AIHRC's work. The future performance of the AIHRC will be further strengthened as a result of financial audits and external evaluations carried out in 2009. A decline in the number of human rights complaints and website visitors will also be used to guide the AIHRC in its future efforts to raise awareness about the AIHRC and to encourage an increased number of people to seek assistance and support from the Commission. These lessons learned will provide valuable insights to guide the AIHRC's future work.

Institutional Strengthening

In 2009, the AIHRC intensified its efforts to increase its overall effectiveness and impact in the protection, promotion and monitoring of human rights. AIHRC's four-year Strategic Plan was developed as a result of consultation sessions with more than 500 stakeholders across the country. The Commission's staff also increased their knowledge, skills and capacity as a result of training opportunities and the support of international experts. The Commission's partnership and engagement with diverse stakeholders was also further strengthened during the year.

Promotion of Human Rights

As a result of the AIHRC's promotion efforts, by the end of 2009, 17,217 people had increased understanding and awareness about general human rights issues, women's rights, children's rights and the rights of persons with disabilities. During the year, the Commission celebrated five important human rights days and used these occasions as platforms to raise public awareness about human rights. The AIHRC also played a leading and influential role to mainstream human rights into the country's security institutions, education and higher education systems. There was a 70% increase in AIHRC's radio and television broadcasting compared with 2008. Finally, the AIHRC supported CSOs in building their capacity to effectively promote human rights, drew in 50 human rights volunteers and actively promoted a culture of peace, justice and reconciliation, including the opening of a museum in Badakhshan to recognise the suffering of Afghans during decades of armed conflict.

Protection of Human Rights

The AIHRC achieved five main results to meet its overall objective of human rights protection across Afghanistan. First, 99% of human rights cases received by the AIHRC were investigated and 62% resolved. Second, the AIHRC took an active part in the drafting and amending of six laws with implications for human rights. Third, as a result of AIHRC's joint advocacy efforts with the UN, international organisations and civil society, ISAF and the Afghan government forces were urged to intensify their efforts to prevent civilian casualties. These efforts and recommendations helped contribute towards a decrease in number of civilian casualties by NATO and Afghan government forces in 2009.

Fourth, as a result of AIHRC's advocacy and recommendations to the Government, new senior-level appointments were made in the Prosecution Office of NDS, Department 17 of NDS, Criminal Investigation Department, Office of Kabul Chief of Police and Pul-e-Charkhi Prison. Finally, 716 women received legal advice and 60 family disputes, including cases of violence against women, were mediated which ended in resolutions or improvements in the situation.

Monitoring of Human Rights

AIHRC's work yielded four significant results as far as human rights monitoring is concerned. First, in order to increase awareness about Government's compliance with international human rights standards, the Commission submitted three shadow reports to the UN related to the Universal Period Review (UPR), the Convention on the Rights of the Child (CRC) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in parallel with the Government of Afghanistan's official reports to the respective UN Committees. Second, the AIHRC released its Fourth Annual Report on the Situation of Economic, Social and Cultural Rights as a result of its human rights field monitoring activity in 128 districts of 27 provinces. The report identifies rights to marry and found a family, work, health, food, water, property, education, due process of law, adequate standard of living and liberty and security of person as the most frequently violated rights in the country. In addition to this, the AIHRC and UNAMA jointly monitored the exercise of political rights during the Presidential and Provincial Council Elections and released three reports on political rights verification during the electoral process. Commissioner Ahmad Fahim Hakim played an active role as deputy chair of the Electoral Complaints Commission (ECC) in ensuring that the elections were free and fair and produced a legitimate outcome. Coupled with these monitoring activities, the Child Rights Field Monitoring (CRFM) teams conducted 7,850 interviews with children in 134 districts in 28 provinces around the country. CRFM data collected revealed that the most frequently violated child rights include the rights to education, marry and found a family, due process of law and personal integrity. The final result of AIHRC's monitoring activities was that 60% of prisons, detention centres and child correction centres showed improvements in terms of living conditions and the treatment of detainees and prisoners. More significantly, there was a decrease of 34 per cent in the rate of torture and ill-treatment perpetrated in prisons and detention centres.

ABOUT THE AIHRC

Vision

A just, democratic and developed society where human rights are observed, respected and protected.

Mission

- Encouraging and empowering government, individuals and civil society to promote, protect and respect human rights.
- Leading the Afghan human rights movement and advocating for change at the local, national, regional and international level in the improvement of human rights protection and promotion.
- Monitoring the Government's compliance with national and international human rights obligations in order to assess national laws and policies and provide recommendations.
- Defending and protecting the rights of victims of human rights abuse.
- Ensuring the AIHRC's effectiveness and impact.

Mandate

Since its establishment in 2002, the Afghanistan Independent Human Rights Commission (AIHRC) has worked to fulfil its constitutional human rights mandate to advance the cause of human rights in Afghanistan¹. The overarching missions of the AIHRC are promotion, protection and monitoring of human rights throughout the country.

AIHRC's constitutional and independent status has been enshrined in Article 58 of the Afghan Constitution:

"To monitor respect for human rights in Afghanistan as well as to foster and protect it, the state shall establish the Independent Human Rights Commission of Afghanistan.

Every individual shall complain to this Commission about the violation of personal human rights.

The Commission shall refer human rights violations of individuals to legal authorities and assist them in defence of their rights.

Organisation and method of operation of the Commission shall be regulated by law".

¹ According to the Bonn Agreement (Article III, 6, http://www.aihrc.org.af/bon_agr.htm), the AIHRC was initially established by a presidential decree (<http://www.aihrc.org.af/decreeofp.htm>) in June 2002, defining its mandate and mission. The AIHRC became Afghanistan's national human rights institution in the Afghan Constitution adopted by the Constitutional Loya Jirga in January 2004.

The Law on the Structure, Duties, and Mandate of the Afghanistan Independent Human Rights Commission was approved by the Afghan Cabinet and endorsed by the President in a presidential decree in May 2005². The Law sets out regulations regarding the organisation, functions, and authorities of the AIHRC. It also addresses the independence of the Commission in its financial and administrative affairs.

Article 5 of the Law establishes five objectives for the AIHRC:

1. Monitoring the situation of human rights in the country
2. Promoting and protecting human rights
3. Monitoring the situation of and people's access to their fundamental human rights and freedoms
4. Investigating and verifying cases of human rights violations
5. Taking measures for the improvement and promotion of the human rights in the country.³

The Law also sets out regulations regarding the structure, duties, authorities, responsibilities and mandate of the AIHRC, and also addresses the independence of the Commission in its financial and administrative affairs.

The Afghanistan Compact urges not only the international community, but the Afghan Government, to provide further support to the AIHRC in realising its objectives of promoting, protecting and monitoring human rights in the country.

The Afghanistan Compact emphasizes on the following human rights benchmarks and indicators (Annex I, p.8):

"By end-2010: The Government's capacity to comply with and report on its human rights treaty obligations will be strengthened; Government security and law enforcement agencies will adopt corrective measures including codes of conduct and procedures aimed at preventing arbitrary arrest and detention, torture, extortion and illegal expropriation of property with a view to the elimination of these practices; the exercise of freedom of expression, including freedom of media, will be strengthened; human rights awareness will be included in education curricula and promoted among legislators, judicial personnel and other Government agencies, communities and the public; human rights monitoring will be carried out by the Government and independently by the Afghan Independent Human Rights Commission (AIHRC), and the UN will track the effectiveness of measures aimed at the protection of human rights; the AIHRC will be supported in the fulfillment of its objectives with regard to monitoring, investigation, protection and promotion of human rights, the implementation of the Afghan government Action Plan on Peace, Justice and reconciliation, fully completed by end of 2008 ."

² The Law on the Structure, Duties, and Mandate of the AIHRC has 4 Chapters and 35 Articles. Please see www.aihrc.org.af/law_of_aihrc.pdf for details.

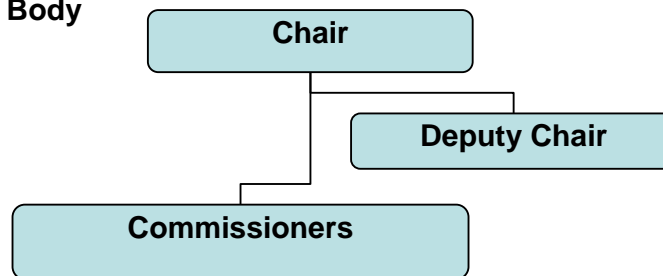
³ *The Law on the Structure, Duties and Mandate of the Afghanistan Independent Human Rights Commission*, Article 5, http://www.aihrc.org.af/law_of_aihrc.pdf

Structure

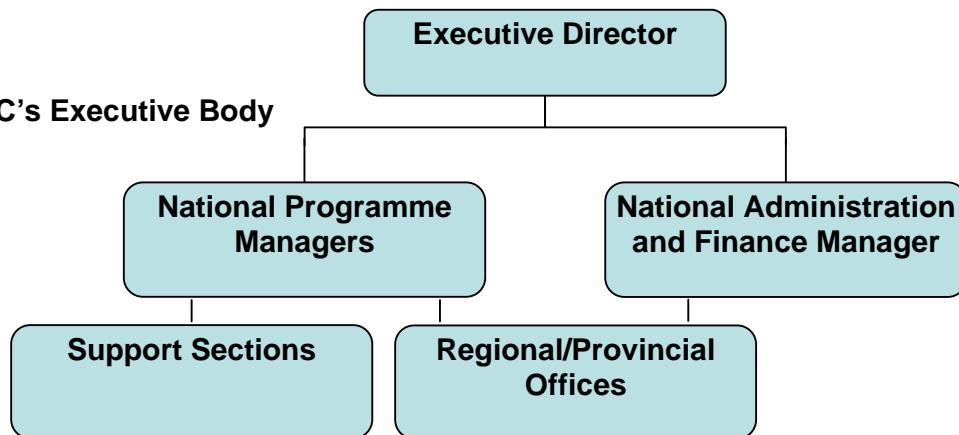
The Afghanistan Independent Human Rights Commission has, based on the Law on the Structure, Duties and Mandate of the AIHRC, nine Human Rights Commissioners. They are Dr Sima Samar, Chair of the AIHRC; Mr Ahmad Fahim Hakim, Deputy Chair; Ms Hamida Barmaki, Commissioner in charge of Child Rights Unit (CRU); Dr Soraya Sobhrang, Commissioner in charge of Women's Rights Unit (WRU); Mr Abdul Karim Azizi, Commissioner in charge of Human Rights Education Unit (HREU); Mr Farid Hamidi, Commissioner in charge of Monitoring and Investigation Unit (M&IU) and Special Investigation Team (SIT); Mr Ahmad Zia Langari, Commissioner in charge of Persons with Disabilities Unit (PWDU); Mr Nader Nadery, Commissioner in charge of Transitional Justice Unit (TJU); and Maulawi Ghulam Mohammad Gharib, member of the Editorial Board of *Human Rights*, AIHRC's monthly magazine.

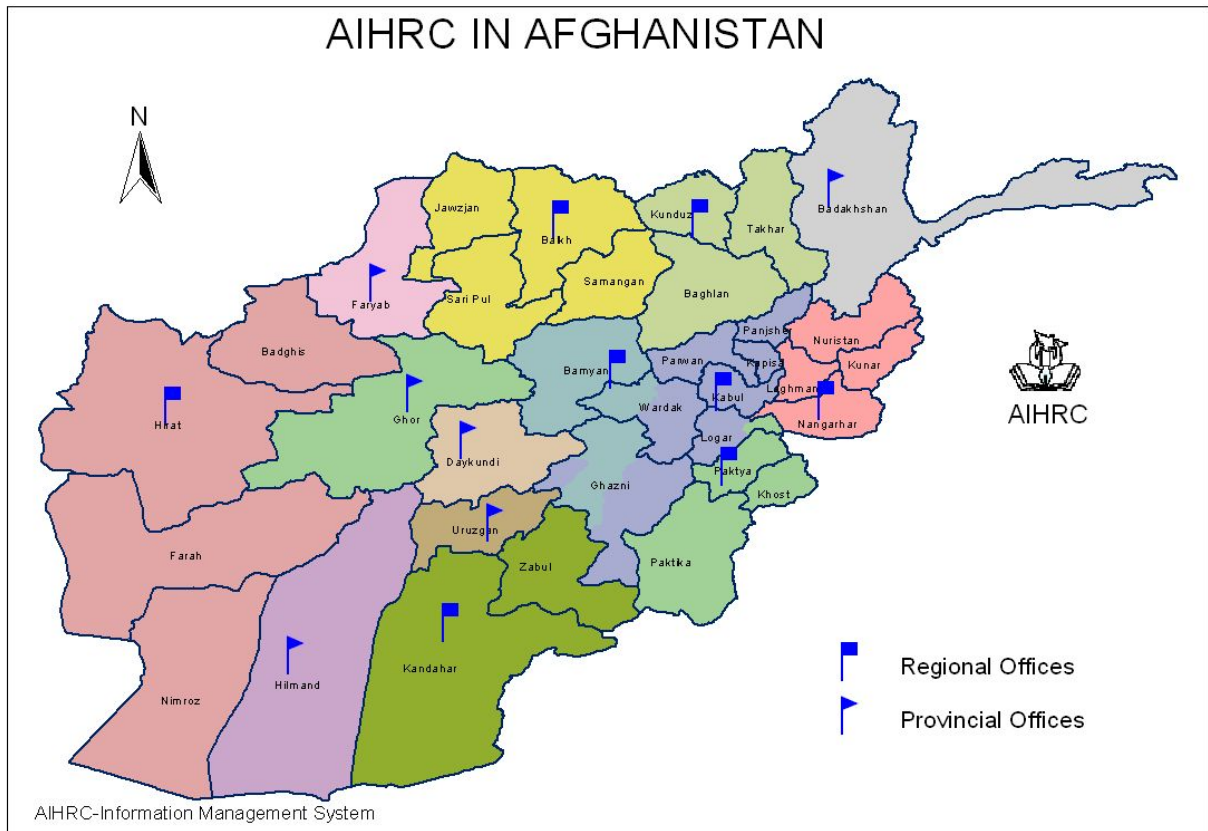
The AIHRC's Commissioners constitute the governing body responsible for overall decision- and policy-making of the AIHRC, while the executive body is tasked to implement the decisions and action plans approved by the Human Rights Commissioners. The following diagram illustrates the relationship:

AIHRC's Governing Body



AIHRC's Executive Body





The AIHRC has its headquarters in Kabul and eight regional and six provincial offices throughout Afghanistan. The eight regional offices are situated in Bamyan, Gardez, Herat, Jalalabad, Kabul, Kandahar, Kunduz, and Mazar-e-Sharif; and the six provincial offices are located in Badakhshan, Daikundi, Ghor, Helmand, Maimana, and Uruzgan. The AIHRC currently employs 646 staff members, including support staff. This includes 167 staff members at the Headquarters, 373 staff members in the regional offices, and 106 staff members in the provincial offices.

In order to fulfil its mandate related to the promotion, protection and monitoring of human rights in Afghanistan, the AIHRC has so far established six programme units as follows:

- 1. Human Rights Education Unit (HREU)** is primarily responsible for the promotion of human rights and for bringing about attitudinal and behavioural changes in the Afghan society to support the institutionalisation of human rights. The vision of the programme is a transition from the prevailing culture of war and violence to a culture of human rights and peace nationwide, supporting dialogue, tolerance, coexistence and diversity.

- 2. Women's Rights Unit (WRU)** promotes and protects women's rights through advocacy, training and education, and monitors the status and well-being of women in Afghanistan with the aim of addressing the underlying causes of violations of women's rights, thereby contributing to effective policy analysis and submissions.

3. **Child Rights Unit (CRU)** supports protection of child rights through providing coordination and support to stakeholders through its focus on awareness-raising, promotion and monitoring of the status and well-being of children in Afghanistan. Like the WRU, its aim is to understand and address the underlying causes of the abuses of children's rights and advocate for laws and policies that protect children from such abuse. The CRU also conducts direct interviews with children nationwide to assess their access to the standards set forth in the Convention on the Rights of the Child (CRC).

