



Afghanistan Independent Human Rights Commission



**Annual Report
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Abbreviation Key

ACSF	Afghan Civil Society Forum
AIHRC	Afghanistan Independent Human Rights Commission
ANA	Afghan National Army
ANDS	Afghanistan National Development Strategy
ANP	Afghan National Police
AGE	Anti-government Elements
ARCS	Afghan Red Crescent Society
APF	Asia-Pacific Forum of Human Rights Institutions
AWD	Afghan Women for Development
AWSE	Afghan Woman Services and Education
AWEC	Afghan Women Educational Centre
AWN	Afghan Women Network
AWSD	Afghan Women Skills Development Centre
CAT	Convention Against Torture
CCC	Child Correction Centre
CCPR	Covenant on Civil and Political Rights
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CESCR	Covenant on Economic, Social and Cultural Rights
CFM	Child Field Monitoring
CRC	Convention on the Rights of the Child
CRFM	Child Rights Field Monitoring
CRU	Child Rights Unit
CSO	Civil Society Organizations
DC	Detention Centre
DMU	Database Management Unit
DWA	Development of Women's Abilities Organization
DSCG	Disabilities Stakeholders Coordination Group
DoWA	Department of Women Affairs
FEFA	Free & Fair Election Foundation of Afghanistan
HR	Human Rights
HREU	Human Rights Education Unit
HRFMU	Human Rights Field Monitoring Unit
HRV	Human Rights Violation
ICC	International Criminal Court /International Co-ordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights
IED	Improvised Explosive Devices
IMF	International Military Forces
M&IU	Monitoring and Investigation Unit
MoE	Ministry of Education
MoFA	Ministry of Foreign Affairs
MoJ	Ministry of Justice
Mol	Ministry of Interior
MoLSAMD	Ministry of Labour and Social Affairs Martyrs and Disabled
MoU	Memorandum of Understanding
NGO	Non-Governmental Organisation
NSD	National Security Directorate

OHCHR	Office of High Commissioner for Human Rights
PWD	Persons with Disabilities
PWDU	Persons with Disabilities Unit
SCS-N	Save the Children Sweden- Norway
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 International Children Emergency Fund
UNMACA	United Nations Mine Action Program for Afghanistan
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development
UPR	Universal Periodic Review of human rights
VAW	Violence against Women
WRU	Women's Rights Unit

Words from the Chairperson:

Afghanistan Independent Human Rights Commission (AIHRC) was established in 2002 with a strong mandate to protect, promote, and monitor human rights of Afghan citizens in the country. The AIHRC has travelled a long way to fulfil its obligations and realize its goals, continuously expanding its operations to reach towns and remote villages in most parts of the country. The commission has received and investigated numerous human rights violation cases and has imparted human rights awareness and knowledge to thousands of Afghans from all segments of society ranging from government officials to the general population and school children.

Despite the significant achievements, by the AIHRC and its partners, towards the realization of human rights and respect for human dignity, a vicious circle of challenges continued, and even worsened in 2008, to obstruct the Commission's goals and jeopardize its success.

The Afghan people are anxious and worried about the future of the process initiated seven years ago with the support of the international community. The process sparked hope and expectations for a country shattered by over two decades of war and bloodshed. This process was expected to end the suffering of the Afghan people-- deliver good governance, the rule of law, and full enjoyment of fundamental rights and freedom to the Afghan citizens. Instead, there are growing concerns, among the Afghans, of relapse into violence and conflict.

Escalation of violence in 2008 claimed the life of around 2,118 Afghan civilians. Anti-government elements deliberately targeted civilians, such as aid workers, journalists, tribal elders, civil servants, and labourers of development and construction projects, in the form of summary executions, beheadings, murders, suicide-bombings, and use of civilians as human shields. Pro-government forces also caused significant civilian casualties, mainly due to heavy reliance on air strikes, lack of coordination between Afghan security apparatus and the international forces, and acting on unreliable intelligence. Regrettably, the situation has led to an ever-increasing public mistrust in the process and in the ability of the government and international community to protect people and provide security.

The level of crime is rising day-by-day as the persistent culture of impunity continued, throughout 2008, to hamper the rule of law and the realization of human rights and justice. The AIHRC has documented some of the most heinous crimes against children and women, ranging from gang-rape and sexual abuse in the north to spraying acid on the face of school girls in the south. The culture of impunity has to stop if the human dignity is to be respected in Afghanistan.

Insecurity has been one of the main challenges in the enjoyment of human rights by the people of Afghanistan. In the absence of a secure environment, fundamental rights and freedom of the Afghans have been violated and the distribution of humanitarian assistance to the needy population of the country has been hampered. Insecurity in the country, whether due to the political and military causes and/or rampant corruption in the administration and the production of opium, contribute to the problem.

The absence of a budgetary allocation by the government needs to be mentioned as a challenge since the promotion and protection of human rights including funding of the National Human Rights Institutions (NHRIs) is unconditionally the state

responsibility. Unfortunately, the government of Afghanistan has failed to allocate any budget for the operation of the AIHRC in seven years.

I would like to thank the donor community, non-government organizations, civil society organizations, and individuals who supported and helped the AIHRC in fulfilling its challenging mandate of promoting, protecting, and monitoring human rights in Afghanistan. In particular my heartfelt appreciation and gratitude is extended to the devoted staff members of the AIHRC who, despite the challenges and risks, have made the commission's achievements possible through the demonstration of outstanding commitment and courage.

Dr. Sima Samar, Chairperson

Afghanistan Independent Human Rights Commission

Executive Summary

This annual report outlines the most important accomplishments of the AIHRC in its endeavours for promotion, protection and monitoring of human rights. Despite challenges faced in 2008, the AIHRC continued to make successful progress towards the implementation of its Action Plan (2008-2010), which is based on its constitutional mandate and in line with the Afghanistan National Development Strategy (ANDS) and the Afghanistan Compact. The AIHRC continued to ensure a progressive and efficient institutional and financial management, representing a model of accountability, transparency and professionalism.

For promotion of human rights, the AIHRC, in 2008, conducted a total of 426 workshops and 877 awareness-raising meetings/gatherings, at which 42,357 participants (18,839 women) learned about human rights values, principles and instruments, including the Universal Declaration of Human Rights (UDHR), CEDAW, CESC, CCPR, CRC and other human rights instruments as well as relevant provisions of domestic laws, such as the Civil Code, the Penal Code and the Constitution. Given the specific condition of Afghan society and its particular patterns of violation, awareness-raising methodologies and their contents have continuously gone under revision to make sure a tailored approach to the special circumstance and needs on the ground. In this regards, other main topics addressed have been mainly various aspects of human rights violations, forced and under-age marriages, human rights and Islam, transitional justice, conflict resolution, peace, reconciliation and tolerance.

The beneficiary and participants of the awareness-raising programs have come from different segment of Afghan society, including police, judges, prosecutors, community leaders, mullahs, university lecturers, school teachers, students, civil society representatives, Parliamentarians, victims and ordinary citizens.

Given the important role of media in disseminating human rights messages, the AIHRC produced and broadcasted through different national and local channels a total of 4,690 broadcast minutes TV programs and 12,837 broadcast minutes radio programs on a series of human rights issues including transitional justice and past human rights abuses, women's rights, human rights and Islam, child rights, justice for children, child trafficking, the rights of persons with disabilities, international human rights days, and many other relevant topics.

Under the *Key Action Three* of the Action Plan on Peace, Reconciliation and Justice, the AIHRC continued to document past atrocities and collect testimonies of the victims of human rights abuses. It has almost completed the field work of the Conflict Mapping project. The data collected will be quality checked, analyzed and published in to a report.

The AIHRC also worked closely with victim groups. It has also encouraged and supported formation of more victim groups across the country. Many joint advocacy and awareness-raising projects such as workshops and theatres were implemented in close cooperation with UNAMA, CSOs and victim groups.

Despite the deteriorating security situation in many provinces of Afghanistan, monitoring activities have made progress, albeit with some challenges. Prisons, detention centres, child correctional centres, border points, hospitals, clinics, orphanages and schools were regularly and successfully monitored throughout the year. Twenty, female prison/detention centres and 29 hospitals were monitored in 20

provinces, as a result of which the conditions and standards of female prisons in Balkh, Badakhshan, Baghlan, Faryab, Heart, Kandahar, Samangan and Sar-e-Pul provinces were found to have improved by the end of the year.

A total of 1,366 monitoring missions only to prisons and detention centres were conducted in 34 provinces. As a result of the AIHRC intervention, standards of prisons were found to have improved in the male's prisons in Badakhshan, Baghlan, Bamyan, Ghor, Herat Jawzjan, Kunduz, Takhar and detention centres in Kunduz, Kapisa Laghman, Takhar and Wardak 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, improvement in health situation due to the establishment of health centres, access to defence lawyers as well as accuracy of register books.

The Human Rights Field Monitoring Teams also conducted 501 field missions. As a result of the monitoring missions, the legal destiny of 1007 people including 25 women was determined in close cooperation with relevant authorities. A number of 52 court hearings were also monitored throughout the country.

During the reporting period, 30 orphanages and 24 CCCs across the country were monitored for cases of abuse and unsuitable living conditions. As a result of the AIHRC interventions, standards of CCCs in Balkh, Baghlan, Daikundi, Faryab, Kunduz, Kabul, Kunar, Sar-e-Pul, Samangan and Takhar were found to have improved during the year.

The findings of the monitoring indicates that despite progresses, human rights violations occurs particularly in prisons, detention centres, child correctional centres as well as orphanages and schools. Violations of the right to marriage, the right to education, the right to due process and justice, the right to personal integrity, the right to liberty and security of person, and the right to property as well as violence against women and children have been at the top of the list.

Given the rising number of civilian casualties, the Special Investigation Team (SIT) expanded its activities and conducted fact-finding field researches on at least 50 incidents. The findings were released in two separate reports titled "*Abuses against Afghan Civilians*" and "*From Hope to Fear*". It has been the bloodiest year ever since 2001 with about 40% increase in civilian casualties as compared to 2007. According to the United Nations reports as many as 2,118 civilians have lost their lives in 2008 and many more have been injured. The AIHRC expressed its serious concerns over the deaths and sufferings of civilians at the hands of parties to the conflict and recommended them to respect their obligations under International Humanitarian Law to protect non-combatants.

A total of 5,156 people (1,722 women) came to the AIHRC seeking assistance and were either processed as complainants or were given legal advice and referrals to appropriate authorities or organisations. Out of 915 complaints, during 2008, involving 1036 violations, 887 complaints were investigated and 532 interventions led to resolution. A total of 131 family disputes, including violence against women cases, were mediated with the indications of resolution or improvement in the situation. The release of 107 illegally arrested (105 men and 2 women), 255 illegally detained (92 men, 3 women, 136 boys and 24 girls) and 19 illegally imprisoned (18 men 1 woman) have been secured.