4. **Monitoring and Investigation Unit (M&IU)** monitors human rights, receives complaints of abuses from the public, investigates those abuses and addresses them with the relevant authorities. While the WRU and CRU monitor the general well-being and status of women and children respectively, the M&IU addresses individual cases of violations of the rights of all citizens, including women and children. The Unit also feeds data to other Units to inform submissions to the President and relevant authorities, as well as the Parliament and the international community. It also feeds data for AIHRC's own awareness-raising programmes. Human Right Field Monitoring (HRFM) and Child Rights Field Monitoring (CRFM) are also the responsibility of the M&IU, which conducts field missions and interviews with individuals throughout the country to assess their access to economic and social rights.

5. **Transitional Justice Unit (TJU)** develops strategies and policies to confront past human rights abuses of war crimes and crimes against humanity and to collect documentation and information about the nature, causes and perpetrators of these crimes in Afghanistan. The Unit also increases the awareness of the public on the Government of Afghanistan's Action Plan on Peace, Reconciliation and Justice.

6. **Persons with Disabilities Unit (PWDU)** is responsible for the promotion and protection of the rights of persons with disabilities in Afghanistan. The core activities of the Unit have consisted so far of advocacy and awareness-raising about persons with special needs and the obstacles they face. PWDU also receives individual complaints of violations which are investigated by M&IU.

Support Sections

A number of support sections have been established with the objective of complementing and supporting the programme units. They include Research and Policy Section, National Reporting Section, Media and Publications Section, Information Management Section, Resource Centres, Translation Section, Legal Advice Section, Report and Donor Relations Coordination Section and Printing Press.

COMPLAINT STATISTICS IN 2009

In 2009, 4,283 people (883 women) approached the AIHRC for assistance and were either processed as complainants or provided with legal advice and referred to the concerned authorities or institutions. Of 824 complaints received in 2009 (involving 961 human rights violations), 815 complaints were investigated and 497 interventions led to resolutions.

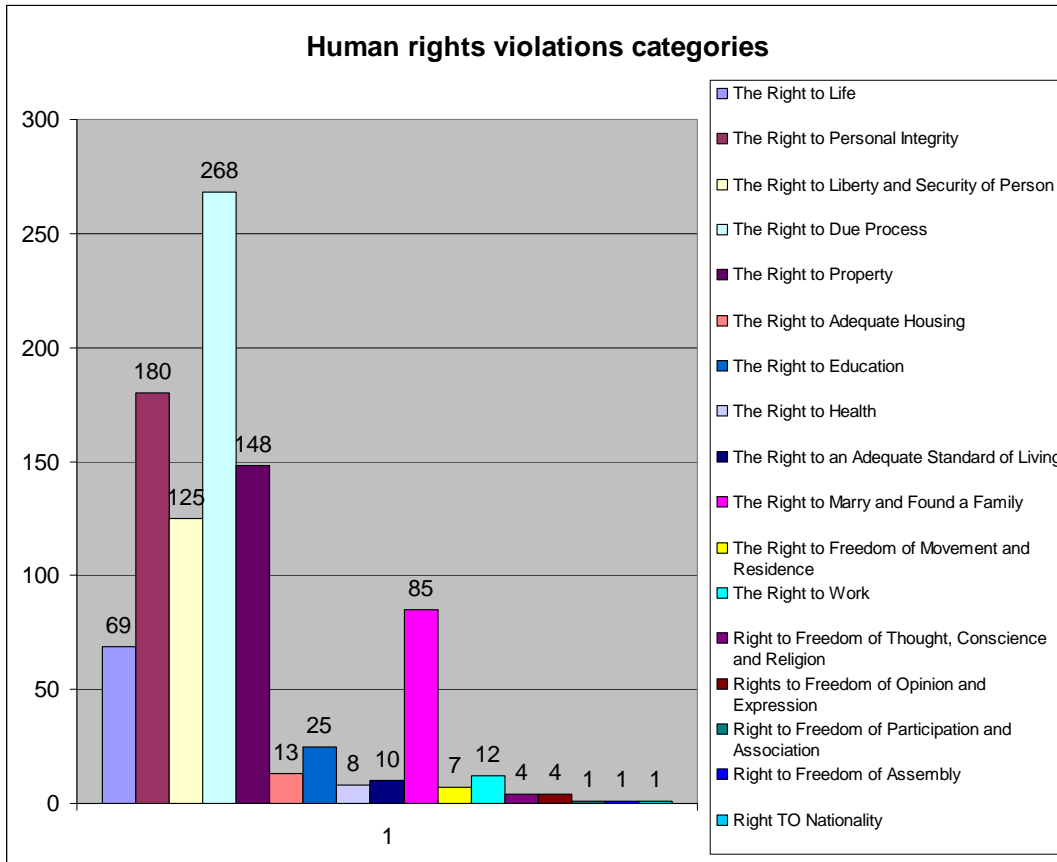
Table: Complaints and violations received, investigated and settled by the AIHRC in 2009

Period	Complaints and Violations		Investigated	Settled (Closed)
	Complaints	Violations		
First quarter	133	162	133	111
Second quarter	283	311	283	146
Third quarter	134	163	129	44
Fourth quarter	274	325	270	196
Total	824	961	815	497

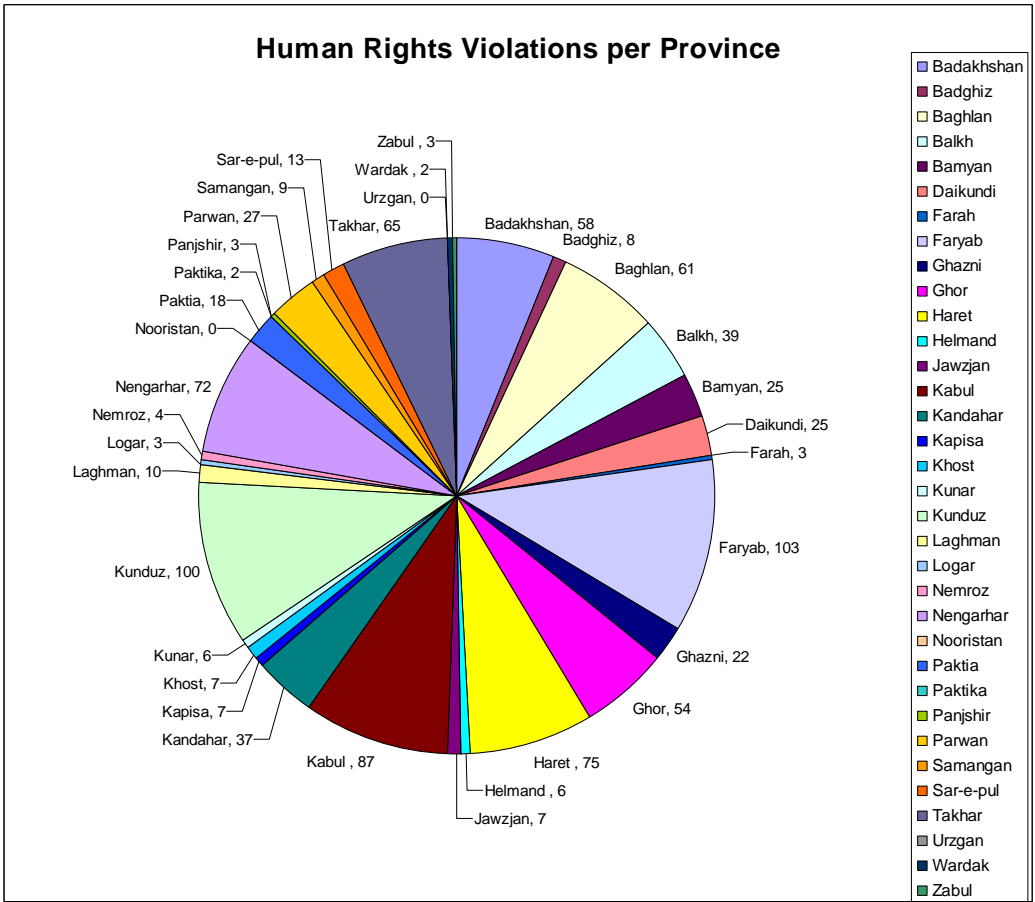
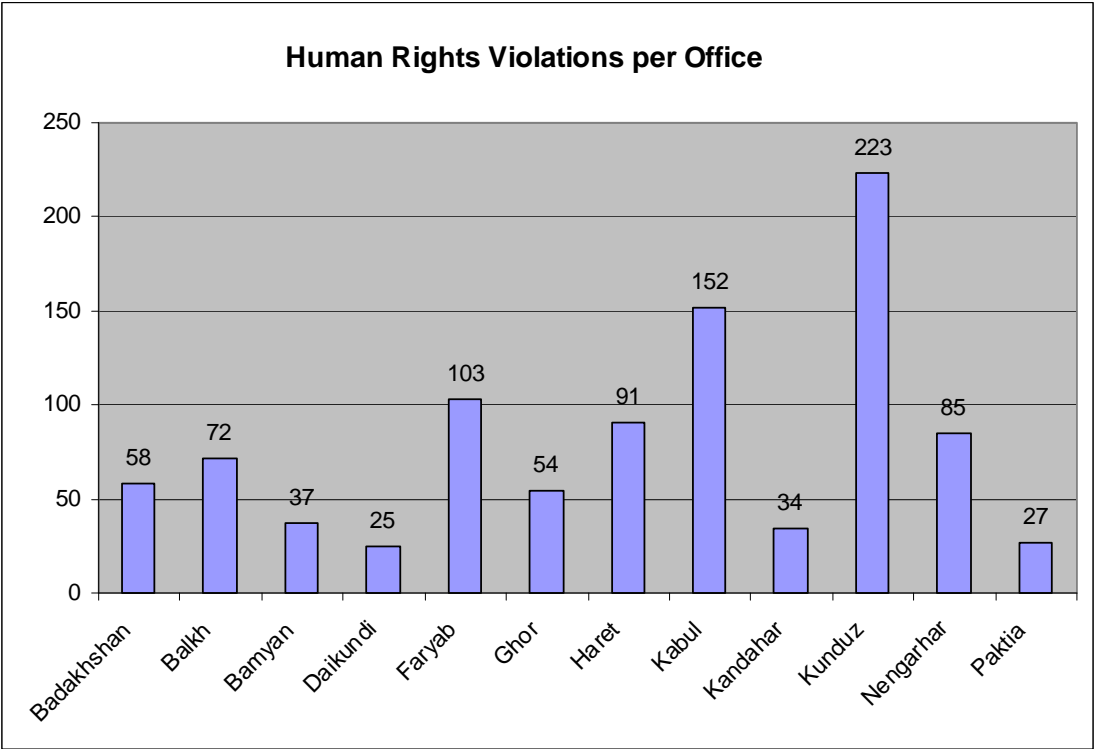
In comparison to 2008, the number of human rights complaints decreased by 10% and the number of violations by 7%. The AIHRC believes that this slight reduction may be due to the fact that, as a result of the Commission's awareness-raising activities, people now have an increased understanding about the AIHRC mandate and are therefore contacting the AIHRC less frequently regarding complaints unrelated to human rights. The slight decline may also be attributed to the worsening security situation in the country and limited access of people to AIHRC office, particularly in Southern provinces such as Khost, Paktika, Ghazni, Wardak and Zabul.

During 2009 the, right to due process of law (268), right to personal integrity (180), right to property (148), and right to liberty and security of person were the most frequently violated rights.

During the reporting period the killing of 1,456 Afghans, including 412 men, 119 women, 269 children and 656 unknown persons was recorded. In addition, the AIHRC recorded a total number of 1,671 wounded persons (274 men, 50 women, 116 children and 1231 unknown persons). Data from the Special Investigation Team (SIT) indicated that 497 Afghans were killed by NATO and Afghan forces and 959 by anti-government elements during the first three quarters of the Afghan calendar year 1388 (2009).



The regions with the highest percentage of human rights violations in 2009 were: Kunduz (223 human rights violation cases), Kabul (153), Faryab (102), Herat (91), Nangarhar (85) and Balkh (75). Human rights violations in these comprised 75.91% of all 961 human rights violations recorded in 2009. In 2009, the AIHRC intends to invest more of its promotion more in these regions in order to contribute to a considerable drop in the level of human rights violations.



AIHRC RESULTS AND IMPACT IN 2009

This section presents the results and impact of the AIHRC in 2009 towards realising the four overarching objectives stipulated in its 2009 Action Plan including: 1) institutional strengthening; 2) promotion of human rights; 3) protection of human rights; and 4) monitoring of human rights.

Objective 1: Institutional Strengthening

To ensure a well-functioning national human rights commission

2009 ACTION PLAN		
Outcomes: <ul style="list-style-type: none"> - Delivery of quality human rights services - Public confidence in the AIHRC - Enhanced partnership with all stakeholders, including civil society, media groups and diverse categories of people and NGOs 	Indicators: <ul style="list-style-type: none"> - Professional and well-trained staff at all levels and in all satellite and provincial offices - Expanded contacts with people and enhanced cooperation for the institutionalisation of human rights - Close working relationships with various stakeholders 	Activities: <ul style="list-style-type: none"> - Various capacity building trainings - Short-term overseas courses (10-15 staff) - Enhanced human resource development initiatives (training needs assessment; regular training appraisal; appropriate recruitment procedures are enforced/implemented) - Enhanced internal monitoring visits (quarterly/office/unit) - Expansion of activities through establishment of provincial offices.

Summary of Results Achieved in 2009:

In 2009, the AIHRC intensified its efforts to increase its overall effectiveness and impact in the protection, promotion and monitoring of human rights. Such efforts included a participatory, consultative and inclusive strategic planning process which led to development a four-year strategic plan for the Commission. The AIHRC provided numerous national and international training workshops in order to increase the AIHRC's internal capacities and supported staff in pursuing training and educational opportunities abroad. Eight international consultants were also brought in to provide expertise and support to AIHRC management and staff.

Development of a new four-year Strategic Plan

In November/December 2009, the AIHRC commenced a participatory and consultative process to develop a Strategic Plan for 1389-1392 (2010-2013). The AIHRC held 15 consultation sessions with more than 500 stakeholders from across the country, including government officials, civil society organisations, media representatives, *Ulama*, international organisations, donors and AIHRC staff. In order to ensure that this Plan reflected the specific needs of different regions, consultations were held in Bamyan, Herat, Jalalabad, Kabul, Kandahar and Mazar-e-Sharif. The consultation sessions provided an important opportunity to build on the accumulated knowledge and expertise of AIHRC staff members and to ensure their

active engagement in setting priorities that are relevant and realistic. The discussions with external stakeholders provided the AIHRC with an honest and frank assessment of its impact and effectiveness and with concrete suggestions of priority areas for its future work.

As a result of this process, a four-year Strategic Plan was developed. The Plan, which will be officially launched in early 2010, identifies five strategic priorities for AIHRC's work: leadership, education, empowerment, advocacy and monitoring and investigation. Based on the Strategic Plan, the Commission will prepare a four-year Action Plan which will be completed in February 2010.

The development of the Strategic Plan was led by the Strategic Planning and Review Committee (SPRC), a body comprised of Commissioners, programmatic and administrative staff representatives and chaired by the Executive Director. A Monitoring and Evaluation Team will be established in early 2010 to support and report on the implementation of the Strategic Plan and Action Plan.



Dr. Samar addressing AIHRC staff during the strategic planning consultation workshop in Kabul

AIHRC staff have increased their knowledge, skills and capacity to promote, protect and monitor human rights

One of the main objectives in the AIHRC's 2009 Action Plan is building its own capacity by recruiting consultants and training staff. During the reporting period, the AIHRC organised in-house training, sponsored staff to enrol in Afghan universities, provided training for staff abroad and recruited eight international consultants.

Staff training seminars and workshops:

- In cooperation with Shuhada Organisation, the Commission conducted a two-day management and leadership workshop for its regional and provincial managers in order to better achieve the Commission's goals as outlined in the AIHRC's Action Plan. The participants included all 14 regional and provincial managers and national unit officers.
- Regional and provincial managers attended a four-day training programme on results-based management, reporting and administrative and logistical management. During the training, all programme and administrative issues, including the introduction of new procedures and regulations, were discussed in detail. The training also provided an opportunity for managers to discuss various challenges and issues with senior management and to provide suggestions and recommendations.
- A six-day capacity-building workshop on "Character Education and Peace-Building" was conducted by the HREU (Kabul Regional Office) in cooperation with the Universal Peace Federation (UPF) in the Mazar-e-Sharif Regional Office for 21 HREU staff of regional and provincial offices.
- In cooperation with UPF, the HREU conducted an eight-day "character-building workshop" for four unit staff members in Kabul Regional Office. The training aimed to equip HREU trainers with necessary and up-to-date knowledge and skills related to training and workshop facilitation.
- The Information Management Section and Legal Analysts conducted two workshops for 12 database focal points in regional and provincial offices. The training focused on technical and legal issues relevant to the various databases of the AIHRC.
- The AIHRC, in cooperation with Kabul University, conducted a six-day "capacity-building workshop" for six staff members of Research and Policy Section. The training was intended to update staff knowledge and skills in research and assessment methodology.
- The Research and Policy Section conducted a two-day workshop for 11 child rights officers in Regional and Provincial Offices on how to fill questionnaires as well as research methodology.
- A four-day capacity-building workshop on "WRU's mandate, functions and approaches as well as research methodology" was conducted for 20 WRU staff members in Kabul. This workshop focused on effective ways of research and better understanding of WRU's mandate and functions. Another workshop was held for six WRU staff and seven short-term contracted staff in regional and provincial offices on research methodology and on how to fill out questionnaires.
- The Information Management Section and Legal Analysts conducted a workshop for four database focal points in Kandahar Regional Office and Daikundi, Badakhshan and Ghor Provincial Offices on the technical and legal issues relevant to the various databases of the AIHRC.
- Two week-long training programmes were conducted for the TJU by the organisation "No Peace Without Justice" (NPWJ) during 2009. The first was held from 24-28 January in Kabul and was attended by all TJU staff nationwide. The overall aim of the workshop was to instruct TJU staff on specific areas of conflict mapping methodology as the project progressed, most notably the use of maps in analyzing information and the factual analysis

process. The workshop provided training on the use of maps and included theoretical discussions, demonstrations and practical exercises mapping actual incidents documented by the TJU teams. TJU staff in consultation with the trainers were able to develop a uniform methodology for maps and factual analysis including map symbols based on the international military standard, that of the NATO alliance.

- A second TJU workshop was held from 13-17 August in Kabul. Once again a team of trainers from NPWJ designed and conducted the workshop with the support of an advisor from the International Centre for Transitional Justice (ICTJ) and a team of five international consultants with extensive experience in human rights violation documentation and factual analysis. Each consultant was allocated a regional team and worked intensively with their team throughout the workshop and for the five weeks immediately following on from the workshop. This six week consultancy enabled TJU staff to benefit from intensive mentoring by international experts, to master the art of factual analysis under their guidance and to build the longer-term capacity of TJU teams. The August workshop focused on real factual analysis, including; linking individual incidents into a coherent and comprehensive conflict map (including use of maps and developing a chronology); identifying the actors with the greatest responsibility; tracing chains of command from a local/ incident level upwards as well as from a central level downwards; taking due account of evidence that exists but is currently not available for inclusion into the conflict mapping process (especially mass graves); and linking factual analyses from different geographical areas
- An additional two day workshop on factual analysis was held with TJU staff on 2-3 December.

Sponsored staff training in Afghanistan: In 2009, the AIHRC sponsored 10 staff members enrolled at universities in Kabul to receive academic training in the areas of finance and information technology. Five staff members from Kabul, Mazar-e-Sharif, Kandahar and Gardez Regional Offices and Maimana Provincial Office received training in leadership during the Afghanistan-Memphis Leadership Summit in Kabul.

Staff training abroad: Throughout the year, AIHRC's Commissioners and staff members attended several conferences and training programmes at the invitation of various international organisations. For details, please see Appendix 3

Support of International Consultants: In October, a CIDA-financed consultant joined the Commission to provide strategic-level advice towards the development of the AIHRC's strategic plan and action plan and to provide expertise and support to senior management and reporting staff on how to carry out results-based management and reporting as well as corporate planning.

During the same timeframe, an international consultant was hired to assess the work of CRU, identify challenges that field staff face in field in terms of fulfilling the Commission's child rights mandate and provide analysis of the CRU's cooperation patterns with external partners. On the basis of the assessment, recommendations

were prepared which will be used to support the development of a strategic capacity-building plan for the CRU.

A team of five international consultants with extensive experience in human rights violation documentation and factual analysis completed a six week consultancy with the TJU in August-September. Each consultant was allocated a regional team and worked intensively with their team throughout the August workshop and the five weeks immediately following on from it. This five week period enabled TJU staff to benefit from intensive mentoring by international experts, to master the art of factual analysis under their guidance and to build the longer-term capacity of TJU teams in terms of analysis and reporting violations of IHL and IHRL. The TJU also continued to benefit from the advice and technical support of a consultant from ICTJ throughout the reporting period.

Increased partnership and engagement with stakeholders

As part of the November/December strategic planning process, the AIHRC reached out to more than 500 key stakeholders including government representatives, civil society organisations, *ulama*, journalists and international partners in order to solicit their feedback about the impact of the Commission and support the development of future human rights priorities. The consultative process helped to deepen the AIHRC's cooperation with these key stakeholders and to ensure their genuine engagement and partnership in the strategic planning process.

The AIHRC also strengthened its cooperation with civil society by contracting CSOs to implement specific activities under the 2009 Action Plan. During 2009, 12 Memoranda of Understanding (MoU) were signed between CSOs and the AIHRC. This was a 16% increase from 2008 and resulted in the transfer of \$22,975 to CSOs. The MoUs signed covered such areas as production of films and TV spots, preparation and set-up of billboards, holding of human rights training workshops, exchange of educational materials, and other promotional activities.

The AIHRC also increased its cooperation with Provincial Councils. One positive result of this cooperation was that the Herat Provincial Council has now agreed to share and consult with the AIHRC on all women's rights-related cases so that such cases are properly handled in accordance with the national and international human rights obligations.

AIHRC's regional and provincial offices have been playing a key role in the country and have become the main source of information and advice on human rights. For instance, Badakhshan Provincial Office is an active member of the provincial development programme which deals with important issues within the education, health and justice sectors. In meetings held by the Provincial Governor, the AIHRC regularly shared its findings and presented its recommendations which were hailed as constructive and useful.

In 2009, the AIHRC further expanded the quantity and quality of its contacts and cooperation with national and international partners and stakeholders.

- The WRU established strong working relations with international women's rights organisations, including the South Asian Women's Network. Particular attention was, as in the past years, paid to reaching out to community leaders, mullahs, teachers, students, CSO representatives, government officials and parliamentarians. Throughout the year, WRU maintained close cooperation with the Ministry of Women's Affairs, Family Court as well as CSOs.
- The AIHRC continued to support and participate in all CPAN meetings in which concerns and findings on child rights were shared with partner organisations and appropriate decisions were made.
- In order to establish strong working relationships and coordination with CSOs dealing with the protection and promotion of the rights of PWDs, the PWDU continued to serve as an active member of Advocacy Committee on the Rights of PWDs. Throughout the year the Unit also provided advice to the Committee and conducted three capacity-building workshops for the Committee members.

A full list of the AIHRC's partners is included in Appendix 6.

Objective 2: Promotion of Human Rights

To enhance awareness-raising initiatives on various human rights issues

2009 ACTION PLAN		
<p>Outcomes:</p> <ul style="list-style-type: none"> - People are aware of their basic human rights - Human rights are institutionalised - A culture of tolerance, peace, co-existence and human rights effectively replaces the culture of war and violence - Women's and children's rights are promoted - Corrective measures towards the rights of persons with disabilities are considered - Enhanced partnership with civil society, media groups and diverse categories of people and NGOs - Enhanced interaction with parliament and provincial councils 	<p>Indicators:</p> <ul style="list-style-type: none"> - Attitudinal and behavioral changes towards acceptance of human rights, in particular the exercise of freedom of expression/media. - New teaching curricula is used by MoE and Mol - Effective media coverage about and on human rights issues - Published reports and information about different human rights matters - Celebration of relevant international days - Reliable working ties with law enforcement organs 	<p>Activities:</p> <ul style="list-style-type: none"> - Organising various training workshops, seminars, awareness raising meetings on human rights (women's rights, child rights and the rights of persons with disabilities) for all and particularly for law enforcement and government institutions. - Conducting research on root causes of human rights abuses (women's rights, child rights and persons with disabilities) - Provision of various human rights publications (posters, booklets, monthly magazine, brochures and banners) - Producing CDs and video films on human rights issues. - Updating training manuals for ToT on human rights - Conducting ToTs with all partners throughout the country - Establishment of various human rights volunteer networks. - Establishment of human rights focal points in judicial agencies - Comprehensive media programmes (roundtables, interviews, specific human rights shows/movies) - Joint advocacy initiatives with civil society institutions - Recommendations to the Afghan government on the establishment of nation-wide CCCs - Establishment of CRC committee on monitoring of CRC in the country.

Summary of Results Achieved in 2009:

During 2009, the AIHRC directly contributed towards the promotion of human rights in order to bring about attitudinal and behavioural changes in Afghan society. Through its efforts to provide training to a diverse group of stakeholders, to mainstream human rights content into school and university curricula and include human rights programming in television and radio broadcasts, the AIHRC was able to successfully increase public awareness about human rights issues.

17,217 People have increased understanding and awareness about human rights issues

The AIHRC successfully conducted all human rights-related workshops and awareness-raising meetings planned in its 2009 Action Plan (340 workshops and 302 awareness-raising meetings). While the Action Plan committed the AIHRC to

inform 16,000 people about human rights-related issues, the AIHRC exceeded this target by reaching 17,217 people (an increase of 7.6% from 2008). Instead of mainly focused on provincial centres, as was done in 2008 whereby 82% of human rights-related workshops and awareness-raising meetings/gatherings were held at the provincial level, in 2009 the AIHRC modified its approach and delivered 62% of human rights training in the provincial centres and the remaining 32% at the district level, despite a highly challenging security environment.

Diverse results were achieved as a consequence of the AIHRC's workshops and awareness-raising meetings. As a result of the trainings, behavioural changes were brought out in families, important human rights issues like violence against women and civilian casualties were raised by media and mullahs and other local influential figures discussed human rights in significant socialisation points like mosques and corporal punishment reduced in schools. The evaluation forms filled out at the end of the training programmes clearly indicate changes in the attitude of participants.

Participants' Views (Excerpts from Workshop Evaluation Forms)

"For me, the topic on human rights and Islam was the most interesting, because I had a misunderstanding about the relationship between human rights (in particular women's rights) and Islam. I thought human rights and Islam are totally at odds in the case of women's rights. I am grateful to the AIHRC for such a useful workshop".

"Our questions regarding human rights and the AIHRC were properly answered. Now we have more trust and confidence in the activity of the AIHRC".

"In the past I heard from others that human rights is something imported from the West. After this workshop, I changed my mind. Human rights is not alien, but something that exists, in a considerable measure, in our religion and culture".

"Human Right is something that Islam says."

"Peace and human rights are the most important issues in Afghanistan; the AIHRC should conduct more workshops on human rights and peace for the students of Kabul University."

"I do not have any objections, but I have a suggestion that the AIHRC should conduct similar workshops in every part of the country and teach people about human rights."

"I personally learned a lot from this workshop and now I can use this gained knowledge in my daily life. I can build trust and peace in my community."

"Conducting peace workshops for Afghan journalists is very important and useful, because they can really transfer their knowledge to society".

"Similar workshops should be held for the high-ranking officials and also the duration of workshops should be extended to a week or more."

The workshops held helped to increase understanding about human rights values, standards and instruments, including the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), CRC, and other core international human rights treaties. Other main topics covered included human rights violations, forced and under-age marriages, human rights and Islam, transitional justice, conflict resolution, peace, reconciliation and tolerance. Relevant provisions of national law, such as the Constitution, the Penal Code and the Civil Code were also discussed.

As a result of a two-day workshop titled “Freedom of Expression; Challenges and Obstacles” with clerics, journalists and media representatives, religious scholars were given the opportunity to deliver speeches on the importance of freedom of expression in Islam and its impact on society. By the end of workshops, participants recognised the fact that the right to freedom of expression is not still fully defined and understood in Afghan society and recommended that relevant organisations, such as the AIHRC, should conduct similar workshops in the future.



Mullahs actively participating in a AIHRC Human Rights Workshops

Increased Promotion and Understanding about Women's Rights

During 2009, the Women's Rights Unit (WRU) achieved many important results in building an increased understanding about women's rights.

As a result of the awareness-raising activities and advocacy efforts of the AIHRC:

- *The Ulama Council of Shibar district of Bamyan province issued a declaration condemning and banning forced and underage marriages in the district. The declaration also supported women's participation in public life, including their right to work.*
- *Mullahs delivered speeches in all mosques of Balkh province on two Fridays regarding the rights of women in Islam as well as the right of women to have access to justice*
- *Cases of bad marriages have reportedly decreased in the southern provinces of Khost, Paktia and Paktika.*

The Unit organised 167 human rights-related workshops and 192 awareness-raising meetings/gatherings for 10,971 people (3,959 men) on a wide range of topics, including violence against women in Afghanistan, women's rights in Islam and CEDAW.



Women's rights workshop for high school students in Paktia Province

Marriage registration is an important way to prevent violence against women. In order to counter forced and underage marriage, the registration process for marriage needs to be implemented on a country-wide basis. The AIHRC has been promoting

marriage registration ever since the registration process was officially launched in 2008. The WRU of Herat Regional Office conducted a campaign on the use and advantages of marriage registration in the western region. During the campaign 1,000 brochures on marriage registration were distributed to the people and the courts and promotional video clips were broadcast on local television channels. The AIHRC also signed a MoU with the Academy of Arts and Cinematography on the production of a twenty-episode TV drama. During the reporting period, the partner organisation produced three episodes which was broadcasted by television stations in Kabul and other provinces.

During 2009, the WRU also focused on elections and the right of women to vote and take part in the elections. It launched a countrywide awareness-raising and advocacy campaign to encourage participation of women in the elections as candidates and voters and as a result, many women came forward to register themselves as candidates for the provincial council elections. Special attention was also paid to encourage women's participation in unstable provinces in the south and south-east.

Increased Promotion of Children's Rights

AIHRC's Child Rights Unit (CRU) continued to carry out activities related to the promotion of child rights. During the year, 6,272 people (2,520 women), including police, elders, prosecutors, judicial personnel and students learned about the rights of children, more specifically about the Convention of the Rights of the Child (CRC), violence against children in the family, school and society and its impact on children and child labour through 50 human rights-related workshops and 174 awareness-raising meetings/gatherings.

In 2009, the CRU successfully implemented another round of the child-to-child training programme, a child rights awareness-raising model in Afghanistan, through its eight regional and six provincial offices. Through this programme, 240 children from CCCs and orphanages who were trained as child rights trainers were then able to further transfer their knowledge to 7,200 other children. As a result of this programme, 7,440 children were informed of their basic rights. One of the participants of this programme from Kabul CCC said, "Previously I did not know what my rights are, but after this programme I understood my rights and now I feel so happy about myself".



Child-to-child training programme in Kabul

Kandahar Regional Office also contributed to an increased awareness about children's rights by convening a national academic conference titled "Protection of Children from Drugs, Child Labour and Children's Problems in Judicial Institutions." Scholars, religious leaders, judges and prosecutors delivered speeches on the causes of child labour, children's addiction to narcotics, problems they face in judicial institutions as well as different approaches to resolve the issues.

The CRU's awareness-raising activity in 2009 had a positive impact on the attitude and behaviour of participants; for instance, Kunduz Regional Office reports indicate that as a result of efforts made by the AIHRC/CRU, judges and police officers are more responsive to cases related to children than they were in the past year.