Violence against women has remained a prime concern for the AIHRC over the reporting period. Some of the most heinous crimes such as rape and sexual assaults were committed against women, including minor girls. The Women Rights Unit registered a number of 2,948 cases of domestic violence against women throughout the country. Unfortunately, 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 prolonged and exacerbated the situation.

The AIHRC continued to strengthen its partnership with national and international organizations, including United Nations agencies, donors, civil society, NGOs, government bodies, academic institutions and the media. To that effect, it signed a number of Memoranda of Understandings and bilateral agreements.

The deteriorating security situation in Afghanistan throughout 2008 presented a serious obstacle for the implementation of activities and field missions. The AIHRC had to revise or cancel many programs and fields missions. However, efforts were made to shift such programs from insecure locations to more secure ones. In a very sad and tragic incident, one of our senior colleagues, the Provincial Program Manager of Ghor province was kidnapped and brutally beheaded apparently by anti-government elements. His body was found seven months later. There have been some other indications of intimidation and threat against the AIHRC staff in other provinces too.

Culture of impunity, low capacity in the judiciary and law enforcement agencies and reluctance by some officials of the agencies in the centre and provinces continued to remain other main challenges ahead of human rights protection and promotion in the country.

The AIHRC commissioners continued their international advocacy efforts on human rights and attended various international conferences and meetings. The Chairperson of the AIHRC, as the United Nations Special Rapporteur on Sudan, visited the country and presented her findings on the situation of human rights to the United Nations.

The AIHRC, based on the recommendation of the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for Promotion and Protection of Human Rights (ICC), maintained its accreditation with "A" status. The accreditation will enable the AIHRC to participate in the annual sessions of Human Rights Council.

As a young Afghan institution, the AIHRC has gradually evolved and strengthened its institutional and professional capabilities. During the reporting period, it placed a strong emphasis on capacity building of its staff and conducted 12 capacity building trainings and workshops from which a large number of its staff benefited. Twelve staff members and senior management of the AIHRC attended short-term and longer-term international trainings, seminars and workshops in which they learned about various theoretical and practical aspects of human rights.

The AIHRC firmly believes that there are always rooms for improvement. Therefore, it recruited three international consultants for WRU, CRU and M&I units to look into the current procedures and plans of the units and formulate recommendations for improvements. The recommendations have either been already incorporated or will be taken into considerations in 2009 Action Plan of the units. To assess the level of

its effectiveness and efficiency, build on good practices and experiences and bring necessary changes to fill the gaps and address pitfalls, it has also finalized a plan for external evaluation through which a team of evaluation expert will conduct a thorough assessment of the AIHRC performances and their impacts.

And finally, to ensure a greater level of efficiency and effectiveness, a number of internal reshufflings were also introduced over the reporting period. For instance, given the deteriorating security situation in the provinces of Helmand and Urozgan which has limited access and caused more urgency, the AIHRC finalized a plan to establish two provincial offices there.

Background

Since its establishment in 2002, the Afghanistan Independent Human Rights Commission (AIHRC) has endeavoured to fulfil its constitutional human rights mandate for advancement and betterment of human rights in Afghanistan.¹ The overarching missions of the AIHRC are promotion, protection and monitoring of human rights as well as investigation of human rights cases throughout the country.

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

" 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 defense of their rights. Organization and method of operation of the Commission shall be regulated by law. "

The law on the AIHRC's structure, duties, and mandate was approved through the Afghan cabinet and endorsed by the president, through a presidential decree, in May 2005². The law 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 Afghanistan Independent Human Rights Commission in accomplishing its objectives in respect to promotion, protection and monitoring of human rights.

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;

¹ The AIHRC was initially established, based on the provision of the Bonn Agreement, by a presidential decree highlighting its mission and mandate in June 2002 (<http://www.aihrc.org.af/decreeofp.htm>). The AIHRC became a national and independent human rights commission in the new Constitution approved through Constitutional Loya Jirga (grand assembly) in January 2004.

² The AIHRC's Law has 4 chapters and 35 articles. Please visit www.aihrc.org.af/law_of_aihrc.pdf for details.

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 fulfilment 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 ."

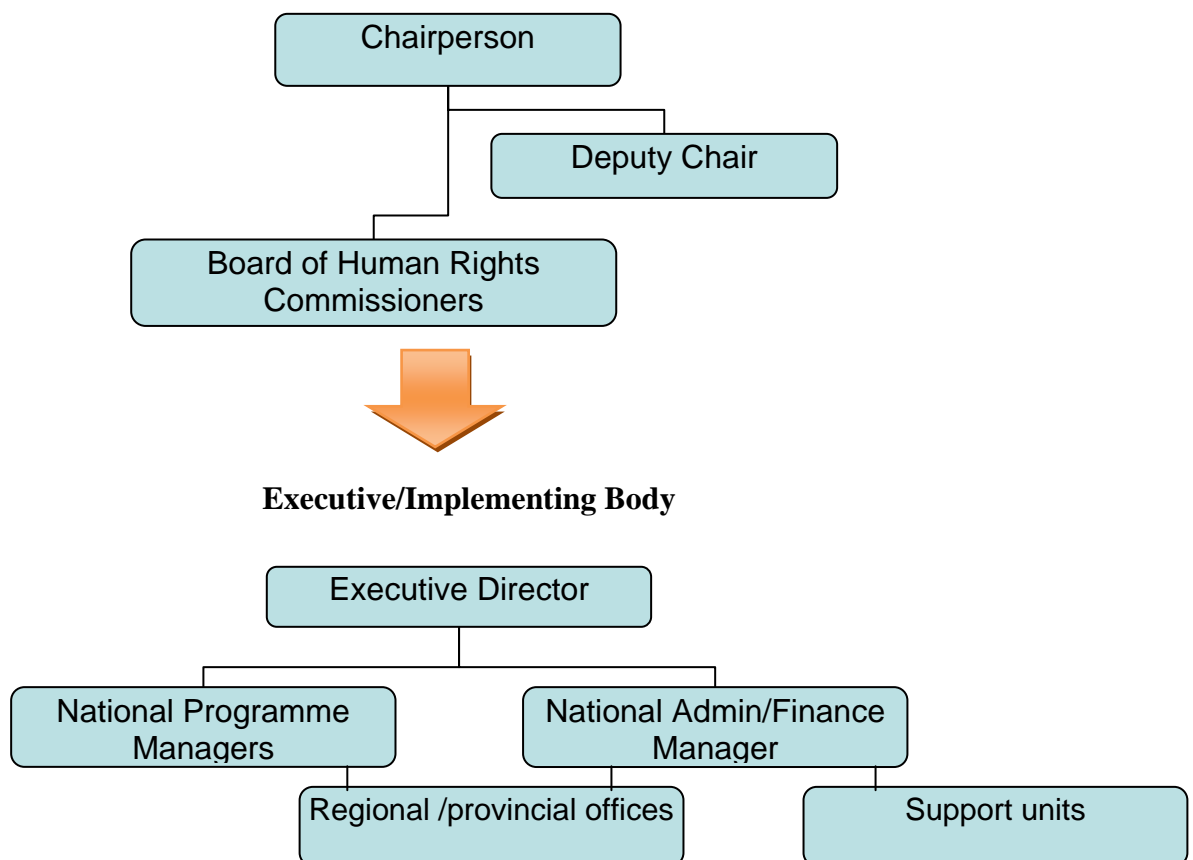
Human Rights Commissioners

The Afghanistan Independent Human Rights Commission has, based on its law on the structure, duties, and mandate, nine human rights commissioners.

The Board of Human Rights Commissioners includes Dr. Sima Samar, the Chairperson, Mr. Ahmad Fahim Hakim, Deputy Chair, Ms. Hangama Anwari, in charge of Child Rights Unit, Dr. Soraya Sobhrang, in charge of Women's Rights Unit, Mr. Abdul Karim Azizi, in charge of Human Rights Education Unit, Mr. Farid Hamidi, in charge of Monitoring and Investigation Unit, Field Monitoring Team and the Special Investigation Team, Mr. S. Zia Langari, in charge of Persons with Disabilities Unit, Mr. Nader Nadery, in charge of Transitional Justice Unit, and Mr. Mawlawi Ghulam Mohamad Gharib, member of the Board of Authors of the Human Rights Monthly Magazine.

The Board of Human Rights Commissioners is the governing body responsible for decision making and overall policy of the AIHRC, while the Executive Body is to implement the action plan and decisions approved by the Board of Commissioners. The following diagram illustrates the relationship:

AIHRC Governing and Decision Making Body





The AIHRC is headquartered in Kabul with eight regional and four provincial offices throughout Afghanistan located in Badakhshan, Bamiyan, Daikundi, Gardez, Ghor, Herat, Jalalabad, Kabul, Kandahar, Kunduz, Maimana, and Mazar. The AIHRC currently employs 591 staff members including support staff. This includes 191 staff members in the Headquarters, 320 staff members in its regional offices, and 80 staff members in its provincial offices.

Given the deteriorating security situation in the inaccessible provinces of Helmand and Urozgan, two locally recruited focal points were assigned in 2008 to each of the provinces to assist in monitoring and investigation of human rights violations. However, the needs on the ground were far beyond the capabilities of the focal points to attend alone. Therefore, the AIHRC has planned to open a full-fledged provincial office in each of the provinces very soon.

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 programs units as follow:

1. **The 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 institutionalization of human rights. The vision of the program is a transformation from the prevailing culture of war and violence, to a culture of human rights and peace nationwide, supporting dialogue, tolerance, co-existence and diversity.

2. **The 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. **The 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 interviews, nationwide, with children directly to assess their access to the standards set forth in the Convention on the Rights of the Child.
4. **The 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 the AIHRC's own awareness raising programs. Human Right Field Monitoring team is also part of the unit that conducts field missions and interview individuals throughout the country to assess their access to socio-economic rights.
5. **The Transitional Justice Unit (TJU)** develops strategies and policies to confront past human rights abuses of war crimes and crimes against humanity, and for collecting documentation and information about the nature, causes and perpetrators of the crimes in Afghanistan. The unit also increases the awareness of the public on the Government Action Plan of Peace, Reconciliation and Justice.
6. **The 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, affirmative actions, and awareness-raising on the people with special needs and the obstacles they face. The unit also receive individual complaints of violations which are investigated by the M&IU..

Support Units:

Six support units and some other complementary units have been established with the objective of supporting and complementing the programme units. They include Research Unit, Reporting Unit, Media and Publications Unit, Database Unit, Resource Centre, the Broad of Translation, Special Investigation Team, Legal Advisory, Legal Analysis, Donor Liaison and the Printing Press.