Child rights awareness-raising meeting for students in Faryab Province

Increased Promotion of the Rights of Persons with Disabilities

During 2009, the work of the Persons with Disabilities Unit (PWDU) focused primarily on promotional and awareness-raising activities by organising 44 human rights training workshops and 59 awareness-raising meetings/gatherings wherein 2,788 participants (646 women), including community elders and government officials learned about the rights of persons with disabilities (PWDs).



Participants of a workshop on the rights of PWDs

One of the problems that prevent PWDs from enjoying their human rights is the ill-treatment they receive at home, at school, at office and at public places. Therefore, from the point of view of the AIHRC, raising people's understanding towards the rights of PWDs can play an effective role in protecting and promoting their rights. In this respect, AIHRC's workshops and awareness-raising meetings had a direct impact on the attitudes of the participants.

The AIHRC places high importance on the empowerment of PWDs to know their rights since this in turn enables them to demand and defend their rights. To achieve this, the AIHRC translated the *UN Convention on the Rights of Persons with Disabilities* into Braille script, sign language and audiotape, which will enable persons with visual and hearing impairments to understand the Convention. The Braille version of the Convention was distributed to the Blind Vocational High School in Kabul, the MoE and Kabul University of Education. As a result of these activities, PWDs were able to increase their knowledge and were further empowered to advocate for their human rights. One of the teachers of Blind Vocational High School said, "Visually-impaired students of this High School are now more aware of their rights by reading the Convention".

The AIHRC also translated the Convention on the Rights of Persons with Disabilities into Dari, Pashto, Uzbeki, Pashae, Turkamani and Balochi and distributed these to all its Regional and Provincial Offices. Two 15-minute films were also produced by the PWDU on the rights of PWDs and the right of women with disabilities to stand as

candidates in general elections. Short documentary films about the rights of PWDs were also produced by AIHRC's Kandahar and Mazar-e-Sharif Regional Offices and distributed to other Regional and Provincial Offices as well as partner organisations.

In Herat, the AIHRC financially supported a monthly magazine in Braille script, which is published by ANAB. It will be periodically issued in 30 copies for use by visually-impaired persons.

In order to increase the awareness of parliamentarians about the *Convention on the Rights of Persons with Disabilities*, the AIHRC translated the manual related to the Convention into Pashto language. The translated version of the manual was printed by AIHRC's printing press and distributed among members of both upper and lower houses of parliament. The AIHRC, in cooperation with CSOs and international community, will continue to advocate strongly for the Afghanistan's ratification of the *Convention on the Rights of Persons with Disabilities*.

Advocacy efforts of PWDU were an ongoing activity in 2009. In partnership with CSOs and the Advocacy Committee on the Rights of PWDs, the PWDU met with President Karzai and members of lower house to discuss challenges facing persons with disabilities in the country and encouraged the President to sign the Convention.

Having convenient access to public buildings is one of the key rights of PWDs. In order to ensure that ramps and other required facilities for PWDs are constructed in public buildings, the AIHRC persistently met with relevant authorities in Kabul and provinces. As a result of AIHRC's efforts, 38 ramps were constructed in public buildings in Kunduz, Baghlan and Takhar provinces. PWDU staff members met with the concerned authorities and briefed them on the importance of ramps for PWDs in public buildings, such as the district governor's office building.

Due to PWDU's continued advocacy efforts, most of the schools and other public buildings constructed in the last two years now have ramps for PWDs.

In September 2009, PWDU and the Media and Publications Section, conducted a painting contest among Afghan artists. Out of 14 paintings received on the rights of PWDs in Afghanistan, a jury selected the top three paintings and awarded prizes for the painters. These paintings were used for posters and billboards on the rights of PWDs and they were also printed in *Human Rights*, AIHRC's monthly magazine.

Institutionalisation of Human Rights Training for New Army and Police Recruits



ANA officers participating human rights training workshop

As a result of AIHRC's regular visits to ANSF educational institutions⁴ to monitor the process of human rights education and provide human rights education materials, support was given to sustain and improve human rights training for new army and police recruits. In 2009, army recruits received 96 hours of human rights training over 9 months; new police recruits received 12 hours of such training over three months; and prison guards received 16 hours over three months.

During AIHRC's quarterly meetings with National Army Training Centre, National Police Academy, Human Rights Department of Ministry of Interior and National Security Training Centre, participants of past AIHRC trainings shared lessons learned and challenges faced in human rights education in their respective institutions. The AIHRC also provided them with all the necessary advice and assistance. AIHRC's advice and assistance yielded clear-cut results; for example, National Army Training Centre incorporated human rights into its educational curriculum.

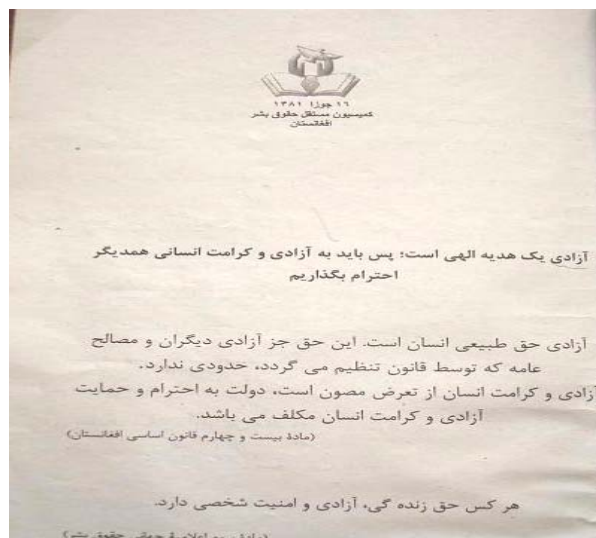
⁴ ANSF educational institutions include National Army Training Centre, National Police Training Centre, Education Department of Ministry of Defence (MoD), Human Rights Department of Ministry of Interior (MoI), National Police Academy, National Security Training Centre and Training Centre for Prison Wardens.



Awareness raising meeting for police officers in Bamyan Province

Human rights content has been mainstreamed into schools and taught at several institutions of higher education

During 2009, the AIHRC continued to provide advice and recommendations to the Department of Compilation and Translation—the governmental body responsible to draft school textbooks for grades one to 10. As a result of AIHRC’s efforts, human rights content was incorporated into school curricula for grades 10-12 and textbooks are now in the process of being printed. The AIHRC also held a workshop for 30 staff members of the Department on increased incorporation of human rights messages into Afghanistan’s educational curriculum.



A page from a school textbook containing AIHRC’s logo and citing Article 24 of the Afghan Constitution and Article 3 of the UDHR related to the right to life, liberty and security of person.

As far as the Afghan higher education system is concerned, the AIHRC has provided human rights-related training materials for various universities and teacher training institutes. As a result of AIHRC's activity in 2009, human rights courses are now taught at Badakhshan's Teacher Training Institute and at Kabul, Herat and Kapisa Universities. A MoU has officially been signed between the AIHRC and Teacher Training Institute of Badakhshan province on the inclusion of human rights into the educational curriculum of the Institute. The AIHRC/HREU will provide human rights-related technical assistance to the Institute. Currently all programme units of the AIHRC providing human rights training to the Badakhshan's Teacher Training Institute.

Following a three-day human rights and peace workshop held in August 2009 by HREU for students and professors of Social Science Faculty of Kabul University, workshop participants requested the AIHRC to work with the Ministry of Higher Education (MoHE) to include human rights into the curricula of all faculties. In addition, the students asked the AIHRC to conduct more workshops for Kabul University students in order to build the capacity of young Afghans on human rights and peace. HREU will accordingly seek all possible avenues for further institutionalisation of human rights subject-matter in the curricula of Afghan institutions of higher learning.

In April, the Development Assistance Database (DAD) approached the AIHRC to jointly conduct human rights education and capacity-building workshops for professors and students of Kabul and Balkh Universities. As a result of the partnership, HREU, in both Kabul and Mazar-e-Sharif Regional Offices, conducted six workshops for professors and students.

As part of its partnership efforts with academic institutions, the AIHRC in 2009 continued working cooperatively with Herat University. HREU provided lectures at the University on various human rights topics, with a particular focus on the role and importance of women's participation in political life, especially elections and the right to vote. Furthermore, as part of the MoU between the AIHRC and Herat University, ten students of the Faculty of Law and Shari'a worked as interns for six months in AIHRC's Herat Regional Office.

Television and radio broadcasts about human rights issues increased by 70%

During 2009, the Media and Publications Section intensified its cooperation with national and local media in order to produce and broadcast a total of 7,975 minutes of television programmes and 22,280 minutes of radio programmes – this represented a 70% increase over the previous year. As a result, the AIHRC was able to extend the reach of its promotional work through local radio and television stations in Badakhshan, Bamyan, Daikundi, Gardez, Herat, Jalalabad, Kandahar, Kunduz and Mazar-e-Sharif and increase the awareness of a larger number of persons about a wide range of human rights issues. The broadcasts focused on issues such as past human rights abuses, women's rights according to the principles of human rights and Islam, child rights, the rights of persons with disabilities, justice for children, peace, justice, and elections.

The AIRHC broadcast 1,440 minutes of radio programmes through Radio Qarabagh on different human rights topics as well as elections and the right to vote. The programmes were highly welcomed by local community who made numerous phone calls during the programmes and asked many questions related to the issues discussed.

In order to support human rights promotion, the Media and Publications Section produced audio awareness-raising programmes on a wide range of topics, including freedom of speech, refugee rights, marriage registration, peace, children's rights, women's rights, the rights of persons with disabilities and the right to vote. The audio programmes have been made into CDs and distributed to local radio stations in Kabul and other provinces and broadcast through local radio stations throughout the country. It is expected that, as a result of the programmes, thousands of people will receive awareness on human rights in the country.

The PWU produced two four-minute TV clips on the rights of PWDs which focused on children with disabilities and their right to education and the right of adults with disabilities to marry and found a family. The TV clips were welcomed by many stations and Ariana and Tolo TV gave a special discount for airing the PWU's TV spots on the occasion of December 3.

An increased number of human rights volunteers are active in promoting human rights throughout the country

In addition to its awareness-raising efforts, HREU also focused its attention on identifying potential human rights volunteers from diverse social groups. As many as 50 human rights volunteers were identified based on their performance during human rights-related workshops and meetings/gatherings in 2009. They come from various segments of population, such as clerics, lecturers and university students. Some of the volunteers have already begun working for the AIHRC; for instance, a volunteer has been working for Herat Regional Office eight hours per day since February 2009.

Having 50 human rights volunteers in 2009 is a significant result achieved by the AIHRC, given the fact that there was no human rights volunteer working for the AIHRC in the previous year.

A culture of peace, justice and reconciliation is promoted

During 2009, the focus of the TJU has been on the conflict mapping programme which is now in its final stages of completion. The programme directly supports implementation of Key Action Three of the State Action Plan on Peace, Justice and Reconciliation, which covers documentation of past crimes. Conflict mapping is a process which aims to: reconstruct the chain of events during the conflict 1978-2001; determine which crimes have been committed under international law; ascertain who

bears the greatest responsibility for their commission; and make recommendations for accountability.

AIHRC's TJU staff have been at the forefront of mass grave preservation and security efforts and throughout 2009 continued to build on our successful coordination with the Criminal Investigation Department (CID) of MoI as well as with UNAMA and the international NGO Physicians for Human Rights in the area of mass grave protection. The preservation of mass grave sites will help sustain the memory of victims of human rights abuse in the past.

In order to effectively advocate for justice and peace in Afghanistan, AIHRC played the lead role for the formation of the Transitional Justice Coordination Group (TJCG) in February 2009. Held over three days on February 17-19, the Transitional Justice Strategic Coordination Conference consisted of two components: a two-day strategic coordination discussion and a single-day technical workshop on documentation of past crimes. Over forty individuals representing some twenty organisations working in the transitional justice field in Afghanistan were in attendance. Conference participants decided unanimously to establish the 'Transitional Justice Coordination Group' (TJCG) and to commit to fortnightly/monthly meetings (as well as irregular special meetings as required) to ensure full, transparent and coordinated cooperation among all TJ actors in Afghanistan. Rather than have a lead partner, the group rotates its meetings and administrative duties equally between members. Since February the TJCG has continued to grow in size and stature and AIHRC continues to play a key role.

Throughout 2009 the TJU continued actively working with emerging and existing victims associations across Afghanistan, providing technical support, conducting workshops and capacity-building and networking with other organisations and donors needed to ensure successful operation. AIHRC's TJU has worked closely with victims groups in Badakhshan, Kabul, Jalalabad and Bamyan/Yakawlang, and TJU staff in the northern region have also consulted with victims with a view to formally establishing victims groups there.

On Saturday August 1 TJU hosted a film screening of *Confronting the Truth* (in Dari) for Afghan civil society, journalists and students. *Confronting the Truth* documents the transitional justice experience of four countries: East Timor, Peru, Morocco and South Africa. In particular it examines the role of truth commissions in these countries. USIP Rule of Law Adviser and the Commissioner for TJ held a question-and-answer session after the film. Participants were eager to discuss what lessons could be learned for Afghanistan from other countries emerging from war and oppression. Copies of the film dubbed into Dari were distributed to participants, who were encouraged to screen it as widely as possible.

In 2009 AIHRC's TJU continued its successful theatre partnership with the Afghan Human Rights and Democracy Organisation and ICTJ. Mobile participatory theatre has proven to be a highly effective and successful means of educating urban and rural populations on human rights and transitional justice issues across Afghanistan.

Throughout 2009 TJU, headed by the TJ Commissioner, continued to advocate and lobby at the local, national and international levels for implementation of the Government Action Plan on Peace, Reconciliation and Justice.

2009 ended with the official opening of Afghanistan's first war museum in Badakhshan. The museum is located just outside of Faizabad city at the site of a mass grave believed to contain the remains of hundreds of victims disappeared during the early stages of the Communist era. Among those attending the opening were AIHRC's Chair Dr Sima Samar, the Commissioner for TJ, representatives of human rights groups, international community and victims' representatives. As of now hundreds of people have visited the museum and sought solace there.

Increased Capacity of Government and Civil Society to Promote Human Rights

During the year, the AIHRC continued its support and assistance to help build the capacity of the Afghan Government to promote human rights. The Commission, in cooperation with CSOs, actively participated in the preparation of the Government's report to UN treaty bodies on the rights of the child and on economic, social, and cultural rights. As noted previously, the AIHRC also supported efforts to incorporate human rights issues into higher education curricula for universities and teacher training institutes

One of the AIHRC's main objectives is to support and build the capacity of civil society organisations in the field of human rights. In 2009, the AIHRC continued to encourage and support civil society organisations to take an active part in the promotion of human rights through its capacity development efforts with CSOs throughout the country.⁵

The AIHRC achieved many results in its efforts to build the capacity of CSOs:

- After attending a training workshop organised by Kunduz Regional Office, 34 CSO trainers functioning in the north-eastern region of the country agreed to replicate the workshops for their staff members as well as others in the districts and villages where they have a field presence.
- After attending ToT workshops organised by Kabul regional Office, 67 trainers of CSO, including Basic Education and Employable Skill Training (BEST), the Afghan Civil Society Forum (ACSF) and the Afghan Woman's Education Centre (AWEC) agreed to apply the knowledge they gained by incorporating human rights topics into the agenda of the workshops they will hold through their offices in different provinces.
- 67 CSO participants, including media representatives, members of the Youth Parliament and students of Herat University, who attended a twenty-day human rights education course organised by Herat Regional Office learned about twenty highly important human rights topics in accordance with Islam and national laws and international standards.

⁵ AIHRC also provided CSOs with a diverse range of AIHRC's publications and training materials, including brochures, posters, magazines, booklets and reports. For a list of partners, please see Annex II.



Human right workshop for civil society organizations in Nengarhar Province

In accordance with a MoU signed in 2009 between the AIHRC/HREU and FEFA, the latter organised four human rights training workshops for political parties and CSOs in Parwan and Kabul provinces in which a total number of 120 political party and civil society representatives participated. In addition, the AIHRC signed a MoU with ACSF, based on which ACSF held four three-day human rights education workshops in Shakar Dara and Gul Dara districts of Kabul province and Bagram district and Charikar city of Parwan province. Around 120 people attended these workshops. HREU's monitoring and evaluation forms indicate that the workshops held were useful, educational and effective.