Major Activities and Accomplishments

The major activities and achievements of the AIHRC in 2008 towards achieving its objectives as stipulated in the AIHRC's Three-Year Action Plan are discussed in the following section. They are arranged to reflect the AIHRC's three main areas of focus in the field of human rights that is to say the promotion, monitoring, and protection of human rights, as well as an additional priority area for the AIHRC related to its own institutional strengthening and capacity building. The following activities were carried out during the reporting period:

The Human Rights Education Unit:

The Human Rights Education Unit (HREU) mainly focused its activities on the promotion of human rights and bringing about attitudinal and behavioural changes in Afghan society to support the institutionalization of human rights. The HREU in 2008, conducted a total of 227 workshops and 266 awareness-raising meetings/gatherings, at which 15,764 people (5,059 women) learned about human rights values, standards and instruments, including the Universal Declaration of Human Rights (UDHR), CEDAW, CESC, CCPR, CRC and other human rights instruments. Other main topics covered are various aspects of human rights violations, forced and under-age marriages, human rights and Islam, transitional justice, conflict resolution, peace, reconciliation and tolerance. Relevant provisions of domestic laws, such as the Civil Code, the Penal Code and the Constitution were also discussed.

Although discussing the human rights issues are in no way an easy job in Afghanistan, the workshops and awareness-raising meetings had positive impacts on the participants. The AIHRC Human Rights Education team around the country tried hard to bring about attitudinal changes. For instance, on 7th October 2008, a three-day workshop was conducted for the government staff of Parwan province. On the first day, the participants called human rights an imported and Western theory which entered Afghanistan in order to destroy Afghan's culture and Islamic principles. For this, they were also judging the AIHRC in a harsh way. The AIHRC team worked hard to present them the human rights principles in a simple and easy to understand manner. At the end of the workshop, one of the participants who represented the group expressed his feelings in this way: "We appreciate the hard work of organizers of this workshop and we apologize for our behaviour at the beginning as we did not have enough knowledge about human rights and the AIHRC. From now on, we will act as human rights activists and promoters in our homes, workplaces and society. We will fight against all human rights violations. We recommend the AIHRC to conduct such fruitful workshops for high level governmental officials at the provincial level too." This is a typical example of the impact of the AIHRC awareness-raising initiatives.



Mullah's and tribal elders participating human rights workshop (Gardiz)

The beneficiary/participants of awareness-raising activities have included a wide spectrum of Afghan society; including police, prosecutors, judges, NSD and ANA personnel, civil society activists, teachers, students of higher education institutions and schools, journalists, mullahs (clerics), community elders and ordinary citizens.

Fortunately, the importance and effectiveness of the AIHRC human rights education programs is widely recognized and appreciated. Many institutions have, in different regions, come to the AIHRC and requested for such programs. For example in June 2008, lecturers and students of the Faculty of Education at Herat University approached the AIHRC in Herat Regional Office and asked for human rights workshops. The AIHRC signed a MoU with Herat University. Under the MoU, Education Faculty officially included human rights subject in its educational curricula. During the semester, the HREU, WRU and CRU conducted a total of 96 sessions for 200 students of the faculty. At the end of the semester, a final exam was given which demonstrated remarkable human rights awareness amongst students.

Advocacy by the AIHRC is an ongoing process with the National Police and National Army academies. During the year, the HREU conducted four quarterly awareness-raising meetings at the National Army Training Centre, the National Police Academy, Human Rights Department of Ministry of Interior and the National Security Training Centre. During those meetings the participants shared the lessons learnt and challenges facing human rights education in their workplace. The HREU provided assistances, advices and materials in order to support them in conveying human rights messages and teachings to their workplaces.

In order to monitor the teaching process of human rights, the HREU has continued its regular monthly visits to educational institutions of the security agencies, including the National Army Training Centre, the National Police Training Centre, Education Department of Ministry of Defence, the National Police Academy, the National Security Education Centre and Training Centre for Prison Wardens and distributed human rights related materials and publications to the institutions.

In Kapisa province, a person was ordered to be arrested and brought to the police station. One police notices that his colleague beats the person on the way. He objects to his colleague over the beating of the arrested person arguing that mistreatment is not allowed under police directive and other laws. His colleague responds "how do you say beating of arrested person is not legal when we, both of us, were involved in beating of suspects in the past, even inside the police station?". The police officer responds his colleague by saying "what we had done before was not right and legal and I regret it. Because I learnt in the human rights training workshop organized for police officers in the province by the AIHRC staff that police has no right to misbehave and beat any detained or suspect person.

Training police on human rights has been a priority for the AIHRC. In many regions, the HREU conducted trainings and awareness raising programs for police officers and trainees. For example, under an agreement with Police Training Centre of Bamyan province, the HREU in Bamyan conducted four workshops for police trainees at the centre.

As part of an on going cooperation with the MoE during the year, the HREU worked on the preparation of Human Rights messages and Islamic stories related to human rights which were printed on a separate page in the middle of the new textbooks, for grades 7 to 12. Several high level meetings, involving the HRE Commissioner and the Minister of Education, were convened. As a result, the final decision on the inclusion of the proposed materials was made. The MoE published the messages and stories in one million copies of new text books (Dari and Pashto Language).

Likewise, the HREU provided human rights materials for the contents of new text books of schools (grade 7 to 9). The HR materials were submitted to the MoE Department of Curricula Development and Publication. Once the first draft of 26 textbooks for grades 7 to 9 were completed, the AIHRC reviewed all the books to ensure no material in all the subjects was contrary to the principles of human rights and recommendations were presented to the Department of Curricula Development and Publication. The recommendations were incorporated in the second draft of the new text books. During the reporting period, the cooperation between the AIHRC and the MoE improved significantly. The MoE, in order to strengthen the process of HR inclusion in to new school curricula, has established a Human Rights Department within its organizational structure which is a good step forward.

The HREU in collaboration with the AIHRC Media and Publication Unit, produced a total of 4,690 broadcast minutes for televisions and 12,837 broadcast minutes for radios on a series of human rights issues including 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, child trafficking, International Day of Tolerance and many other relevant topics. At the beginning of the year, the AIHRC prepared a MoU to be signed with the National Radio and Television of Afghanistan (RTA) on broadcasting human rights programs through the station. The AIHRC persistently followed up the issue with the RTA authorities. Unfortunately, the Ministry of Culture, Tourism and Youth have not shown any interest so far in signing the MoU with the AIHRC. However, private television and radio stations at the provincial level in Bamyan, Badakhshan, Gardiz, Herat, Jalalabad, Kandahar, Kunduz, Daikundi, and Mazar continued to broadcast regular human rights related programmes throughout the year which helped AIHRC in reaching a wider audience that otherwise could not have been accessed.

As part of the AIHRC's on-going partnership with UNAMA, a joint awareness-raising project was carried out in 2008. Under the project, 21 live programs totalling 2,970 minutes were broadcasted, on human rights principles, with a special focus on the rights of the children and women's , through Jabal-u- Saraj radio station in Parwan province. During the programs, thousands of listeners made phone calls and asked human rights related questions.

Similarly, the AIHRC Kabul signed an MOU with Sada-e- Zan (the voice of women) radio station ³ on production and broadcasting of human rights programs. In 2008, the HREU, WRU, CRU, TJU and M&I units of Kabul regional office conducted 31 live radio sessions (a total of 3,300 minutes). During the live programs, hundred of people made phone calls to the programs and asked question about various human rights Issues and the activities of the AIHRC. The Radio calls record indicates that the programs were very useful and helped people in the provinces to better understand human rights, including women's right, child rights and the rights of persons with disabilities as well as the AIHRC's mandates, activities and achievements.

In November 2008, the USAID and the AIHRC signed a MoU based on which, the USAID donated equipment required for a recording studio. The equipment



Clergies discussing in working group in a "workshop on Human Rights and Islam"

was set up in Kabul regional office. The studio will enable AIHRC to produce HR related programs according to the needs and would send copies of the programs to its regional and provincial offices for further broadcast at local levels.

³ This radio station broadcasts in Kabul and five neighbouring provinces, Logar, Ghazni, Panjshir, Parwan and Kapisa.

The HREU, in close cooperation with CRU, started a child rights awareness-raising program in Kabul with the aim to increasing awareness of school teachers on rights of children and decreasing their violations in schools. The HREU implemented this program in two phases. In the first phase, the HREU trained 32 teachers as child rights trainers from four schools (Ashoqan wa Arefan and Gholam Haidar Khan, two boys high schools and Lameha Shahid and Lesa-e-Naswan Rahman Mena, two girls high schools). The trained teachers, then, conducted 56 awareness-raising meetings for 604 other teachers in the schools.

In the second phase, the HREU conducted an advanced human rights/child rights workshop for the trained teachers in November 2008. The trainees, in return, conducted 56 human rights/child rights advanced awareness-raising sessions for 604 teachers in their schools. The program successfully ended in December 2008. The reports which have been submitted to the HREU indicate that the trainings have been very effective and have resulted in positive behavioural changes amongst teachers.

Continuing its cooperation with the CSOs, in May 2008, the HREU conducted a Human Rights ToT workshop for 19 trainers of Barakat Organization in Kabul. In the workshop, the trainers of Barakat organization learned about human rights principles, HR covenants/conventions and ways to transfer HR knowledge and skills to others. The Barakat organization promised to conduct HR workshops for school teachers in Faryab and Jawzjan provinces. The Barakat Organization in close cooperation with the Mazar-e-Sharif regional and Faryab provincial offices conducted a total of five human rights workshops for 150 teachers of Faryab province and Balkh district of Balkh province.

The AIHRC Herat Regional Office in mid-2008 signed three MoUs with Atifaq-e-Islam (Newspaper), Faryad (Radio Station), and Ghoryan (Television Network) to promote Human rights through the media agencies. The HREU continuously monitored the activities of the agencies and provided them with human rights related materials. The HREU assessment report indicates that, as a result of the MoUs, the AIHRC reached vast population living in remote areas of Herat, Ghor and Farah provinces to which the AIHRC can not easily access.

Similarly, the HREU signed a MoU with Free and Fair Election Foundation of Afghanistan (FEFA). The FEFA conducted two awareness promotion workshops for 60 clerics and influential elders in Qarabagh and Shakardara districts of Kabul province.

The HREU in 2008 enhanced its partnership with media and news agencies by signing an MOU with Pazhwak News Agency. The Pazhwak News Agency conducted a two-week long human rights and journalism course in Mazar-e-Sharif and Nengarhar for 60 local journalists. In the courses, the participants learned about the concept of peace journalism, human rights principles, the AIHRC mandates and activities and the International covenants/conventions to which Afghanistan is a party and has an obligation to respect and enforce them inside the country.

The AIHRC, based on its commitment to work with and support for the civil society institutions, has provided them with a diverse category of the AIHRC publications and training materials including brochures, posters, magazines, booklets and reports⁴.

The Women's Rights Unit:

The Women's Rights Unit (WRU) has primarily focused its activities on the promotion of women's rights during 2008. The unit organized 94 educational workshops and 223 awareness-raising meetings for 12,875 people (3,436 men) on a wide range of topics including the violence against women in Afghanistan, women's rights in Islam and CEDAW and the activities of the AIHRC in reference to women's rights. Particular attention was, as in the past years, paid to reaching out to community leaders *mullahs*, teachers, students, civil society representatives, government officials and Parliamentarians.

The AIHRC celebrated the International Women's Day (8 March) in close cooperation with CSOs and the Network of Parliamentarian Women in 34 provinces. The objective was to raise awareness on women's rights through conferences, meetings, gatherings and media broadcasts. On the occasion,



Celebration of 8 March (Sayghan district of Bamyan province)

20,000 copies of a special issue of the Human Rights Monthly Magazine were distributed throughout the country. Moreover, an AIHRC research report on "*Effective Factors Associated with Drug Addiction and the Consequences of Addiction among Afghan Women*" was released in a press conference. The report was published in Dari, Pashto and English⁵.

⁴ For the list of partners, please see Annex II

⁵ To read the report please visit the link below:
http://www.aihrc.org.af/2008/Mar/Rep_Afghan_women_Drug_Abuse.pdf

In Kabul, the AIHRC celebrated the International Women's Day 8th of March in partnership with CSOs and Network of Parliamentarian Women in Loya Jirga venue. In this event, the Speaker of the Parliament, cabinet ministers, representatives of international community, members of Parliament, governors of the provinces which have the highest rates of violations of women's right, and women's rights activists participated.

Similarly, the AIHRC on the occasion of 8th of March, *International Women's Day*, conducted a photo and paintings exhibition in Herat regional office. In the exhibition, art works of 160 female artists with disabilities were exhibited.



Photo exhibition on 8 March in Herat province

Moreover, Women's Rights Unit has been liaising with the Ministry of Haj and Pilgrimage (MoHP) to facilitate and support the ministry's activities, in the area of raising awareness concerning women's right especially the right to education in Islamic teachings, through sermons in mosques. As a result, the MoHP issued an official letter to all mosques across the country to discuss women's right to education in Islam during their Friday speeches.

The International Day of Elimination of Violence against Woman, 25th November 2008, was celebrated by the AIHRC in close partnership with the CSOs and The Network of Parliamentarian Women. This year, the central theme was *No Violence No Aggression - Justice and Love*. On the occasion, the AIHRC conducted a fifteen-day campaign in 34 provinces of Afghanistan which included gatherings, radio and TV round-tables and conferences. Also, the AIHRC rebroadcasted four video clips on the message *from elders on forced marriages* (five minutes) and *Bad* (three minutes). The clips were designed to highlight the right to marriage and the negative consequences of forced marriages. The clips were broadcasted through Ariyana, Ayena, Tolo and the state-run (RTA) TV channels. Furthermore, the AIHRC published and disseminated 80,000 informative pages (including 40,000 brochures

and posters) on the importance of marriage registration and marriage certificate. In an initiative, the WRU prepared 1,000 wall mirrors with the message No Violence No Aggression - Justice and Love on them. The mirrors were distributed to men's hair dressing shops and some of the supermarkets.

The WRU in partnership with CSOs celebrated the 30th of November "*The International day of Peace, Justice, Democracy and Human Rights for South Asian Women*" with the participation of women's rights activists, human rights advocates and CSOs representatives in Kabul. In a gathering organized by the WRU and CSOs, the participants lit candelas as a sign of peace and asked parties involved in Afghanistan conflict to stop fighting and bring peace to the country.

In order to promote women's rights and increase the awareness of Afghans from the consequences of women's rights violations and the rights of woman in Islam, the WRU, conducted a National Conference in Kabul In December 2008. In the conference professors of Kabul University (Law and Sharia faculties) shared findings of their researches on the rights of women in Islam with participants of the conference. The WRU is planning to publish the researches in a booklet and distribute it throughout Afghanistan.

The unit, in partnership with Research Unit of the AIHRC, conducted a research project on the situation of young women in the families. The research was conducted in 12⁶ provinces of Afghanistan and interviewed 1,000 newly married women. The initial findings of the research indicate that majority of newly wedded women in Afghan society are suffering from restrictions and harsh living conditions mostly coupled with abuses in their husbands' houses. Also the interviewed women added that, in their families, they should act according to the wishes of their husband, otherwise they would face violence. The report indicates that 85% of interviewed women have been experiencing physical and psychological torture ever since they got married. The final report is scheduled to be released in first quarter of 2009.

The WRU continued to monitor women's prisons, detention centres and hospitals. It also provided protection services primarily through interventions made at the request of the women. In total, 20 female prisons/detention centers and 29 hospitals were monitored in 20 provinces. As a result of the monitoring and effective consultations, standards of female prisons in Balkh, Badakhshan, Baghlan, Faryab, Herat, Kandahar, Samangan and Sar-e-Pul provinces were found to have improved by the end of the year. A total of 697 women received legal advice and 131 family disputes



Victims of domestic violence coming from the same family

⁶ Badakhshan, Balk, Bamyan, Daykundi, Faryab, Ghor, Kandahar, Kunduz, Nemroz, Nengarhar, Paktia and Parwan.

including cases of violence against women were mediated which ended in resolutions or improvements in the situation.

During the reporting period the WRU registered 2,948 cases of domestic violence against women throughout the country which were consistently shared with the relevant authorities. In some cases, the authorities took initial measures to prevent/remedy women's rights violation. However, thousands of woman rights violators are yet to face justice.

According to the AIHRC record on the violation of women's rights in 2008, Badakhshan, Balkh, Kunduz and Kabul provinces have had the highest number of women's rights violations. The violations included, but not limited to, beating, rape, forced marriages and suicide as a consequence of domestic violence.

The unit finalized the form of "Violence Against Women" by adding a section elaborating on the types of domestic violence and its causes, and developing a clear definition of domestic and household violence against woman in accordance with the CEDAW principles.

During 2008, the WRU maintained a close cooperation with the Ministry of Women's Affairs and the Family Court. Also, the unit strengthened partnership, through signing MoUs with and providing technical support to the civil society organizations⁷.

In Faryab province, two orphan girls of 14 and 16 years of age who were taken care of by their uncle were forced to get married with their cousins (two brothers). The girls themselves and their mother were not happy to the marriage. Their uncle already invited people for the wedding ceremony. The girls' mother approached the AIHRC provincial office and informed them about the situation. The AIHRC office immediately contacted the district governor, as well as police and court officials. On the next day, the AIHRC staff along with the local authorities went to the wedding ceremony and asked the people attending the ceremony whether it was allowed to have a marriage without the consent of girls. The statement was further enforced by comments of the local judge. The uncle of the girls was arguing that he had invited too many people and provided every one with food, and it would be not fair to cancel the wedding party. The district governor and the district judge agreed that it was against the human rights principles and Islamic teachings to conduct a forced marriage. The guests who were invited to the wedding party, then, asked the uncle that they would consider this invitation as an ordinary one and not a wedding ceremony, and he had to respect the wishes of his nieces. The local authorities, based on the intervention of the AIHRC, ordered the uncle of the girls that he had no right to force the girls to forcibly get married with his sons. Finally, the girls were rescued from the forced marriage.

⁷ For the list partners in 2008 please refer to Annex II

The Child Rights Unit:

The Child Rights Unit (CRU) continued to carry out activities related to the promotion of child rights, monitoring Child Correction Centres (CCC), and protection interventions on behalf of children. During the year, 7,589 people (3,296 women) including police, elders, prosecutors, court officials 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, schools, society and its impact on children, and child labour, through 72 workshops and 190 awareness-raising meetings.

The CRU, in addition to its regular promotional activities, dubbed a three-hour film on rights of the children. The film "*Tari Zameen Par*" (stars on the earth) originally produced by an Indian company, was broadcasted on 20th of November, the International Day of Child, through RTA which had a great impact on children and their family members.

During the reporting period, 30 orphanages and 24 CCCs across the country were monitored for the cases of abuse and unsuitable living conditions. As a result of the AIHRC interventions, standards of CCCs in Balkh, Baghlan, Daikundi, Faryab, Kunduz, Kabul, Kunar, Sar-e-Pul, Samangan and Takhar were found to have improved during this year. Likewise 160 illegally detained children (136 boys and 24 girls) were released following the AIHRC interventions.

AIHRC is using standard forms developed jointly by the AIHRC and UNICEF to monitor the situation of children in conflict with the law. It is worth-mentioning that, due to objections from the Ministry of Justice to the use of the form, the AIHRC has had no access to CCCs of Kabul Province for the last 3 months. Access also has been denied in Bamyan province recently, while AIHRC was able to use the form in the rest of the provinces.

As a result of advocacy efforts of the AIHRC, Government agreed to prioritize producing its first ever report on implementation of the CRC in Afghanistan. The AIHRC is supporting Ministry of Foreign Affairs in the collection of information and serves as a member of the steering committee and member of the drafting committee of the Government reporting process on the CRC.

The CRU accelerated its efforts to produce the first Afghan CRC shadow report in partnership with the Save the Children Sweden-Norway and other national and international organizations. During 2008, the CRU adviser conducted 8 meetings in order to build the capacity of Civil Society Organizations on CRC reporting process. The basic concept of reporting and the framework of analysis was developed and presented to each thematic group. As a result, the first Afghan CRC shadow report has been produced and will be released in 2009.

As a result of the efforts of the AIHRC's regional Office in Herat, the book published by the AIHRC in 2003 on "Child Rights Education" has been accepted as a teaching material and is included in the curriculum of Faculty of Education at Herat University. The AIHRC reprinted 500 copies of the book and delivered 200 copies to Herat University.

A national conference on Justice for children was held in Kabul. Officials from Judiciary, Prosecutor Office, police and of Juvenile Rehabilitation Centres from 34 provinces participated in the conference. The objective of the workshop was to discuss the findings of a joint report released by the AIHRC and UNICEF on the implementation of Juvenile Code in juvenile rehabilitation centres, particularly the reunification process of the juvenile offenders.



It is worth-highlighting that participation of justice sector from provinces in the conference, despite being very relevant to judges and their routine work, was very dim. The AIHRC had insisted with the Supreme Court on the importance of the participation of their judges in the conference, but they said that their judges were too busy and had other priorities to attend. However, they would be willing to share a copy of the report with their judges.

Reluctance of judges to attend in such initiatives has been also a concern for the AIHRC in some other provinces. Although the issue was shared with the Supreme Court officials, but so far there has not been any promising improvement in this respect.

School monitoring program were launched during the year to monitor access to quality education in Afghanistan. The CRU staff used a form to monitor the situation of children in schools and assess their level of access to quality education, including space, teaching material, school environment, and practice of violence against children, and protection measures in the schools. Since the beginning of the program, the CRU has monitored 400 schools across the country; a detailed report of the monitoring program will be released in 2009.

To address the protection needs of children living with their mothers in prisons, the AIHRC took a leading role to establish a common position among the CSOs and UN bodies as well as Government. A number of meetings were held and a position paper prepared by UNICEF was presented to the group of CSOs. The position paper helped all organizations to take a common stand on their advocacy efforts in this regard.