In order to increase the awareness of IDPs in Kabul on child rights, in July, CRU signed a MoU with Bakhtar organisation. The partner organisation conducted 24 awareness-raising meetings about child rights with 560 IDPs in Kabul.

To support a better understanding of human rights concept in Dari literature, the AIHRC signed a MoU with Herat Literary Foundation, according to which the Foundation will conduct a series of researches on human rights in Dari literature. The findings of the studies will be published in a book and will be widely disseminated.

PWDU of Herat Regional Office signed a MoU with Afghanistan National Association of the Blind (ANAB) on the translation of the UN Convention on the Rights of Persons with Disabilities into Braille language. In the past year, the partner organisation produced 50 copies of the Convention.

Four Human Rights Days were celebrated and used as a platform for raise public awareness

The AIHRC celebrated the International Day of Women (March 8) in close cooperation with CSOs and the Network of Women Parliamentarians in all Afghanistan's 34 provinces. The day was celebrated through conferences, meetings, gatherings, roundtables and media broadcasts. On this occasion, the AIHRC released a report titled *The Situation of Afghan Women in 2008*. The AIHRC also provided financial support to 22 organisations working mainly in the area of women's in order to give them an opportunity to take part in the celebration of the day.

In order to promote the rights of women, especially the rights of mothers, the AIHRC celebrated National Day of Mothers (June 13) in all its Regional and Provincial Offices by organising conferences, meetings, gatherings and media broadcasts.

Similarly, the AIHRC celebrated the International Day of the Elimination of All Forms of Discrimination against Women (November 25) in partnership with CSOs through conferences, seminars and gatherings in AIHRC's eight regional and six provincial offices. In Kabul the day was celebrated through a conference where a report was launched on the situation of women in the past ten months of the year. Also WRU on this occasion conducted a one-day photo exhibition in Kabul Medical University and also produced a television spot titled *Aiyana-e-Zendegi* (Mirror of Life), which juxtaposes violent and non-violent families and the impact of domestic violence on children. The spot was telecast through Ariana and Tolo television channels. In addition, the Unit produced a total number of 50 banners on women's rights in Islam and women's right to education. These banners were put up on prominent places in Kabul and surrounding provinces.

June 1, International Day of Children, was celebrated by the AIHRC through its Regional and Provincial Offices. In Kabul, the day was celebrated in close cooperation with Save the Children Afghanistan and Chashm-e-Sewom (Third Eye), a photojournalism agency, by organising a photo exhibition. In the exhibition, 100 photos were on the show which reflected the situation of children in Afghanistan. The photos were, later on, taken to Nangarhar province and exhibited at Nangarhar University for five days. Similarly, on this occasion, the AIHRC in partnership with Aschiana conducted a TV contest on the rights of children which was broadcast through Saba TV.



Celebration of the International Day of Child Rights in Laghaman Province

The International Day of Child Rights was celebrated by the AIHRC in its 14 Regional and Provincial Offices across the country. In this day the AIHRC/CRU organised meetings and conferences on the rights of children in Afghanistan. In addition, the AIHRC in Kabul on this occasion launched its research report titled *The Situation of Fair Access of Children to Education in the Country* in a press conference. The findings of the research show that all interviewed children/students do not have access to similar and balanced educational services and facilities, such as suitable and equipped school buildings, appropriate school locations, textbooks, new educational curricula, libraries, laboratories, chairs, recreational activities and sports. There are few professional teachers in schools and the number of existing teachers is not proportionate to that of students. There are children who have dropped out of school and there are ones who have never gone to school because of parental prohibition. Parents do not know the importance of education and lack awareness about the rights of the child. The AIHRC prepared and presented constructive recommendations to the Afghan Government⁶. In addition, on this occasion, CRU published postcards on the rights of the child and also produced and broadcast two TV spots and one twenty-minute documentary film on the situation of children in Afghanistan.

⁶ AIHRC's research report *The Situation of Fair Access of Children to Education in the Country*, <http://www.aihrc.org.af/English/>

Objective 3: Protection of Human Rights

To effectively deal with human rights complaints and protection of everyone's basic human rights

2009 ACTION PLAN

Outcomes:	Indicators:	Activities:
<ul style="list-style-type: none">- Reduced violation of human rights across the country- Application of human rights values and principles during arrest, prosecution and investigation- Reduction of violations occurring during judicial proceedings and increased access to effective remedy and justice- Detention centres are reformed both physically and managerial wise- Reduction in cases of unjust and extrajudicial trials- Citizens' civil and political rights are promoted and well-protected.- Decrease in cases of discrimination and protection of minority and vulnerable groups.	<ul style="list-style-type: none">- Effective working contacts with law enforcement and security organs- Reliable database for human rights cases.- Implementation of transitional justice action plan and approval by the GoA- Legislative reforms and policy implementation are in full compliance with the principle of equality and non-discrimination.- Growing confidence in the AIHRC's performance to protect civilian rights	<ul style="list-style-type: none">- Investigation of all human rights complaints submitted to AIHRC- Documentation of all cases of human rights abuses and violations- Monitoring custody procedures and prisons and detention centres- Capacity building seminars are organised with heads of prisons in Kabul and other provinces- Persuasion of law enforcement organs to follow and observe transparent procedures regarding human rights violations.- Workshops for staff of judicial agencies about international conventions and treaties to which Afghanistan is a party- Follow-up of human rights complaints with relevant law enforcement institutions- Monitoring of the State's protection mechanisms on child, women's and other vulnerable groups- Implementation of Chapter 3 of the State Action Plan on Transitional Justice, documentation of past human rights abuses, in the form of conflict mapping- Supporting implementation of actions set out in Chapter 2 of the State Action Plan on building a trustworthy and accountable administration

Summary of Results Achieved in 2009:

The AIHRC's protection and advocacy efforts during 2009 had many positive and tangible results. Despite many challenges, the AIHRC successfully investigated 99% of all cases it received in 2009 (815 out of 824 cases) and resolved 61.2% of human rights violation cases (497 out of 815 cases). The AIHRC issued recommendations on three different laws prepared by the Afghan government which were accepted by the government. Extensive advice was also provided to Afghan government in order to ensure the protection of human rights.

99% of human rights cases received were investigated and 62% resolved

In 2009, 4,283 people (883 women) approached the AIHRC for assistance and were either processed as complainants or provided with legal advice and referred to the concerned authorities or institutions. Of 824 complaints received in 2009 (involving 961 human rights violations), 815 complaints (99%) were investigated and 497 resolved (62%).

The AIHRC contributed to the strengthening and improvement of six laws in order to protect human rights

The AIHRC contributed to the strengthening and improvement of laws drafted by the Afghan government under the Law and Human Rights Sub-Working Group led by the Ministry of Justice. During 2009, the AIHRC provided constructive recommendations to the Government on six laws: the Criminal Procedure Code, the Shia Personal Status Law, the Law on the Elimination of Violence against Women, the Family Law, the Law on Control and Audit and the Law on National Audit. The AIHRC's recommendations were incorporated in those laws as a result the new laws are more compliant with international and national human rights standards.

The AIHRC contributing to the vetting and appointment process of senior government officials and screening of security companies in the issuance of licenses by the Ministry of Interior

In 2009, Commissioner Farid Hamidi served as a member of the Advisory Board to the President on Senior Appointments where he participated in interviews and contributed towards to formulation of recommendations regarding the appointment process. The AIHRC also received and responded to 120 letters received from the Advisory Board and 35 letters from the Ministry of Interior regarding local and foreign companies seeking information on individual cases.

AIHRC protection and advocacy contributing to a decrease in the number of civilian casualties caused by NATO and ANSF

During 2009, the AIHRC helped to bridge the gap between NATO and Afghan civilians as well as provided international community with accurate information from field through its fact finding reports. The AIHRC reports from conflict-affected areas attracted the attention of NATO forces in Afghanistan. In a meeting with held with General Richard Gross, Legal Adviser to General McChrystal, he stated that General McChrystal himself is highly impressed with the AIHRC reports and he ensured that NATO forces will take AIHRC recommendation into account in future operations.

During the year, the AIHRC conducted 11 fact-finding field investigation missions on the incidents of civilian deaths as a result of operations by NATO and ANSF in Farah, Herat, Laghman, Kabul, Kunar, Kunduz and Nangarhar provinces. During the investigations, the SIT conducted interviews with various people, including victims and their family members and relatives. Primary findings indicated that both parties, pro- and anti-government forces, acted in violation of International Humanitarian Law (IHL) standards. SIT also conducted a mission to Aliabad district of Kunduz province to investigate the alleged bombardments of civilians by NATO forces. During this mission, SIT interviewed victim families and witnesses of the incident. Initial investigations of SIT indicated that as many as 112 civilians were killed by the air strike. SIT investigations revealed a failure by NATO forces to adequately assess intelligence reports before conducting air strikes. Evidence collected also indicated

that, despite receiving information about civilians in the area, NATO forces did not take effective measure to prevent civilian deaths.

In order to protect the rights of conflict-related detainees, the AIHRC received notifications about the handover of 267 insurgents by the UK (93 persons), Canada (163), The Netherlands (10) and Denmark (1) to the Afghan Government. Unfortunately, lack of cooperation from NSD in providing access to detainees hampered the effectiveness of the AIHRC's.

As a result of AIHRC's joint advocacy efforts with the UN, international organisations and civil society, ISAF and the Afghan government forces were urged to intensify their efforts to prevent civilian casualties. These efforts and recommendations helped contribute towards a decrease in number of civilian casualties by NATO and Afghan government forces. SIT reports show that out of all 1,456 casualties, 497 were caused by NATO and ANSF and 959 by AGEs. This indicates 30% reduction in the number civilian deaths by NATO and Afghan Forces compared with 2008.

Increased application of human rights law during arrest, prosecution and investigation

The human rights principles in contrast to 2008 to some extent respected by the law enforcement organs as result of AIHRC's advocacy and awareness raising efforts. For instance, in 2008 the AIHRC's received a total of 236 cases of violation of Right to Personal Integrity which were mostly violated by law enforcement organs during arrest, prosecution and investigation, but this year the number of cases declined to 180 cases.

In addition, reports from AIHRC's Regional and Provincial Offices indicate that during 2009, right to due process of law (268), right to personal integrity (180), right to property (148), and right to liberty and security of person were the most frequently violated rights.

In 2009, positive changes were noticed in the behaviour of law enforcement agencies in Kabul province. For instance as a result of AIHRC's advocacy and recommendations to the Government, new senior-level appointments were made in the Prosecution Office of NDS, Department 17 of NDS, Criminal Investigation Department, Office of Kabul Chief of Police and Pul-e-Charkhi Prison. The newly appointed officials have adequate experience and knowledge. AIHRC is optimistic that the newly appointed officials will bring positive changes in human rights situation in Kabul province.

Increased protection of the rights of women and children

A total of 716 women received legal advice and 60 family disputes including cases of violence against women were mediated which ended in resolutions or improvements in the situation. During the reporting period the AIHRC registered 2,269 cases of domestic violence against women throughout the country. Violence against women has remained a prime concern for the AIHRC over the year. Some of the most

heinous crimes such as rape and sexual assault were committed against women, including minor girls. Unfortunately, despite of AIHRC's effort, Government has not been able to bring most of the perpetrators of violence against women and children to justice and the persistent culture of impunity has exacerbated the situation.

Harmful traditional practices are the main cause of discrimination and violence against women. Fighting these unacceptable traditions has been at the heart of the WRU's protection activities. The Commission mobilises all its resources to counter these negative customary practices in a safe and sustainable manner. Working with local influential figures, such as mullahs, the elderly, teachers, etc has proved an effective tool for effectively combating these harmful traditions. Various local mechanisms have been facilitated by the AIHRC in different provinces; for example, Badakhshan Provincial Office took the initiative to fight such traditions that are in conflict with Afghanistan's national and international human rights obligations by establishing eleven working committees composed of clerics, teachers and CSO members. The main objectives of the committees are to eliminate customs which violate human rights, especially women's rights in the province. In order to build their capacity and increase their effectiveness, the Office will regularly organise human rights awareness-raising meetings for the members of these committees.

Official registration of marriage is an important factor for preventing violence against women. In particular, forced and underage marriages can be significantly countered should the registration process become common throughout the country. The AIHRC has been promoting marriage registration ever since the registration process was officially launched in 2008. AIHRC of Herat Regional Office conducted a campaign on the use and advantages of marriage registration in the western region.

During a monitoring mission to Keran wa Menjan district of Badakhshan province, the AIHRC discovered a major human rights violation related to the educational deprivation of the district children. In Keran wa Menjan district there was only one secondary school (grades one to seven) and children had to travel either to Panjsher or Kunar provinces to continue their high school studies and that was possible in rare circumstances where these children had the financial support of their families. The AIHRC shared and followed up the problem with Badakhshan's Department of Education and the MoE at the central level. As a result in 2009 the MoE promoted Keran wa Menjan secondary school to high school and a confirmation letter was sent by the MoE to the AIHRC.

Increased access of person with disabilities to public facilities

Having convenient access to public buildings is one of the key rights of PWDs. The AIHRC, in order to protect this right the AIHRC persistently met with the relevant authorities in Kabul and provinces. As a result of AIHRC's efforts in 2009, a total of 38 ramps were constructed in public buildings in Kunduz, Baghlan and Takhar provinces. For instance, in Takhar, the Borka district police station reconstruction proposal was approved by Mol in April 2009. AIHRC staff members met with the relative authorities and briefed them on the importance of ramps for PWDs in public buildings, such as the district governor's office building. Fortunately AIHRC's recommendation was accepted and ramps were built. Now a PWD can easily walk

into the building. A very significant impact of the work of AIHRC is that most of the schools and other public buildings constructed in the last year have ramps for PWDs.

Objective 4: Monitoring of Human Rights

To assess the human rights situation and highlight the priorities in terms of protection and promotion of human rights

2009 ACTION PLAN		
<p>Outcomes:</p> <ul style="list-style-type: none"> - Gaps related to the advancement of human rights are highlighted - The status of economic, social, cultural, civil and political rights of all citizens is assessed through AIHRC's monitoring activities 	<p>Indicators:</p> <ul style="list-style-type: none"> - Improved access to public services by citizens - Protection of rights of all citizens - Government willingness to ensure fair distribution of aid and public services - Free and fair elections are held - Political participation of all citizens has improved 	<p>Activities:</p> <ul style="list-style-type: none"> - Regular monitoring of human rights compliance with ICESCR and ICCPR - Counseling and consultation with Government regarding various human rights issues - Strengthening human rights investigations through the M&I Unit - Monitoring the situation of prisons, detention centres nationwide - Monitoring the presidential and provincial council election

Summary of Results Achieved in 2009:

In 2009, the AIHRC increased awareness about the Government's compliance with national and international human rights instruments; assessed and reported the status of economic and social rights in the country; verified and reported, in collaboration with UNAMA, the exercise of political rights during Presidential and Provincial Council Elections; improved living conditions in prisons, detention centres; and CCCs; and reduced the rate of torture in law enforcement agencies.

Increased awareness about the Government's compliance with national and international human rights standards

The Afghan Government has the responsibility to prepare and submit periodical reports on the implementation of CRC to the UN Committee on the Rights of the Child. Throughout the year the CRU continued to support the Ministry of Foreign Affairs on the preparation of the Government's periodical report on CRC. The AIHRC/CRU provided MoFA with the required information and technical assistance.

In order to increase awareness about Government's compliance with international human rights standards, the Commission released two shadow reports, one on CRC and the other on ICESCR, in parallel with the Government's official reports to the UN Committees on the Rights of the Child and on Economic, Social and Cultural Rights.

Increased awareness and assessment about the status of economic, social, cultural, civil and political rights

From January to December, Human Rights Field Monitoring (HRFM) teams conducted 643 missions to monitor the situation of human rights and conducted

10,894 interviews (55.4% (6,037) with men and 44.6% (4,857) with women) in 128 districts of 27 provinces. Human rights violations and abuses were identified and the interviewees received information about the role and mandate of the AIHRC.

Key Findings of Fourth Annual Report on the Situation of Economic and Social Rights

The level of poverty has not significantly changed since last year. 36% of all interviewees earn a daily income of below Afs50 (approximately equivalent to US\$1), 19.2% earn a daily income of over Afs50 and 44.8% do not work, while only 37% of interviewees stated they earned a daily income of less than Afs50 last year.

The level of debt shows a significant increase. Around 63.9% of interviewees have families that are in debt. AIHRC's 1384 (2005/06) assessment estimated the level of family debt to be Afs57,750 (equivalent to US\$1,155), while 1387 (2008/09) findings reveal that average family debt level is at Afs102,392 (equivalent to US\$2,047)—an increase of almost US\$900 in family debt.

Problems related to access to education have remained unsolved. Approximately 46% of children do not have access to education, which includes 5,300,000 children. This comprises around 7% of children who are out of school in the world—a high and shocking percentage given the population of the country. AIHRC's findings show that only 60.2% of students (66% boys and 54.3% girls) regularly attend school. Poor quality of education, inadequate number of schools, long distance, labour, and marriage are the reasons why students do not keep a regular school attendance.

Migration for seeking employment and livelihood is a challenge facing Afghans. Over 96% of migrants had illegally entered Iran. Around 78.3% (3,288 persons) referred to unemployment in Afghanistan as the reason of their migration to Iran¹. About 44.7% of deported migrants were expelled out of Iran after arriving there and before being employed. Many migrant workers were deported while their property still remains in Iran, out of which 72.2%, around 19.6%, and 4.6% respectively referred to unpaid salaries, prepaid rent, and unpaid debts as their unresolved financial issues in Iran. On the other hand, 99.8% of these people were not given the chance to clear their financial issues.

HRFM findings indicate that employment creation, potable water, and health enhancement are respectively the main priorities for the interviewed families. These are followed by food and education. 19.7%, 13.8%, 12.8%, 11.7%, and 10.9% of interviewees cited employment creation, potable water, health enhancement, food, and education as their main priorities respectively. –AIHRC's Fourth Annual Report on the Situation of Economic and Social Rights. For details, please see http://www.aihrc.org.af/English/Eng_pages/Reports_eng/Economic_S/4/Economic%20&%20Social_Rights%20Report_English4.pdf).

The result of HRFM was the Fourth Annual Report on the Situation of Economic and Social Rights in Afghanistan, which was released in a press conference. This is the first report independently produced by the Commission on economic and social rights in the country. The report is based on the findings of HRFM and secondary data collected from the Government, NGOs and specialised UN agencies. It assesses the Afghan Government's compliance with its national and international human rights commitments and obligations with regard to economic and social rights, especially under the Afghan Constitution and ICESCR. The report also presents specific recommendations to the Government and other relevant national and international stakeholders to bring immediate and lasting improvements in the situation of economic and social rights in Afghanistan.

To further improve its HRFM structure, efforts were made, in co-operation with UNHCR, to increase the effectiveness of HRFM monitoring through improvement of the questionnaire, monthly report format, monitoring tools and methodology used. The HRFM database was updated and installed in all AIHRC's Regional and Provincial Offices.

HRFM identified the rights to marry and found a family, work, health, food, water, property, education, due process of law, adequate standard of living and liberty and security of person as the most frequently violated human rights in Afghanistan. Most of these violations took place in Kabul, Herat, Badakhshan, Ghor and Mazar-e-Sharif areas.

Border Monitoring Team (BMT) conducted a total number of 3,916 interviews (2,779 men and 1137 women) in Nimroz and Islam Qala border areas. BMT also registered 50 major cases of human rights violations which were later on referred to M&IU for follow-up.

In addition, BMT prepared four comprehensive reports on the situation of Afghan returnees and deportees which were shared with the relevant authorities, including UNHCR, MoFA and Ministry of Refugees and Repatriation, for further consideration and action.

As a result of AIHRC's monitoring of political rights during elections, the Commission was able to share its concerns with MoI about the security of candidates, particularly female candidates, and violations of electoral rules and regulations. The Secretary-General of the United Nations referenced AIHRC/UNAMA's three reports on the exercise of political rights during Afghanistan's Presidential and Provincial Council Elections.

In a joint initiative with UNAMA, AIHRC monitored the exercise of political rights during 2009 Presidential and Provincial Council Elections. The objective of the monitoring exercise was to assess the level of respect for political rights by authorities and stakeholders. Complaints were investigated and information was gathered in order to make constructive recommendations to the relevant authorities to ensure free and fair elections. Rights and principles monitored in the exercise are the most fundamental and important rights and principles, namely freedom of expression, movement, peaceful assembly and association as well as the three fundamental principles of non-intimidation, non-discrimination and impartiality. Findings of the monitoring exercise along with concrete recommendations were presented to the Government of Afghanistan and other stakeholders in three separate reports. In his December 28, 2009 report to the UN Security Council on the situation in Afghanistan, Secretary General Ban Ki-moon referred to the third joint report. On election day, the AIHRC also observed the voting process in 960 voting centres

The realisation of political rights were also supported through Commissioner Ahmad Fahim Hakim's role as deputy chair of the Electoral Complaints Commission (ECC) where he played a key role in ensuring that the election process was free and fair.

Main Findings of Political Rights Verification Report III

The elections took place in spite of a challenging environment that was characterised by insecurity and logistical and human resource difficulties. These elections were the first to be fully led and organised by Afghanistan's Independent Election Commission (IEC) and the Afghan National Security Force (ANSF) took the lead in providing security for the elections. It was also the first time that arrangements were made for prisoners and hospitalised citizens to cast their votes.

The steady increase of security-related incidents by Anti-Government Elements (AGEs) was a dominant factor in the preparation and holding of the elections. Despite commendable efforts from the ANSF, insecurity had a bearing on the decision of Afghans to participate in the elections.

Polling day recorded the highest number of attacks and other forms of intimidation for some 15 years. Regrettably, 31 civilians were killed, including 11 IEC officials as well as 18 Afghan National Police (ANP) and eight Afghan National Army (ANA) personnel.

The National Security Council order requested domestic and international media agencies to refrain from reporting any violence on polling day; coupled with the arrest of a number of journalists, this had a disquieting effect on freedom of expression. The majority of local media refrained from reporting on election-related violence.

One third of registered voters, a figure which is significantly lower than the previous elections, are understood to have cast their ballots. Voter participation varied according to regions: turnout was low in conflict-affected areas while it was higher in places such as the Central Highlands and the Northern and North-eastern regions.

Although Afghan women are demonstrating an increased interest in political matters, they voted in much fewer numbers than men largely due to insecurity and socio-cultural constraints hindered the participation of women.

A large number of allegations regarding electoral fraud and irregularities was made, and especially with respect to ballot box stuffing. Fraudulent practices were common, particularly in the Central, Southern, Eastern and South-eastern regions. Proxy voting, underage voting and voters using multiple registration cards occurred in certain parts of the country. Widely reported problems with the improper use of indelible ink in some polling centres and malfunctioning whole punchers coupled with widely reported allegations of fraud undermined voters' confidence in the electoral process.

The freedom of voters to choose their candidate is limited by societal practices in Afghanistan; the choice of the preferred candidate of the community is sometimes determined by an influential community leader or collectively. The freedom of the individual voter to choose was further inhibited by candidates, their agents and local commanders as well as some IEC and government officials, directing or intimidating voters and campaigning at polling centres.

Increased awareness about the situation of children

Despite the deteriorating security situation, Child Rights Field Monitoring (CRFM) teams with Human Right Field Monitoring (HRFM) teams in AIHRC's 12 Regional and Provincial Offices maintained a significant field presence and conducted a total number of 384 missions. During these missions, 7,850 interviews were conducted with children, out of which 3,935 (50.1%) were conducted with boys and 3,915 (49.9%) with girls in 134 districts in 28 provinces around the country.

The AIHRC's advocacy and monitoring efforts during 2009 had considerable results and led to important improvements in the human rights situation of Afghans. For instance, in 2008 the AIHRC, during a monitoring mission to Keran wa Menjan district of Badakhshan province, discovered a major human rights violation related to the educational deprivation of the district children. In Keran wa Menjan district there was only one secondary school (grades one to seven) and children had to travel either to Panjsher or Kunar provinces to continue their high school studies and that was possible in rare circumstances where these children had the financial support of their families. The AIHRC shared and followed up the problem with Badakhshan's Department of Education and the MoE at the central level. As a result in 2009 the MoE promoted Keran wa Menjan secondary school to high school and a confirmation letter was sent by the MoE to the AIHRC.



As a result of AIHRC's monitoring and advocacy efforts and continued recommendations, improvements have been observed in the quality of the food served in orphanages in Kabul province.

Monitoring efforts by the AIHRC/CRU had remarkable results in 2009; for instance, during monitoring mission to Logar province in December 2009, the AIHRC/CRU encountered a rape case which was perpetrated by the Head of the Department of Justice of Logar province against a young girl in the provincial CCC. The AIHRC/CRU investigated the case and shared its findings with the Office of the Attorney-General, Mol, MoJ and Supreme Court. As a result of AIHRC's efforts, the perpetrator was arrested.

CRFM monthly reports (January to December 2009) were produced at regional and provincial levels and on this basis, national monthly reports were produced and submitted to AIHRC's National Reporting Section.

In child rights violation cases, the most frequently violated rights include the rights to education, marry and found a family, due process of law and personal integrity. From the geographical point of view, most of the child rights violation cases were identified by Jalalabad, Kandahar, Herat and Kunduz Regional Offices and Ghor and Badakhshan Provincial Offices.

Conditions and treatment in prisons and detention centres throughout the country have improved

Based on 2009 field monitoring, 60% of prisons, detention centres and child correction centres showed improvements in terms of living conditions.

During the reporting period, the Monitoring and Investigation Unit conducted 1,160 missions to monitor prisons and DCs in all Afghanistan's 34 provinces. As a result of the interventions, 138 illegally arrested persons (131 men and 7 women), 124 illegally detained persons (110 men and 14 women) and 41 illegally imprisoned persons (38 men and 3 women) were released. In addition, 96 court hearings were monitored across the country. During the monitoring missions, the legal status of 1,363 persons (36 women) under detention was determined in close cooperation with the relevant authorities.

During 2009, the Women's Right Unit also monitored women's prisons and detention centres and provided protection primarily through interventions made at the request of women. During the reporting period, 18 women's prisons⁷ and 18 hospitals were monitored for cases of violence against women in 18 provinces. Standards of women's prisons in Badakhshan, Balkh, Bamyán, Baghlan, Daikundi, Faryab, Herat, Kandahar, Kabul, Laghman and Nangarhar were found to have improved. For instance, in early 2009, Kabul women's detention centre lacked clean drinking water; the AIHRC/WRU raised and followed up the issue with the relevant authorities and as a result of AIHRC's recommendation, clean water was provided for detainees.

During the reporting period the Unit conducted a total number of 467 monitoring missions to 46 orphanages and 28 CCCs across the country that were monitored for cases of abuse and unsuitable living conditions. As a result of AIHRC's interventions, standards of CCCs in Badakhshan, Balkh, Baghlan, Faryab, Jawzjan, Herat, Kunduz, Kandahar, Khost and Sar-e-Pul were found to have improved during this year. In addition, the AIHRC/CRU during motioning missions to CCCs learned about 212 cases of illegally detained children (186 boys and 26 girls). As a consequence of AIHRC's interventions, all 212 children were released.

The AIHRC has time and again expressed its concern on the living conditions and future of children who are living with their mothers in women's prisons and shared this concern with the relevant authorities, especially MoJ. Eventually in 2009 AIHRC/CRU's recommendations were accepted by MoJ and the Ministry began the separation process in Kabul women's prison. The AIHRC is appreciative of the action taken by MoJ.

In addition, in Kunduz, as a result of AIHRC's monitoring of women's prisons, 11 children who were living with their mothers in Kunduz women's prison were identified. The AIHRC brought this issue to the attention of its partner organisations and eventually a Korean NGO working for orphans accepted to sponsor these children in their child care centre.

As a result of AIHRC's intervention, standards of prisons were found to have improved during this year in men's prisons in Kandahar, Kunar, Laghman and in DCs in Balkh, Faryab, Herat, Kunar, Khost, Kunduz, Laghman and Paktia provinces. Improvements included positive changes in the behaviour of prison wardens, faster processing of cases, better lighting in prison rooms, provision of clean drinking water, improved health situation due to the establishment of health centres and access to defence lawyers. For instance in Kabul M&IU persistently expressed its concern over the living situation of women imprisoned in Kabul Central Prison. Fortunately, after long discussions and arguments with MoJ, the latter finally was convinced to establish separate a prison facility for female prisoners. The new prison facility for women inmates is in line with international standards.

⁷ Badakhshan, Balkh, Baghlan, Daikundi, Ghor, Herat, Jawzjan, Kabul, Kunduz, Kandahar, Kunar, Laghman, Nangarhar, Paktia, Panjsher, Parwan, Sar-e-Pul and Takhar

Three judges were disciplined or suspended as a result of AIHRC's follow-up on human rights cases

After receiving complaints against judges who were bribed into releasing an accused person on bail, the Commission conducted a thorough investigation and then referred the case to the Supreme Court. Following the referral, the Commission was informed by the Supreme Court that disciplinary actions were taken against the judges, including the suspension of two and a warning issued to the other. The Commission also investigated a case in Panjshir where a prisoner paid bribes to judges. Following the Commission's referral of the case to the Supreme Court, disciplinary measures were taken against the judges.

Improved mechanisms to collect and analyse data from field monitoring

In order to support the monitoring efforts of AIHRC staff, in 2009, the Information Management Section (IMS) maintained seven databases related to Human Rights Case Management, Complaint Registration, Human Rights Border Monitoring, HRFM, CRFM, Access to Quality Education and IHL Violations. IMS stored human rights violations complaints, conflict mapping cases and HRFM/CRFM interviews received from Regional and Provincial Offices as well as the data provided by the Research and Policy Section.

The Section also developed a database on IHL with a manual and presented them to the satellite offices. Data collection for IHL violations continues, which will help study conflict-related human rights violations in the country.

In addition, IMS compiled and analysed a total of 10,894 interviews entered by HRFM and 7,850 interviews entered by CRFM on CCCs. The analyses were used in the production of AIHRC's Fourth Annual Report on the Situation of Economic and Social Rights in Afghanistan.

CHALLENGES AND LESSONS LEARNED

The AIHRC faced many challenges during 2009, which hampered the implementation of some activities planned to reach its objectives related to the promotion, protection and monitoring of human rights. These challenges also represented obstacles to the improvement of human rights situation during the year, either directly or indirectly.

The deteriorating security situation in Afghanistan throughout 2009 presented a serious obstacle for the implementation of activities and field missions by the AIHRC. The most insecure areas were Kandahar, Khost, Paktia, Paktika, Logar, Ghazni and Wardak provinces, with several terrorist/suicide attacks in Kabul throughout the year. The AIHRC tried to manage the security challenges with flexibility, and sought alternatives to implement its action plan in the insecure provinces of Afghanistan by shifting the implementation of planned activities from insecure districts to safer locations. The on-going conflict in Afghanistan has not only adversely affected the activities of the AIHRC but has also posed a serious threat to the life and well being of Afghan citizens.

Other major obstacles throughout 2009 included the weak presence of the rule of law, a persistent culture of impunity and the abuse of power by government officials, along with a weak judicial system which result in slow proceedings of legal cases. Unfortunately, the reform process in security and judicial organs of the government has been very slow. Additionally, inhumane and degrading treatment in prisons and detention centres was reported throughout the country.

Throughout the year, the human rights of women and children continued to be undermined by reports egregious crimes such as rape and violence against women and children and failure of authorities to bring the perpetrators of such crimes to justice.

Civilian casualties resulting from the ongoing conflict also exacerbated the human rights situation and the ongoing conflict hindered the progress of development and construction process on many areas throughout the country.

A final and significant challenge has been the lack of sustainable government funding to support the AIHRC in fulfilling its constitutional mandate and the Commission's continued dependency on donor funds as a result.