Moreover, to practically analyze the situation of children living with mothers in prisons, a research was conducted by the research unit of the AIHRC in 12 female prisons. The preliminary findings of the study show that most of the mothers in the prisons are not happy to keep their children in prison. However, since they have no other option they are asking the government to provide their children with safe shelters which would allow them access to education and a better living environment. The findings of the study will be launched in February 2009.

To assess the level of children's access to health, hospitals and health centres were regularly monitored by CRU staff in all regional and provincial offices and relevant recommendations were provided to the staff of the facilities.

In order to raise the awareness of women (housewives) around Kabul city on CRC and child rights in the family and society, the CRU signed an agreement with Bakhter (a local NGO) on promoting child rights. Bakhter has conducted 24 training workshops for 530 women. The project completed in the second quarter of the year.

A three-day workshop on "Child to Child" was conducted in Balkh, Herat, Gardiz, and Kabul regional offices for 90 school students. In the workshops, the participants learned about different topics related to child rights, such as: who is a child? What rights does a child have? And The International Convention on Rights of Child. Each participant conducted similar short workshop for 30 other students in their schools. In total, around 2731 children participated in the workshops. The project plays an important role in promoting child rights among children in schools and in society.

In September 2008 the AIHRC jointly with ASHIANA celebrated the International Peace Day (21st of September) with orphans and working children. On the occasion 1,000 children participated. A 1,000 meter banner was provided on which the participants (children) wrote peace messages and draw paintings which expresses their feelings regarding peace in the country. In addition, the AIHRC prepared a 30 seconds TV spot on peace and children and broadcasted on 21st of September, through Tolo, Ariyana and National TV (RTA) channels. Likewise, the CRU supported Saba Television to produce ten visual spots on child sexual exploitation and child labour. The spots were broadcasted through Saba Television. AIHRC also joined a campaign initiated by Saba TV on ending violence against children.



In coordination with the Afghan Red Crescent Society (ARCS) and the office of President Advisor on Child Right, the AIHRC worked out a strategic plan in order to prevent child begging. The program was launched by the 2nd Vice President based on a decree signed by the President. According to the plan, prevention, protection and legal measures will be taken to end begging in the streets. The ARCS and the Ministry of Labour and Social Affairs are the main implementing body for the program. It is expected that through the program, vulnerable families who send their children for begging in the streets are identified and receive support from Government and, at the same time, the criminal groups who use and exploit children through forcing them to beg in the streets will be identified and will undergo criminal procedures. Moreover, a law on protection of vulnerable families and individuals will also be drafted by concerned authorities.

During the year, the CRU continued and strengthened its collaboration with Civil Society Organizations and International agencies⁸.

Two boys, each of them 6 years old from two districts of Almar and Khaja Sabzposh in Faryab province, were raped. The case was referred to concerned authorities. The perpetrators were arrested, but soon released based on acquittal verdicts by the primary courts of the said districts. The AIHRC provincial office, based on the complaints of victims' families, intervened and followed the case with relevant court. Consequently, the secondary court sentenced the perpetrators for five years of imprisonment. The victims' families expressed their gratitude to the AIHRC sub office.

⁸ For a list of partner organizations in 2008, please see Annex II

The Monitoring and Investigation Unit:

The M&IU focused its activities on investigating human rights violations and systematic monitoring of prisons and detention centres, according to the United Nations Minimum Standard Rules for the Treatment of Prisoners, and human rights protection through complaints handling and interventions with authorities. During the reporting period, 1,366 monitoring missions of prisons and detention centres were conducted in 34 provinces. As a result of the interventions, 107 illegally arrested persons (105 men and 2 women), 95 illegally detained persons (92 men and 3 women), and 19 illegally imprisoned persons (18 men and 1 woman) were released. In addition, 52 court hearings were monitored across the country. During the monitoring missions, the legal destiny of 1007 people including 25 women was determined in close cooperation with relevant authorities.

A total of 4,328 people (894 women) came to the unit seeking assistance and were either processed as complainants, or given legal advice and referrals to appropriate authorities or organisations. Of the 915 complaints received in 2008 (involving 1,036 human rights violations), 887 complaints were investigated and 532 interventions led to resolutions.

In 2008, the M&IU efficiently investigated 96.9 % of the cases received during the year and settled 58.2 % of human rights violation cases.

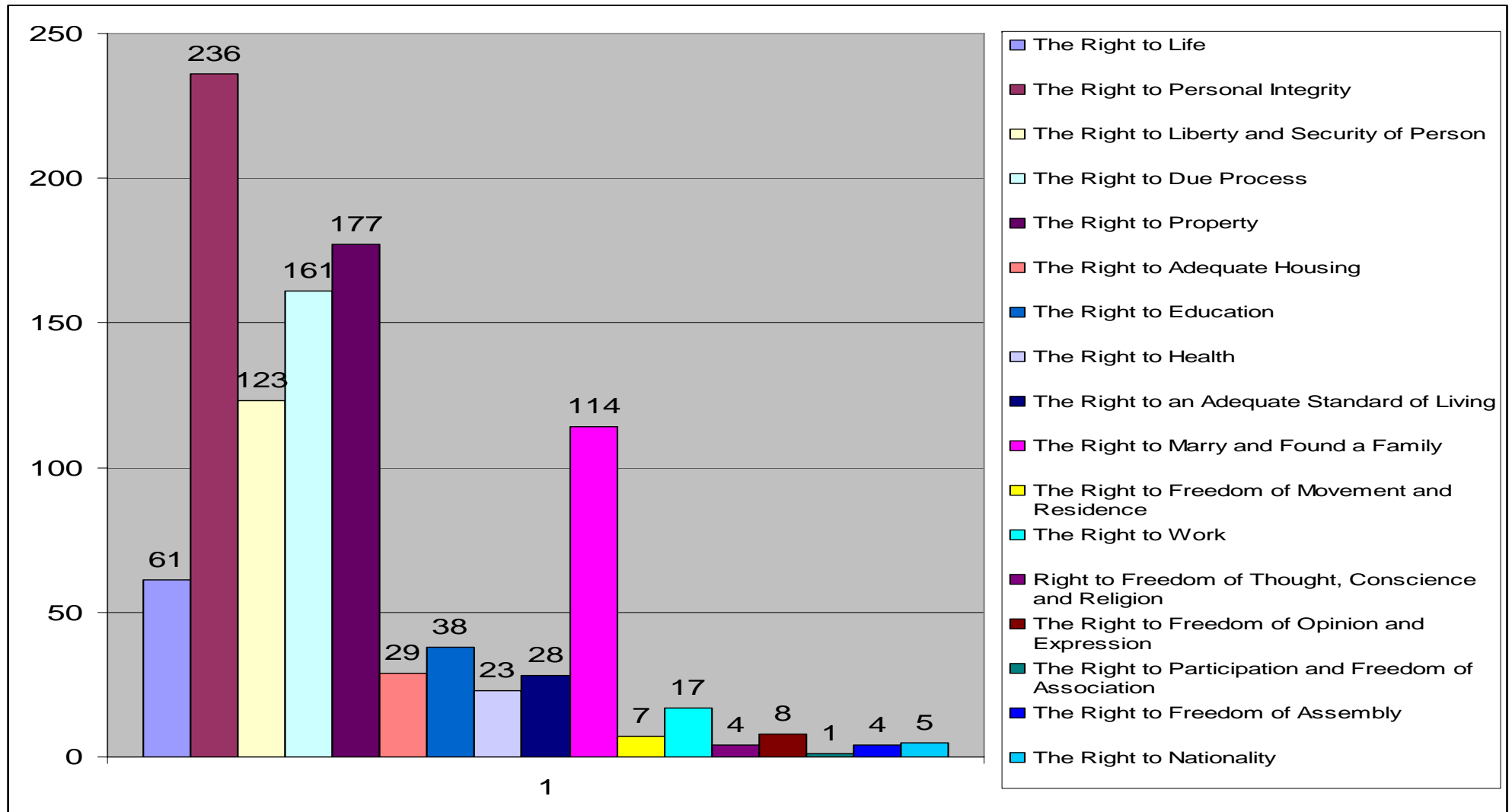
Table: Complaints and violations received, investigated and settled by the AIHRC in 2008

Period	Complaints and Violations		Investigated	Settled (closed)
	Complaints	Violations		
First quarter	182	245	182	92
Second quarter	245	276	245	132
Third quarter	238	246	237	144
Fourth quarter	250	269	223	164
Total	915	1036	887	532

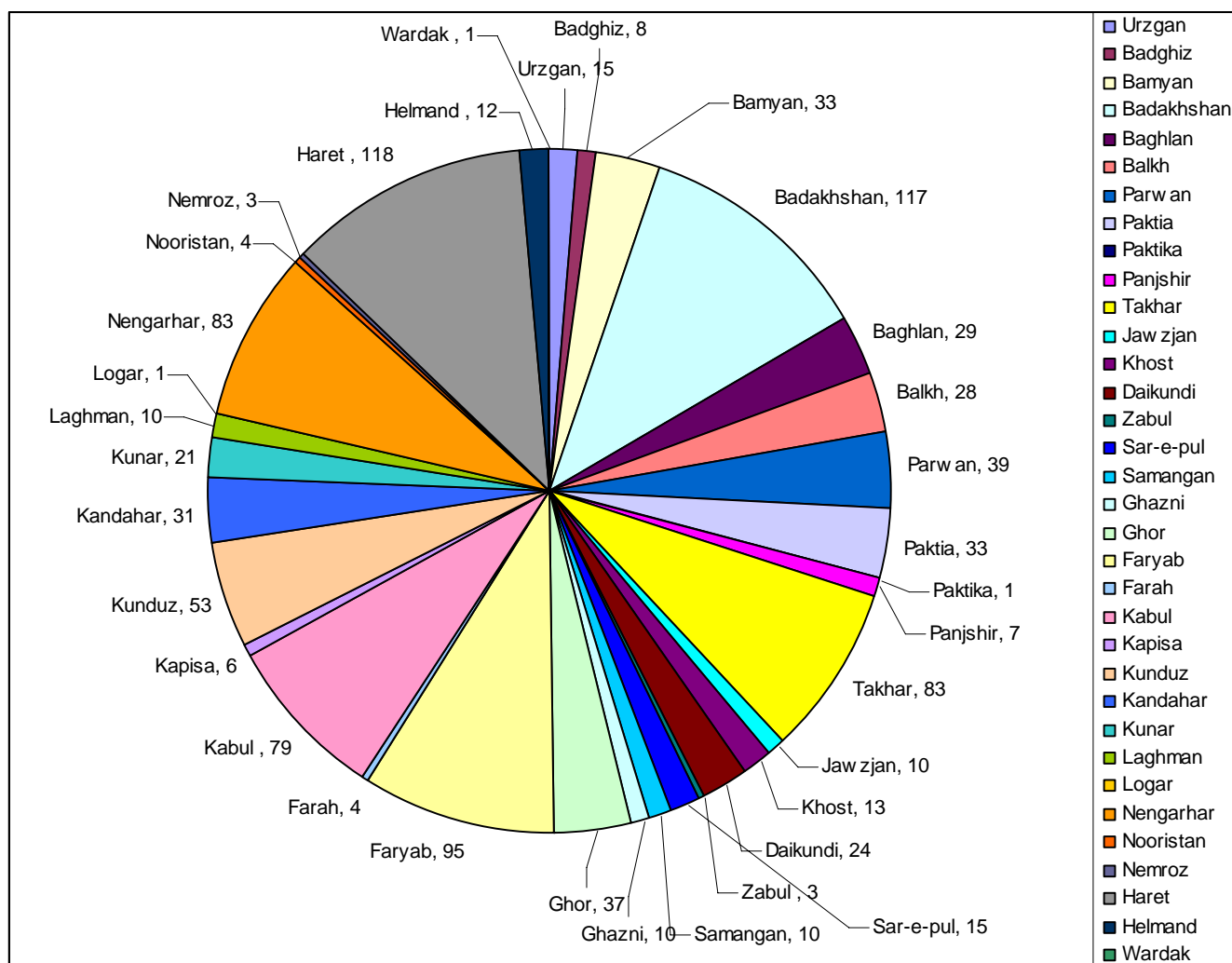
According to the AIHRC's DMU annual report of 2008, at the top of violation list have been the right to personal integrity, right to property, right to legal procedures, right to freedom and personal security and right to marriage.

The bellow chart illustrates the rights violated in 2008.

Category of the rights violated in 2008 and recorded by the AIHRC



Breakdown of violations per province



While the southern provinces remain of high concern for the AIHRC in terms of civilians affected in armed conflicts, Badakhshan, Faryab, Herat, Kabul, Kunduz and Takhar provinces in north have recorded the highest number of violations documented by the AIHRC's Case Management Database

However, it should be borne in mind that the number of violations per province may not represent the actual level of violations in a province. Several factors, such as accessibility to a province, impact the number of complaints we receive.

In 2008, the AIHRC repeatedly expressed its concern over the situation of prisons and detention centers and the security issue across the country, through sending many official letters to MoJ. Unfortunately, the MoJ did not pay due attention to the AIHRC's concerns; a lack of interest which resulted in the audacious escape of around 800 prisoners from Kandahar prison, Baghlan and Samangan as well. We hope that the MoJ officials pay attention to AIHRC concerns and correct the situation.

As a result of the AIHRC intervention, standards of prisons were found to have improved in the male's prisons in Badakhshan, Baghlan, Bamyán, Ghor, Herat Jawzjan, Kunduz, Takhar and detention centres in Kunduz, Kapisa Laghman, Takhar and Wardak 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, access to defence lawyers as well as accuracy of register books.

In December, the M&IU evaluated the situation of human rights in country's prisons and detentions centres during 2008. The result of the evaluation indicates that, despite progresses made in area of HR promotion by the AIHRC promotions units, a lot of HR violations still occur in prisons and detention centres. Torture, lack of defence lawyer, illegal arrest and captivity, and abuse of Afghanistan's legal procedures still exists. The AIHRC shared its concerns with the relevant authorities regularly and, despite their promises for cooperation, the achievements are not satisfactory. To analyze the issue of torture in the legal system of Afghanistan, a study was launched and a report was released by the AIHRC in early 2008.

Additionally, lack of professional staff in judiciary agencies is one of the most important causes of human rights violations in the country. Unprofessional staffs appointed in key judiciary positions causes delay in determining destinies of those people whose cases are under judicial proceedings. The findings were shared with the Supreme Court of Afghanistan and Attorney General's office, but more effective measures need to be taken.

During the year the M&IU, in addition to its regular monitoring missions to visit detention centres and prisons, monitored the implementation of Presidential decrees on pardoning sentenced prisoners on the occasions of national and religious days.

Additionally, the unit during the first three months of 2008, was an active member of the Investigation Commission on Human Rights Situation in Prison and Detention Centres (Hereafter referred to Investigation Commission) appointed by the Presidential decree 6,111 (dated 26/10/1386), mandated to monitor application of human rights standards in prisons and detention centres of Afghanistan. In the period, the AIHRC alongside other members of the Investigation Commission monitored prisons and detention centres in Baghlan, Jawzjan Kabul, Kunduz, Kandahar, Laghman, Nengarhar, Sar-e-Pul and Takhar provinces. The findings of the Investigation Commission will be submitted to the President in near future.

The Special Investigation Team (SIT), in close cooperation with the One World Research Institute, conducted fact-finding field missions on 50 incidents of civilian deaths as a result of NATO and Afghan government operations in Jalalabad, Khost, Kandahar, Kunar and Paktia provinces. The team also conducted several independent fact-finding field missions in Herat, Urozgan, Kandahar and Nangarhar provinces and conducted interviews with people of the provinces concerning human rights violations by the anti-governmental elements and pro-government forces.

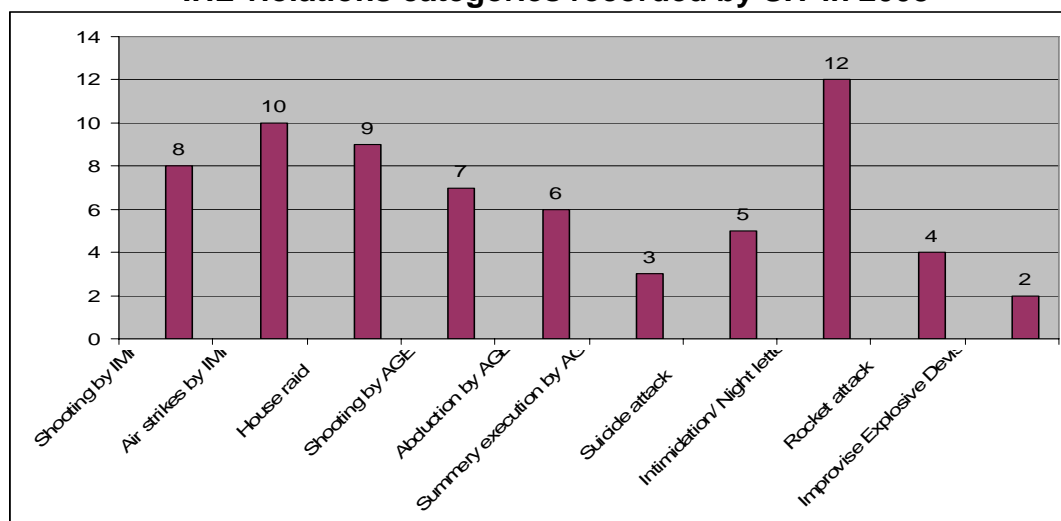
In September 2008, The SIT started to compile and analyze data and information gathered⁹ throughout the year on different incidents occurred in 2008 in which IHL standards and human rights principles were allegedly violated by both sides of the conflicts resulting into civilian casualties. The AIHRC, based on the gathered data, prepared two detailed reports; namely “Abuses against Afghan Civilians” and “From Hope to Fear” which presents the AIHRC's findings. The AIHRC has seriously expressed its concerns about the increase in civilian casualties due to ongoing conflicts in Afghanistan and its vast negative impacts upon ordinary people and the progress of reconstruction in various areas. The reports were made public through press conference on 23 December 2008¹⁰.

The unit also conducted more than 30 public outreach programs on the reports which resulted in a public debate about Taliban's activities and their abuses against civilians. The unit also conducted advocacy meetings with Afghan and International forces' focal points to follow up the recommendations of the report.

During 2008, a number of meetings were conducted with NATO and US forces in Bagram airbase. The information was shared in order to take corrective measures to avoid/reduce civilian casualties. The unit, in several meetings with the representatives of Norway, Denmark, The Netherlands, Canada and British embassies in Kabul discussed the issue of arrested insurgent suspects.

The Afghan government and the NATO forces signed an agreement in 2007 based on which the NATO forces are required to handover the insurgents whom they arrest during their operations to the government of Afghanistan. In 2008, British, Canada, Denmark, Norway, and Netherlands forces handed over a total of 330 insurgents to the government of Afghanistan. The unit registered the insurgents and followed up their transfer. The unit established a database to record the number and the type of International Humanitarian Law violated by parties involved in Afghanistan conflict. Since the establishment, the Unit has recorded 76 cases with the following break down:

IHL violations categories recorded by SIT in 2008



⁹ The team interviewed numerous victims and witnesses, tribal elders, community representatives and local government officials on the ground

¹⁰ Both reports are available at the AIHRC website www.aihrc.org.af

The Human Rights Field Monitoring (HRFM) Team:

Despite the worsening of security situation in the country, all Human Rights Field Monitoring teams in the regional and provincial offices have been conducting regular human rights monitoring missions throughout the year. They conducted 501 missions to monitor human rights situation all over the country and conducted 11,591 interviews on human rights related issues, in which 54.7 (6,345 interviews) percent of interviews were conducted with men and 45.3 (5,246 interviews) percent with women in 143 districts of 31 province in Afghanistan.

As a result of large scale monitoring missions, 74 violations of civil and political rights were identified. Through intervention of Monitoring and Investigation Unit, the cases were resolved and remedies were made to the violations. Also, 561 cases related to social and economical rights were brought to the attention of relevant government authorities.

The collected data was analyzed and made into the third report on the Economic and Social Rights of Afghans which was launched on 21 of December 2008. This report evaluates the progress and challenges faced by the Afghan government in ensuring the social and economic rights of its citizens over the course of the past year and a half, and contain specific recommendations about promoting and protecting human rights in the country¹¹.

As part of the joint field monitoring project, 164 coordination/intervention meetings were held between AIHRC and UNHCR including relevant units of the AIHRC and UNHCR. Minutes of regular meetings show a good level of communication and coordination. A number of 126 human rights cases containing 144 violations and abuses were identified and referred for follow up and intervention. Out of 126 identified human rights cases, 98 cases were followed up, 42 cases closed, 42 cases solved and another 42 cases are still pending and need further follow up.

In order to further strengthen and improve the level of coordination and cooperation between the AIHRC and the UN family (United Nations Agencies), a workshop was held at the AIHRC's Kabul regional office, in which all AIHRC M&IU senior assistants, the UNHCR protection focal points and UNAMA representative participated.

¹¹ For details of the report please visit the AIHRC website www.aihrc.org.af



The Child Rights Field Monitoring (CRFM) Team:

During the reporting period, all of the Child Rights Monitors together with Human Right Field Monitoring teams in the regional and provincial offices of AIHRC, maintained a significant field presence and conducted a total number of 419 missions in 126 districts of 30 Provinces around the country. A total number of 8,150 interviews were conducted with the children, out of whom 4,258 (52.2%) were girls and 3,892 (47.8%) were boys.