In 2009, there were also many important lessons learned which the AIHRC will use as the basis for effective planning in 2010.

In developing the 1389-1392 (2010-2013) Strategic Plan, the participatory approach used by the AIHRC to seek the opinions, views and recommendations of government, civil society organisations, *ulama*, media, the international community and donors helped to better inform the future priorities and work of the AIHRC. The consultative process also helped to deepen the AIHRC's cooperation with these key stakeholders and to ensure their genuine engagement and partnership in the strategic planning process.

Feedback from participants during the November/December 2009 consultations on the 1389-1392 AIHRC Strategic Plan

"Today's session had a special quality and effectiveness because human rights activists, civil society members and government authorities discussed the development of a human rights strategic plan for the next four years. This is a move towards institutionalizing a culture of human rights and human rights values and understanding". – Bamyān.

"The consultation session was very useful, effective and important. Democracy says that each plan should be based on consultation and that is when the plan will be more practical and will have more public support". –Kandahar

"Thanks for your openness to criticism and praise, for providing information without defensiveness. I am glad you are inviting these voices and listening to them". –Kabul

During 2009, the AIHRC benefited greatly from quarterly and annual financial audits conducted which assessed the Commission's effective use of resources. Recommendations and feedback provided is being used to further improve the AIHRC's internal procedures and overall performance. Further such audits will also be continued in 2010.

An external evaluation of the AIHRC's management and its performance in implementing the 2006-2008 Action Plan was conducted by an independent evaluator during the last quarter. The evaluation provided many useful observations and recommendations related to AIHRC's structure and planning process. These recommendations are being used to further improve the Commission's capacity.

Commission complaint statistics have also shown an increased in human rights violations in new areas. In 2009, the majority of human rights violations were reported in Kunduz (223 human rights violation cases), Kabul (153), Faryab (102), Herat (91), Nangarhar (85) and Balkh (75) and complaints from these areas comprised 76% of all 961 human rights violations recorded in 2009. In 2010, the AIHRC will need to invest more resources and efforts in these regions and further intensify its activities to promote, protect and monitor the human rights situation.

In 2009, the number of visitors to the AIHRC's website dropped by 4% from 446,047 in 2008 to 426,047 in 2009. As a result, in 2010, the AIHRC will undertake measures to improve its website in order to draw more visitors to the site. Increased resources will also be allocated in order to increase and more regularly update the site content.

A final lesson learned has been the importance of developing achievable outcomes and outputs that can be effectively measured and reported on. A difficulty in preparing this year's Annual Report was that the outcomes in the 2009 Action Plan were of a general level, and difficult for the AIHRC to obtain within a one-year period. The new Strategic Plan contains five objectives which are SMART (specific, measurable and achievable, realistic and time-specific); as a result, the AIHRC will be able to more effectively report on its results within the 2010 Annual Report

These challenges and lessons learned provide valuable insights to guide the AIHRC's future work and inform the allocation of resources in implementing its 1389-1392 (2010-2013) Strategic Plan.

APPENDIX 1: AIHRC Publications Released in 2009

During 2009, the AIHRC's Research and Policy Section completed four research studies on "children's equal access to education", "children living with their mothers in prisons", "status of young married women in the family" and "children's conditions in the orphanages of Afghanistan".

The Research and Policy Section contributed to the finalisation of the Fourth Annual Report on the Situation of Economic and Social Rights in Afghanistan and drafted an annual report on the situation of human rights in Afghanistan for submission to the Parliament. The Section also produced quarterly updates on the situation of human rights. The reports will help in comparative analysis of human rights situation in the country.

The following research studies are currently being developed by the Research and Policy Section:

- The study on the "situation of education in Afghanistan" has progressed 95 per cent and will be completed in July 2009.
- The study on the "situation of working women in Afghanistan" has progressed 98 per cent.
- The study on "general situation of children in Afghanistan" has progressed 95 per cent and will be completed in August 2009.
- The study on the "corporal punishment of schoolchildren in Afghanistan" has progressed 35 per cent.
- The study on the "situation of child addicts in Afghanistan" has progressed 20 per cent.
- The study on the "status of widows in Afghanistan" has progressed 25 per cent.
- The study on the "situation of CCCs in Afghanistan" has progressed 90 per cent.

During the previous year, the AIHRC published the following:

Books:

- Human Rights Education Handbook, 11,000 copies;
- Convention on the Rights of Persons with Disabilities in Uzbeki, 5,000 copies; and
- A Guide for Victims on ICC, 3,000 copies.

Magazines:

- Human Rights Monthly Magazine, 280,000 copies;
- Zeray Monthly Magazine for Children, 6,000 copies; and
- Muzhda Monthly Magazine for Children, 8,000 copies.

Reports:

- From Hope to Fear: An Afghan Perspective on Operations of Pro-Government Forces in Afghanistan in Dari, Pashto and English, 5,500 copies;
- Human Rights Situation in 1387 in Dari and Pashto, 1,500 copies;

- Insurgent Abuses against Afghan Civilians, 500 copies;
- Right to Education for Children, 3,000 copies;
- Research Report on the Situation of PWDs in Their Families, 1,000 copies;
- Research Report on the Situation of Children in Society, 500 copies;
- Third Report on the Situation of Economic and Social Rights in Dari, Pashto and English, 2,100 copies;
- Insurgent Abuses against Afghan Civilians in Dari and Pashto, 6,000 copies;
- Fourth Report on the Situation of Economic and Social Rights in Dari, 1,000 copies;
- Convention on the Rights of Persons with Disabilities in Balochi, Uzbeki and Pashae, 9,000 copies;
- Guildbook for MPs on PWDs in Pashto, 500 copies;
- AIHRC's 2008 Annual Report 2008 in English 1,000 copies; and
- Research Report on the Situation of Young Women in Family, 1,000 copies.

Posters:

- Free and Fair Election in Dari and Pashto, 17,000 copies;
- Free and Fair Election in Uzbeki, 3,000 copies;
- Right to Health, 10,000;
- Right to Vote in Dari and Pashto, 17,000 copies;
- Right to vote in Uzbeki, 3,000 copies;
- Who Is Mujahid and Who Is Warlord in Dari and Pashto, 45,000 copies;
- Poster on Nekah Nama (Marriage Certificate) in Dari and Pashto, 40,000 copies;
- Who Is Mujahid and Who Is Warlord in Uzbeki, 2,000 copies;
- Why We Vote in Dari, Pashto and Uzbeki, 20,000 copies; and
- Rights of PWDs, 12,000 copies.

Brochures:

- Law Enforcement Officials and Human Rights, 10,000 copies;
- Nekah Nama (Marriage Certificate) in Dari and Pashto, 40,000 copies; and
- Visual Cards on the Rights of Children in Dari and Pashto, 30,000 copies.

Additionally, the AIHRC continued publishing human rights-related articles and write-ups in its exclusive page on the daily newspaper *8 Subh*.

APPENDIX 2: LIST OF AIHRC PRESS INTERVIEWS AND PUBLIC STATEMENTS

At the national level, AIHRC raised awareness on and advocated for human rights through conducting eleven press conferences on diverse human rights issues and occasions:

1. The case of an Afghan minor detainee at Guantanamo Bay;
2. AIHRC's findings on civilian casualties in Bala Boluk;
3. Shia Personal Status Code;
4. The killing of over thirty civilians in an IED attack by insurgents in Kariz Ali Sher area, Maiwand district, Kandahar province in September 2009;
5. The killing of Sultan Mohammad Munadi and call for an urgent investigation into this incident;
6. The killing of Shamshad TV journalist Janullah Hashimzada;
7. Gun battle that killed five police officers, including the Chief of Police of Kandahar province;
8. The killing of Jawed Ahmad, a young Afghan journalist, in Kandahar;
9. AIHRC's access to Bagram detention facilities;
10. Twentieth anniversary of CRC; and
11. The release of AIHRC's Fourth Annual Report on the Situation of Economic and Social Rights in Afghanistan.

APPENDIX 3: LIST OF TRAININGS ATTENDED

A number of AIHRC's Commissioners and staff members attended several international training programmes and conferences as follows:

- Mr Ehsan Khaliq, Human Rights Education Assistant of Kabul Regional Office, and Mr Yousuf Mulatar, Human Rights Education Officer of Gardez Regional Office, attended Engaging with Civil Society for Integrated Community Development conference organised by IPAC in India (December 10-20, 2009);
- Mr Najeebullah Babrakzai, National Programme Manager, attended the South Asia Teaching Session organised by ICRC in India (November 10-December 17, 2009);
- Mr Safiullah Elham, National Reporting Officer, and Mr Ghulam Reza Ebrahimi, Kabul Resource Centre Assistant of Kabul Regional Office, attended the Role of National Human Rights Institutions in Human Rights Protection Workshop organised by RWI in Bangkok, Thailand (November 22-December 2, 2009);
- Mr Mohammad Zahir Zafari, AIHRC's HR Officer, attended the 2009 Annual Partnership Programme organised by NHRCK in Korea (October 26-30, 2009);
- Mr Mohsin Farid, AIHRC's Legal Adviser, attended the Criminal Procedure Code workshop organised by UNODC in Vienna (October 25-31, 2009);
- Mr Sayed Musa Mohseni, Human Rights Trainer, attended a training programme on Labour Law and International Principles on Labour organised by The Asia Foundation in India (July 19- August 1, 2009);
- Mr Parwiz Ahang, Child Rights Officer of Kabul Regional Office, attended the conference on 11th EU-NGO Forum on Human Rights organised by EU-NGOs in Sweden (July 6-7, 2009);
- Mr Ali Reza, ICT Assistant, attended training on Microsoft Certified Systems Engineer (MCSE) course organised by Koenig Solutions in India (July 6-29, 2009);
- Dr Rohullah Abed, AIHRC's Web Master, attended the Microsoft Certified Professional Developer (MCPD) and Microsoft Certified Technology Specialist (MCTS) course organised by Koenig Solutions in India (July 18-August 28, 2009);
- Ms Hamida Barmaki, AIHRC's Commissioner, attended Reporting and Implementation of CEDAW in Afghanistan workshop organised by UNIFEM in Nepal (August 26-28, 2009);

- Mr Mohammad Homayon Hashemi, SIT Officer, and Mr. Sayed Musa Zafar, SIT Assistant, attended the Justice Rapid Response course organised by NPWJ in Belgium (September 10-15, 2009);
- Commissioner Ahmad Zia Langari attended the Essential Courses on Transitional Justice organised by ICTJ in New York (June 3-5, 2009);
- Mr Shaheen Bashardost, DMS Assistant, attended a training programme on Microsoft Certified Systems Engineer (MCSE) organised by Koenig Solutions in India (April 18-29, 2009);
- The following AIHRC's staff members attended an educational tour on Human Rights and Prison Monitoring in India (April 27-30, 2009):
 - Mr Gulam Nabi Hakkak, National Programme Manager, HQ;
 - Mr Hussain Nussrat, Legal Analyst, HQ;
 - Mr Husain Moin, Legal Analyst, HQ;
 - Mr Shamsullah Ahmadzai, M&IU Officer, Kabul Regional Office;
 - Mr Mirwais Tarakhil, M&IU Officer, Jalalabad Regional Office;
 - Mr Sayed Karim Talash, M&IU Officer, Kunduz Regional Office;
 - Ms Maliha Rasekh, M&IU Assistant, Balkh Regional Office;
 - Mr Mujiburahman Qazizada, M&IU Assistant, Badakhshan Provincial Office;
 - Ms Sharifa Shahab, M&IU Assistant, Herat Regional Office;
 - Ms Sharifa Azizi, M&IU Assistant, Bamyán Regional Office;
 - Mr Mohammad Hussain Haidari, M&IU Assistant, Ghor Provincial Office;
 - Mr Mohammad Asad Sapai, M&IU Assistant, Kabul Regional Office;
 - Mr S Habibullah Abidy, M&IU Assistant, Gardez Regional Office;
 - Mrs Zubaida Kamal, M&IU Assistant, Kandahar Regional Office; and
 - Mr Hamidullah Azimi, M&IU Assistant, Maimana Provincial Office.
- Mr Nadir Kohzad, DMS Officer, attended a training programme on Database Developer and Database Administrator Fast Track organised by MCITP in India (June 1-24, 2009);
- Mr Mohammad Musa Mahmodi, AIHRC's Executive Director, attended the Management of Group and Interpersonal Conflict course organised by Centre for Conflict Resolution Studies in the US (June 1-10 2009);
- Mr Farid Mutaqi, TJU Officer of Mazar Regional Office, attended the Capacity-Building Programme on Human Rights Sensitivity and Conflict Awareness for Central Asia organised by OSCE Academy in Bishkek, Kyrgyzstan (January 28-30, 2009);
- Commissioner Hangama Anawari attended the Conference on the First North American Roundtable of the Persia Gender Network (PGN) organised by PGN in the US (January 22-24, 2009);

- Commissioner Ahmad Nader Nadery attended the 8th Annual Global Philanthropy Forum organised by Global Philanthropy Forum in the US (April 22-24, 2009);
- Commissioner Mohammad Farid Hamidi attended the Human Rights Law Course organised by the Human Rights Law Centre of the University of Nottingham in the UK (January 6- March 26, 2009);
- Commissioner Suraya Sobhrang attended the Conference on Global Movement for Equality and Justice in Muslim Family organised by Sis Forum Malaysia in Nepal (February 13-17, 2009);
- Mr Mohammad Bahir, HRUE Trainer of Jalalabad Regional Office, attended the Fifth Peace Studies and Conflict Transformation Course organised by ARF, AMAN and IRCP in Thailand (March 1-23, 2009);
- Ms Anarkali Honaryar, WRU Assistant of Kabul Regional Office, attended a training on CEDAW and Alternative Report Writing organised by International Women's Rights Action Watch in India (March 21-25, 2009);
- Commissioner Abdul Karim Azizi and Mr Ehsan Khaliq, HREU Trainer of Kabul Regional Office, attended the Conference on Community-Based Conflict Transformation and Analysis organised by ICCO in Nepal (March 14-21, 2009);
- Commissioner Ahmad Nader Nadery attended the 22th session of the annual meeting of national institutions for the promotion and protection of human rights organised by ICC in Switzerland (March 22-April 2, 2009); and
- Commissioner Ahmad Zia Langari, Mr Mohammad Musa Mahmodi, AIHRC's Executive Director, and Ms Shazia, Human Rights Assistant, attended the Conference on Human Rights Awareness and National Capacity-Building of National Human Rights Institutions organised by Indian National Human Rights Commission in India (January 22-24 2009).

APPENDIX 4: List of International Meetings/Conferences Attended

The AIHRC's leadership attended various regional and international events and conferences as key speakers and contributors. The AIHRC has used these events for advocacy purposes. Thus, the Commission is thankful to the organisations that hosted the events and extended an invitation to the AIHRC (for details, please see Annex I).

At the international level, Dr Sima Samar, Chair of the AIHRC, attended the 8th International Security Forum "Coping with Global Change" with the objective of analysing security, peace and justice in Afghanistan. The Forum was organised in Switzerland (May 14-22, 2009).

The AIHRC's leadership participated in the following international conferences and seminars on behalf of the AIHRC:

Dr Sima Samar, Chair of the AIHRC, and Mr Mohammad Musa Mahmodi, Executive Director, attended the 14th Annual Meeting of the Asia-Pacific Forum of National Human Rights Institutions. Dr Sima Samar made a speech on corruption and the situation of human rights in Afghanistan. The Meeting was held in Jordan on August 3-8, 2009.

Mr Ahmad Nader Nadery, Commissioner for Transitional Justice, engaged in high-level advocacy and lobbying for transitional justice issues on both the national and international stage. Of note, the Commissioner met with officials at the US State Department and did a presentation for 15 international organisations based in Washington DC. He has also written an op-ed which was placed in the North American media. In Geneva he met with the United Nations Office of the High Commissioner for Human Rights as well as transitional justice and human rights institutions. At the national level the Commissioner has frequently appeared in the media, notably, where has advocated strongly for justice. In addition, he has met with foreign policy-makers and continues to push for a justice agenda for Afghanistan.

The Commissioner for Transitional Justice organised and participated in the Afghanistan: Ensuring Success conference in Dubai on March 14-15. He also attended the Beyond Peace Versus Justice: Fighting Impunity in Peacebuilding Contexts conference hosted by The Netherlands Ministry of Foreign Affairs in The Hague on September 16-17. The conference brought together 150 policy-makers, researchers and practitioners representing over 20 countries from all geographical regions to consider how the international community can facilitate peacebuilding strategies that recognise the need for justice and the rights of victims in post-conflict societies.

Commissioner Ahmad Fahim Hakim attended the First Annual West Asia-North Africa (WANA) Forum organised by Majlis El Hassan in Jordan on April 18-21, 2009.

Commissioner Ahmad Zia Langari has kept regular contacts with APF, OHCHR and ICC on different international issues on human rights and particularly on the 22nd Annual Meeting of the ICC and the Durban Review Conference. In this regard, he completed the OHCHR's questionnaire on self-evaluation of the AIHRC. He also prepared AIHRC's comments on the NHRIs' statement on the role of NHRIs for the protection of human rights in time of counterterrorism. This statement was presented to the Human Rights Council in Geneva in March 2009.

Mr Musa Sultani, AIHRC's Research, Report and Donor Relations Coordinator, attended the Expert Group Meeting of The Hague Rule of Law Network organised by The Hague Institute for the Internationalisation of Law in The Netherlands on April 23-24, 2009.

APPENDIX 5: National Advocacy Efforts

AIHRC's leadership played a significant role in advocating for human rights and providing support and recommendations to the Government in policy-making during the past year.

Mr Ahmad Fahim Hakim, Deputy Chair of the AIHRC, took various advocacy initiatives on human rights. He had a meeting with Minister of Education Mr Farouq Wardak on AIHRC's technical assistance in further developing an education strategy and new teaching curricula. Deputy Chair also attended the district governors' meetings organised by IDLG, where he delivered speeches on the AIHRC, rule of law, elections, women's political participation and human rights.

Commissioner Ahmad Zia Langari participated in a meeting with CSOs on building a mechanism to participate in a conference in The Netherlands and how to present their concerns about human rights, security, justice, democracy and good governance in Afghanistan.

Commissioner Langari also served as a member of the Commission on Monitoring Police during the 2009 Presidential and Provincial Council Elections and attended the meetings of the Commission to assess police behaviour during the electoral process. He shared AIHRC's information on cases of violations by the police and underlined the duty of the police to ensure the free movement of candidates and their freedom to gather and assemble peacefully. He stressed that the police have to protect candidates in exercising their right to campaign.

Commissioner Langari also attended the "Exchange of Views on the Human Rights Situation in Afghanistan and the Presidential and Provincial Council Elections Meeting" organised by the European Parliament Sub-Committee on Human Rights in Belgium. He discussed the process of political rights verification and monitoring the election process in Afghanistan.

Commissioner Hamida Barmaki had a meeting with Ms Cristine Peduto, Child Protection Specialist in UNICEF, regarding UN Security Council Resolution 1612 on the protection of children in armed conflict. The AIHRC agreed to provide UNICEF staff with its relevant data and information. She also met with Mr Fazl Jalil, Head of Save the Children Sweden-Norway about financial support for CRU in the future.

Commissioner Barmaki also met with juvenile court judges (primary and appellate courts) to exchange information and ideas regarding child sexual abuse and protection mechanisms for the victims of such violence at the municipal and provincial levels. She also participated in CTFMRM's meeting regarding child protection in armed conflict and again offered to support UNAMA and UNICEF researchers in collecting data and information for publication into a report, which will be prepared and submitted by UNAMA to the UN.

Commissioner Barmaki participated in a meeting with the UNAMA and UNICEF representatives to provide the ground for AIHRC offices to collect first-hand data. She also provided the ground for AIHRC's financial support to local NGOs to conduct training on prevention of violence against children in the country. TV clips and

documentaries were also provided for local NGOs. She also had regular contact and exchange of information with regard to child protection and promotion with CPAN, UNICEF, UNAMA, SCS-N, local NGOs, MoPH, MoLSAMD and Ministry of Counter Narcotics.

APPENDIX 6: List of Partners in 2009

A. Partners in the Field of Human Rights Education

- Afghanistan Human Rights Activists Foundation (AHRAF)
- Afghanistan Human Rights Volunteers Foundation (AHRVF)
- Atifaq-e-Islam
- Afghan Women's Network (AWN)
- Afghan Women Skill Development Centre (AWSDC)
- Barakat Organisation
- Centre for International Journalism (CIJ)
- Civil Society and Human Rights Network (CSHRN)
- Coordination for Reconstruction of Afghanistan (CRA)
- Foundation for Culture and Civil society (FCCS)
- Radio Faryad
- Free and Fair Election Foundation of Afghanistan (FEFA)
- Ghoryan TV
- Human Rights Research and Advocacy Consortium (HRRAC)
- Jamal Foundation (JF)
- National Democratic Institute (NDI)
- Pajhwok News Agency
- Radio Peace
- Radio Bamyan
- Radio Sada-e-Zan
- Universal Peace Foundation (UPF)
- United States Agency for International Development (USAID)
- United Nations Assistance Mission in Afghanistan (UNAMA)
- Women's Political Participation Committee
- Women and Children Legal Research Foundation (WCLRF)

B. Partners in the Field of Women's Rights

- Afghan Civil Society Forum (ACSF)
- Afghan Women Services and Education (AWSE)
- Afghan Woman's Education Centre (AWEC)
- Afghan Women's Network (AWN)
- Afghan Women Skill Development Centre (AWSDC)
- Commission on the Elimination of Violence against Women
- HKAW (Shelter for Women)
- HAKA (Shelter for Women)
- Medica Mondiale
- Noor Learning Centre (NLC)
- Network of Women Parliamentarians
- Rights and Democracy (RD)
- Society Unit Women Afghan (SUWA)
- United Nations Development Fund for Women (UNIFEM)
- United States Agency for International Development (USAID)

C. Partners in the Field of Child Rights

- Afghan Women's Carpet Network (AWCN)
- Acshiana
- Family Welfare Focus (FWF)
- Bakhtar (a local NGO)
- Foundation for Culture and Civil Society (FCCS)
- Mobile Mini Circus for Children (MMCC)
- Save the Children Sweden-Norway (SCS-N)
- Save the Children UK
- Save the Children USA
- Radio Saba
- United Nations Children's Fund (UNICEF)
- United Nations High Commissioner for Refugees (UNHCR)
- Women for Afghan Women

D. Other Partners

- OneWorld Research Institute
- International Centre for Transitional Justice (ICTJ)
- Afghanistan National Participation Association (ANPA)
- Foundation for Solidarity of Victims
- Afghanistan National Association of the Blind (ANAB)

APPENDIX 7: Financial Report

Table A

The AIHRC planned a core budget of US\$13,392,941 for the implementation of its 2009 Action Plan. By the end of the year, the AIHRC had utilised US\$ 9,170,976. Unfortunately, the AIHRC could not obtain all required funds and thus, faced a deficit of \$4,221,965.

At the end of 2009, the AIHRC received funds from donors (Denmark, Netherlands, SDC and UNDP) totalling \$1,637,536. Due to time constraints, the AIHRC was unable to utilise this transfer of funds and as a result, had to transfer the remaining balance to its 2010 budget. It should also be noted that there are pending expenditures from the 2009 programmes that will now be paid in 2010.


Afghanistan Independent Human Rights Commission Core Fund Financial Activities For the Period from January 01 to December 31, 2009								
Activity ID	Total Budget for 2009	QUARTER EXPENDITURES REPORT				Expenditures for the Year 2009	Remaining Balance	
		Q1 January 01 to March 31	Q2 April 01 to June 30	Q3 July 01 to September	Q4 October 01 to December			
101	Women Rights	864,529	102,807	122,676	92,506	132,376	450,365	414,164
102	Child Rights	847,267	90,266	123,258	91,686	120,337	425,547	421,720
103	Human Rights Education	1,296,408	169,595	211,103	182,303	206,774	769,775	526,633
104	Monitoring & Investigation	1,290,410	124,956	176,061	180,178	161,770	642,965	647,445
105	Field Monitoring	875,672	98,079	116,849	130,329	77,731	422,989	452,683
106	Transitional Justice	770,872	100,295	141,678	155,731	160,503	558,206	212,666
107	Research and Policy	110,687	18,965	24,633	26,679	24,795	95,073	15,614
108	Media and Publication	1,001,567	101,647	146,407	165,717	211,002	624,773	376,794
109	People With Disability	523,599	61,537	93,514	62,127	106,653	323,832	199,767
110	Reporting	42,292	11,134	13,092	14,301	4,391	42,918	(626)
111	Resource Centre	164,077	5,430	16,179	10,082	15,897	47,588	116,489
112	Data Base	52,099	5,051	11,413	5,274	7,895	29,634	22,465
113	Running cost	4,025,635	1,309,915	1,047,584	841,723	1,028,593	4,227,815	(202,180)
114	Governance cost	405,900	89,906	110,022	89,109	95,949	384,986	20,913
115	Construction New Building	1,121,929	21,019	52,918	25,908	24,668	124,512	997,417
Total:		13,392,941	2,310,602	2,407,389	2,073,653	2,379,333	9,170,976	4,221,965

Table B

For details of contributions made by AIHRC's donors in 2009, please see the following table:


		Afghanistan Independent Human Rights Commission Core Donors Funding Status For the Period from January 01 to December 31, 2009						
Donors		Total Fund Received for 2009	QUARTER CONTRIBUTION REPORT				Total Funds Contribution in Expenditures	Remaining Balance
			Q1 January 01 to March 31	Q2 April 01 to June 30	Q3 July 01 to September	Q4 October 01 to December 31		
1002	<i>CANADA</i>	4,125,138	1,483,891	800,681	885,688	503,768	3,674,028	451,109
1003	<i>Denmark</i>	2,211,411	-	470,241	76,824	855,555	1,402,620	808,791
1004	<i>Finland</i>	1,225,313	-	483,027	504,953	191,068	1,179,048	46,265
1005	<i>Norway</i>	486,724	-	240,872	235,268	10,583	486,724	0
1006	<i>New-Zealand</i>	90,705	-	-	-	90,704	90,704	0
1007	<i>United Kingdom</i>	-	-	-	-	-	-	-
1009	<i>OHCHR</i>	7,917	-	-	-	7,917	7,917	-
1011	<i>SDC-Switzerland</i>	1,041,574	413,596	279,978	208,459	139,540	1,041,574	0
1014	<i>Netherland</i>	910,726	368,894	-	12,460	198,003	579,357	331,369
1015	<i>Australia</i>	401,400	-	126,400	150,000	125,000	401,400	0
1018	<i>French Embassy</i>	215,325	-	-	-	215,325	215,325	-
1000	<i>Core Grants Other</i>	44,221	44,221	-	-	-	44,221	
5000	<i>AIHRC Income</i>	48,058	-	6,190	-	41,868	48,058	0
Total:		10,808,511	2,310,602	2,407,389	2,073,653	2,379,333	9,170,976	1,637,536

Table C

The AIHRC received contributions from other donors in 2008. Such contributions were utilised to achieve the objectives related to, but not part of, the budgeted action plan. The AIHRC treated such grants as separate projects.

<p align="center"><u>Afghanistan Independent Human Rights Commission</u> <u>Other Donors Funding Status</u> <u>For the Period from January 01 to December 31, 2009</u></p>						
Donor		Balance from Year 2008 & Funds Received during Year 2009	Total Funds Contribution in Expenditures	Amount Refunded	Remaining Balance	VARIANCE%
200	UNHCR	406,840	406,529	-	311	0.08%
300	SCSN	64,875	954	1,030	62,891	96.94%
400	ADSI	613	613	-	-	0.00%
600	Global Rights	376	376	-	-	0.00%
1000	UNICEF	206,006	271,229	-	(65,223)	-31.66%
1100	SCA	3,249	-	3,249	-	0.00%
1200	DED	18,403	18,403	-	-	0.00%
1400	SWEDEN	200,000	115,628	-	84,372	42.19%
Total:		900,362	813,732	4,279	82,351	9.15%



Table D

Afghanistan Independent Human Rights Commission
Expenditures Detail for All Offices & Activities
For the Period from January 01 to December 31, 2009



OFFICES		ACTIVITIES FOR THE YEAR 2009															TOTAL
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
		<u>WR</u>	<u>CR</u>	<u>HRE</u>	<u>M & I</u>	<u>FM</u>	<u>TJ</u>	<u>R & P</u>	<u>M & P</u>	<u>PwD</u>	<u>R</u>	<u>R. C</u>	<u>DB</u>	<u>RN. C</u>	<u>GC</u>	<u>CNB</u>	
1	Head Office	100,762	101,414	78,313	153,756	7,981	153,276	84,894	508,995	75,313	42,721	6,112	28,422	2,178,504	384,986	113,060	4,018,509
2	Kabul Regional Office	52,766	46,119	123,261	89,939	39,014	57,344	1,720	4,713	86,604	66	26,938	471	256,333	-	-	785,288
3	Mazar Regional Office	32,656	28,396	90,218	42,088	30,915	36,355	-	19,192	29,047	-	-	-	186,671	-	-	495,538
4	Herat Regional Office	36,104	34,539	64,506	51,127	63,104	37,995	-	34,773	29,311	-	65	-	192,484	-	3,539	547,549
5	Kandahar Regional Office	31,517	31,153	61,076	54,553	24,530	31,824	-	6,981	16,913	-	1,945	-	196,311	-	-	456,803
6	Jalalabad Regional Office	38,050	28,976	63,807	42,431	33,943	41,889	-	505	28,985	-	-	-	209,850	-	-	488,434
7	Gardez Regional Office	25,337	28,032	34,979	30,489	43,320	19,656	-	12,475	14,925	-	-	-	177,207	-	865	387,285
8	Bamyan Regional Office	25,542	27,786	56,897	43,370	44,635	45,538	-	16,215	19,512	-	-	-	169,108	-	7,049	455,653
9	Kunduz Regional Office	38,644	29,058	61,201	45,365	47,639	33,981	77	19,807	19,533	131	-	-	181,371	-	-	476,808
10	Badakhshan Provincial Office	19,799	20,017	39,082	675	31,015	43,096	8,382	-	-	-	-	-	117,733	-	-	279,797
11	Maimana Provincial Office	19,957	16,271	30,655	3,217	22,729	35,624	-	-	1,136	-	8,357	-	89,964	-	-	227,912
12	Daikundi Provincial Office	21,907	19,254	21,250	22,861	21,806	21,645	-	188	2,554	-	4,172	741	117,878	-	-	254,255
13	Ghore Provincial Office	7,323	14,532	25,576	17,005	9,094	-	-	927	-	-	-	-	94,231	-	-	168,687
14	Helmand Provincial Office	-	-	6,858	19,714	3,243	-	-	-	-	-	-	-	23,909	-	-	53,723
15	Uruzgan Provincial Office	-	-	12,097	26,369	20	-	-	-	-	-	-	-	36,249	-	-	74,735
Total Expense		450,365	425,547	769,775	642,959	422,989	558,224	95,073	624,772	323,832	42,918	47,588	29,634	4,227,803	384,986	124,512	9,170,976

1 WR Women Rights
 2 CR Child Rights
 3 HRE Human Rights Education
 4 M & I Monitoring and Investigation
 5 FM Field Monitoring
 6 TJ Transactional Justice
 7 R & P Research & Policy
 8 M & P Media and Publication

9 PwD Persons With Disability
 10 R Reporting
 11 R C Resource Center
 12 DB Data Base
 13 RN. C Running Cost
 14 GC Governance Cost
 15 CNB Construction New Building

Contact Information

If you have any comments or questions with regard to this report, please feel free to share with us by contacting:

Said Reza Kazemi

Report and Donor Relations Coordinator

Afghanistan Independent Human Rights Commission (AIHRC)

Pul-e-Surkh, Kart-e-Se, Kabul, Afghanistan

Phone: +93 (0) 20 2500676

Mobile: +93 (0) 778 512 412

Email: donor.liaison@aihrc.org.af