One Hundred and Thirteen (113) co-ordination/intervention meetings with UNHCR, involving relevant units of the AIHRC, were held. A number of 41 child rights cases containing 45 human rights violations have been identified, registered and referred for follow up.

According to Child Rights Field Monitoring findings, the right to marriage (13 cases), the right to education (11 cases), the right to due process (9 cases), the right to personal integrity (8 cases), the right to liberty and security of person (3 cases), and the right to property (1 cases) were found to have been violated.

Child Border Monitoring:

The Child Rights Border Monitoring Team has been regularly conducting interviews with child labourers/deportees from Iran at the border points of Turkham, Zaranj and Islam Qala. During the reporting period the AIHRC monitors conducted 2694 interviews with deportees from Iran including children and a total 619 of interviews were conducted with working children in Turkham border. The findings of the interviews were compiled in monthly reports and shared with the relevant governmental agencies.



Child laborers at Turkham Border

The Transitional Justice Unit:

The Transitional Justice Unit (TJU) develops strategies and policies to confront past human rights abuses of war crimes and crimes against humanity, and collects documentation and information about the nature, causes and perpetrators of these crimes in Afghanistan from 1978 to 2001.

Major activities of the unit during the year included the implementation of the *Key Action Three* of the Action Plan for Peace, Reconciliation and Justice through recording and documenting human rights abuses prior to 2001. Hence, the unit conducted a total of 2,320 investigations of serious human rights violations of the past. For this purpose the unit collected testimonies of more than 370 women and more than 1,950 men. Activities also included organizing 21 workshops and 115 awareness-raising meetings, at which 3,665 participants (567 women) from civil service, civil society and community elders were informed on topics such as, Action Plan for Peace, Reconciliation and Justice, truth seeking, transitional justice history, International Criminal Court and Conflict Mapping.

In March 2008, the AIHRC, in close cooperation with UNAMA conducted a coordination meeting with the national and international civil society organizations in Kabul. In the meeting, concerns over the timeline of the government's Action Plan on Peace, Reconciliation and Justice were shared. As a result, the AIHRC engaged CSOs further in TJ field and agreed to provide more technical support to CSOs on the Action Plan on Peace, Reconciliation and Justice.

In order to empower victims of the past human rights abuse, the AIHRC facilitated the formation of victim groups in Bamyan and Nengarhar provinces. It has also taken initial steps to establish, in collaboration with local people and victims, war museums in Badakhshan and Herat.

The Unit conducted at least 7 investigations on the reported mass grave sites in the north and central Afghanistan. The unit was able to collect initial information about 4 mass grave sites and completed the registry of 62 other mass-graves. The unit also lobbied the Criminal Investigation Departments of Balkh province for the protection of the mass grave sites in the province. Due to lack of a clear policy on the mass-grave site protection, some of the sites have been disturbed. To address the problem, the Transitional Justice Unit identified possibilities of engaging the Supreme Court, especially its department of Fetwa to formulate general instructions on the protection of the mass-grave sites from the Islamic point of view.

The Unit conducted an extensive assessment of its conflict mapping project. The assessment was done by the International Centre for Transitional Justice in two phases: the first phase covered the concept, methodology, and procedural aspects of the project while the second phase—which was followed by an in-depth statement taking training of the entire team of transitional justice—assessed the quality of the data collected and the conflict mapping data base. Based on the recommendation of the assessment report, both the data base and the statement taking form were revised.

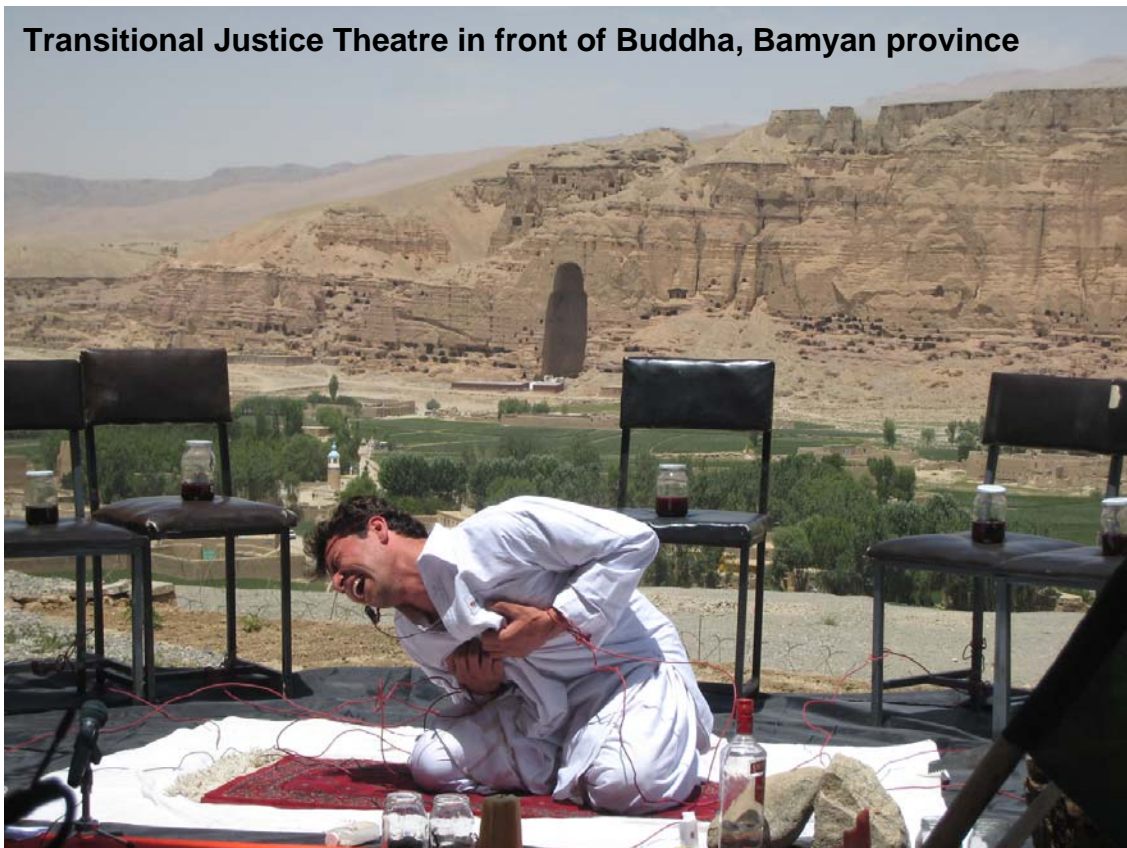
The Transitional Justice Unit continued to help the Afghanistan National Participation

Association (ANPA) as one of its partners in public information and public outreach on transitional justice, to promote the cause of transitional justice, give voice to victims and to increase awareness of the public on the Action Plan on Peace, Justice and Reconciliation through its three radio programs broadcasted each week. The slow implementation of the plan has caused disappointment amongst victims and ordinary people. Therefore, expansion of public outreach on transitional justice will remain crucial for mobilization of public opinion

The Unit provided technical support to the Foundation for Solidarity of Victims, one of its partners in victim groups, and assisted the foundation financially to print a collection of victim's stories on a booklet.

The Unit, in partnership with human rights unit of UNAMA and two victim groups launched a series of theatres on transitional justice. The main objective of the project was to create a safe space for victims in which they could discuss the past and ensure that their call for justice was not forgotten. The project was also aimed at sparking a national debate on TJ, not only with victims but also with the wider public. In the project, a total of ten TJ theatres were conducted in Balkh, Bamyán, Badakhshan, Baghlan, Herat, Kabul, Kunar, Laghman, Nengarhar and Takhar provinces.

Transitional Justice Theatre in front of Buddha, Bamyán province



The Persons with Disabilities Unit (PWDU):

The major activities of the unit, during 2008, focused on promoting the rights of persons with disabilities (PWD). A significant achievement of the PWDU is organizing 12 workshops and 83 awareness-raising meetings wherein 2,444 participants, (478 women) including community elders and government staff learned about rights of PWDs. During the year, the PWDU held regular meetings with the government officials and NGOs working with PWDs in order to establish a strong partnership to facilitate the implementation of the PWDU Action Plan for 2008 as well as to coordinate the advocacy efforts for the rights of persons with disabilities.

To increase public awareness on the newly adopted International Convention on the Rights of Persons with Disabilities (2007), the PWDU in cooperation with the Translation Unit, translated the convention in Dari, Pashto and Uzbeki languages and published it in eleven different issues of the *Hasht-e Sobh*¹² newspaper as well as in 2 series of Human Rights Monthly Magazine. The convention was also published as a booklet and printed in 5,000 copies for a wider distribution.

Moreover, the PWDU translated a “Handbook for Parliamentarians on the Rights of Persons with Disabilities” and published jointly by the United Nations, Office of the High Commissioner for Human Rights and Inter-Parliamentary Union. The manual will help Parliamentarians in monitoring the Convention on the Rights of People with Disabilities. The manual was printed in 1500 copies and distributed to Parliament members and other stakeholders.

The Dari translation of the International Convention on the Rights of Persons with Disabilities was printed in 10,000 copies in small booklets. The booklets were distributed to different organization and to people through workshops and seminars.

The unit developed a handbook called “Information on legal context of the rights of persons with disabilities”. The handbook will transfer the knowledge that is required for those who are interested to know the aspects of the rights of persons with disabilities. The handbook was printed in 24,000 copies.

In order to strengthen the capacity of the PWDU, three assistant officers, were recruited for the AIHRC’s satellite offices in Balkh, Herat, and Nengarhar.

The International Day of Persons with Disabilities, 3rd December, was celebrated by the unit in eight regional offices through conferences, meetings and round- tables. On this occasion, the PWDU produced a 40-minute documentary film showing the activities of CSOs helping PWDs. The film, directed by an Afghan woman, was made by Andisha Films. The unit also produced a 4-minute visual spot on the rights of PWDs, The film and the spot were aired on 3rd of December on various TV channels. it also produced 25 billboard posters covering different aspects of the rights of persons with disabilities. The billboards were installed in Ghanzi, Logar, Kabul, Kapisa, Parwan and Panjshir provinces.

¹² 8 AM Daily Newspaper



A disabled person delivering speech on the occasion of 3rd December , Herat

In partnership with National Blind's Association of Afghanistan, the AIHRC have started to convert the PWD convention into Braille script. The Braille version of convention will help people with visual disabilities to learn about the rights of persons with disabilities. The project will be completed by first quarter of 2009. The unit has also contracted out the translation of the convention into sign language in Dari and Pashto.

The PWDU reviewed UNMACA's proposed topics regarding the rights of persons with disabilities for grade 11th of school curriculum. The unit made recommendations and submitted a report to the Disabilities Stakeholders Coordination Group (DSCG).

The PWDU has initiated a research study aimed at assessing the level of a PWDs access to public premises, health and education services and employment opportunities. So far, the unit has finalized 4 types of formats (questionnaire) to carry out the study. The findings of the assessment will help the AIHRC to make recommendations to government on improving the accessibility of persons with disabilities.

Support Units

The Research Unit

The unit enables the AIHRC to submit well-informed opinions, recommendations and report to local, regional and national authorities related to the promotion and protection of human rights.

The unit completed five research studies concerning “Women’s Addicted to Narcotics”, “Torture in Legal Institutions”, “The Status of Persons with Disabilities in the Family and Society”, the “*Condition of Afghan Deportees from Iran*” as well as a research on the “Status of Young Married Women in the Family”.

The unit participated in the finalization of the national report on Social, Economic and Cultural Rights. It also drafted an annual report on “the situation of human rights in Afghanistan” for submission to the Parliament. The unit also produces quarterly updates on situation of human rights. The reports will help in comparative analysis of human right situation in the country.

A research on the situation of children living with their mothers in prisons and a research on children’s access to education are being finalized and will be released in early 2009.

The Database Management Unit (DMU):

The Database Management Unit (DMU), maintained, in 2008, seven data bases of Human Rights Case Management, Complaint Registration, Human Rights Border Monitoring, Human Rights Field Monitoring, Children Rights Field Monitoring, Access to Quality Education and Violation of International Humanitarian Law. The DMU stored human rights violations complaints, conflict mapping cases, and HRFM and CRFM interviews received from regional and provincial offices as well as the data of the research projects carried out by the Research Unit.

The DMU received a total of 2,308 complaints (both human rights and non-human rights complaints) and a total of 1,036 human rights violation cases from all regional and provincial offices in 2008, of which an estimated 40 percent of the data were quality checked, at the time of reporting, by a legal team who were assigned to review all the cases carefully for incomplete data.

The unit revised the Conflict Mapping forms and trained staff of the regional and provincial offices. It also developed a data-base on Intentional Humanitarian Law categories with a manual and presented them to the satellite offices. Data collection for the IHL categories continues which would assist in studying the human rights violations that occur due to the on-going conflict in country.

Meanwhile, the unit compiled and analyzed a total of 10,944 interviews entered by HRFM and 7,798 interviews conducted by CRFM on Child Correctional Centres. The analyses were used in the reporting of *Economic and Social Rights in Afghanistan*.

The unit participated in field missions to Herat, Jalalabad, and Kandahar in order to assist with the general troubleshooting of database for 2008 and to check the reports on child rights.

Translation Unit:

The contribution of the translation board, during the reporting period, consists of translating 2,428 pages of various documents from English to Dari and Pashto or vice versa. The translators also provided interpreting services during workshops and conferences.

Other achievements

Capacity building:

One of the AIHRC's main objectives in the context of the implementation of its Three-Year Action Plan 2008 -2010 is building the capacity of the Commission by recruiting consultants and training staff. During the reporting period, the AIHRC recruited four consultants and provided in-house training, sponsorship of staff to enrol in the universities of Afghanistan and also extending training for staffs abroad.

A week-long Case Analysis and Case Reporting workshop was convened for all 12 regional and provincial managers, research and policy staff, and national unit officers. The objective of the workshop was to provide an opportunity for the regional and provincial managers to learn the role of research and (writing) reports in their daily work and responsibilities towards contributing to achieve the AIHRC's goals as outlined in its Action Plan.

The AIHRC hired an international Human Rights Consultant for Monitoring and Investigation Unit under United Nations and the AIHRC Statement of Principles (SOP). He has been involved in the assessment of M&I unit at the headquarters and satellite offices covering Human Rights Field Monitoring (HRFM), Human Rights Border Monitoring (HRBM), Prison Monitoring and Data Base Management. Based on the findings, he submitted a report and recommended appropriate capacity building programmes for each category of the M&I unit staff members. The Commission will incorporate his recommendations in its Action Plan for 2009.

The AIHRC also hired a Women Rights Protection Consultant for Women Rights Unit. She revised the questionnaire for data collection on violence against women, developed a protocol/working guideline for the officers of Women Rights Unit and reviewed the unit's action plan for 2008.

Likewise, a consultant for the Research Unit was recruited to train the unit's staff on research methodologies, while building on the existing competencies and experiences, develop research designing expertise within the AIHRC and improve methods of documenting human rights abuses.

During the reporting period, capacity building workshops were provided for the AIHRC staff: A five-day workshop on Conflict Resolution and Mediation in Jalalabad. Partner organizations, such as university teachers, judges, and prosecutors, staff of the DoWA, MoJ, provincial court members, NRC and UNAMA also participated in the workshop.



Education Unit staff participating ToT workshop

The Human Rights Education Unit (HREU) conducted a week-long ToT training workshop for 26 staff members of the HREU units of regional and provincial offices on “Methods of Peace and human Rights Training”.

The HRE Unit, in cooperation with the Universal Peace Federation, also conducted a four-day capacity building workshop for the staff of the HREU at Kabul regional office on “the need for building characters and principles of a meaningful life, and life goals, causes and resolution of conflict and fostering a culture of peace through service”.

The HRE and M&I units jointly conducted a two-day training workshop for staff members WRU of all regional and provincial offices, on analysis of individual cases of violations against women, prisoners rights, and with a especial focus on the implementing of the new prison monitoring forms.

Similarly, in August 2008 a three-day capacity building workshop on “*WRU mandates, functions and approaches to handle victims of woman rights violence*” was conducted for 20 WRU staff members. The workshop focused on effective ways of protecting, promoting and monitoring woman’s rights in the country through better understanding of the WRU mandates and functions

A three-day training workshop was conducted to strengthen the capacity of all CRU staff members on the “Case Analysis and Case Reporting” in order to implement the research project on the condition of children in orphanages.

The Child Rights Advisor conducted a two-week ToT workshop to provide an opportunity for the regional and provincial CRU staff to learn how to protect the child rights, and how to institutionalize the child rights in schools, community and families, in order to bring a positive change in the behaviour of people.

A three-day workshop was conducted for child rights border monitors, in which child rights field monitors and programme managers of the relevant offices had also participated. The workshop aimed to review the child rights border monitoring questionnaire and reporting format and mechanism. Consequently, the questionnaire and the weekly reporting formats were revised. Based on the revised questionnaire a new database will be designed and installed in the relevant offices of the AIHRC.

A capacity building workshop was conducted for Child Rights field monitors and Child Rights Officers on child rights programming and interviewing skills. Child right monitors also participated in a workshop on interviewing skills and child sexual abuse conducted by UNICEF in Kabul.

A week-long "Training of Trainers", (ToT) session on child right was held for Education and Child Right units of AIHRC regional and provincial offices in two rounds. The ToT helped the education unit to carry on more extensive training sessions on child rights in their respective areas throughout the year 2008.

In order to build the capacity of AIHRC staff members in resource centres, a five-day workshop was conducted for 12 staff members on Bookkeeping, using Resource Centre Database and using movie cameras.

The ICT unit conducted a 10-day workshop to build the capacity of all regional and provincial offices secretaries on ITC related topics such as common software installation, general troubleshooting, assembling and reassembling, basic networking, and usage of VHF radios.

Sponsorship and Training Staff in Afghanistan: AIHRC has sponsored 10 staff members who are enrolled at the universities in Kabul to receive academic trainings in the areas of Finance and Information Technology. Five staff members from the offices of Kabul, Mazar-e-Sharif, Kandahar, Maimana and Gardiz received training in leadership in Afghanistan-Memphis Leadership Summit in Kabul.

Training Staff Abroad: The AIHRC's commissioners and staff members have attended several conferences and training programs, upon the invitations of various international organizations. For the more information, please see Annex I.

International Advocacy and awareness-raising on human rights situation of Afghanistan:

The AIHRC leadership and commissioners attended various international and regional events and conferences as key contributors and speakers. The AIHRC have used these events for advocacy purposes. Thus, the Commission is thankful to the organizations that hosted the events and extended an invitation to the AIHRC (See Annex II).

At the international level, Dr. Sima Samar as the United Nations Special Rapportuer and member of a high level mission contributed in the assessment of human rights situation in Darfur and the needs of Sudan in this regard. Dr. Samar visited Darfur and different provinces of Sudan and held several meetings with the governmental authorities, UN members, political parties, national and International NGOs involved in human rights issues. Dr. Samar also visited the IDP camps, and the recently burned villages due to the war. She presented a report on her findings and provided recommendations on the human rights situation in Darfur to the Human Rights Council in Geneva.

The AIHRC Commissioners participated in the following international conferences and seminars and represented the AIHRC:

The Paris Conference. The AIHRC representation ensure that the government of Afghanistan's and it's international partners reconfirm their commitments set out in the Afghanistan Compact and the ANDS in the sector of governance, rule of law, and human rights.

The 13th Annual Meeting of the Asia Pacific Forum. The AIHRC representative, inter alia, presented a report on Afghanistan human rights situation to the forum in Malaysia (28 - 31 July 2008).

The International conference on 'A Debate on Afghanistan: Is there a Political Solution?' in Madrid, Spain (from March 25 to 27). The conference was organized by FRIDE, the Canadian, and the Netherlands Embassies in Spain. The AIHRC's representative was a key speaker in a session titled: "The Prospects for Integrating a Political and Military Approach"

Afghanistan Treaty Reporting Conference in Holland. The AIHRC using this opportunity, met with officials of the Holland Ministry of Foreign Affairs on human rights issues such as "freedom of speech, threats against journalists, civilian casualties and disrespect of the humanitarian law during the conflict. The AIHRC representative requested the Parliament and Government of Holland to provide Afghanistan with further assistance in improving its human rights situation.

The 20th session of the Annual meeting of the International Coordinating Committee of National Institutions for Promotion and Protection of Human Rights (ICC) in Switzerland. The AIHRC presented its concerns on Universal Periodical Review, its management and budgets, human rights situation in Afghanistan, human rights and poverty and the rights of persons with disabilities. Also the AIHRC participated in a one-day workshop on *Universal Periodical Review* organized by the Canadian Rights and Democracy organization.

A Child protection meeting organized in Tajikstan with participants from Afghanistan, Iran and Tajikstan. It discussed the situation of Afghan refugee children in both countries and explored opportunities for possible regional level advocacy for protection of Afghan children living in both countries, mainly in Iran.

The South Asia Regional Forum on CEDAW Reporting in Delhi. It was organized by IWRAW Asia Pacific. The Afghan team come up with an initial plan to start preparation for civil society report on implementation of CEDAW. It is expected that AIHRC will be required to lead the process of reporting on CEDAW. The IWRAW Asia Pacific team promised technical support.

South Asia Forum in Kathmandu – Nepal in preparation for the world congress III on child right. The AIHRC participated in the forum.

The AIHRC provided number of briefings on the situation of Human Rights in Afghanistan to the staffers of Committees on Foreign Relation at the United States

House of Representatives and the Senate. Also the AIHRC briefed a number of congressmen and women on the situation of Human Rights in Afghanistan.

The AIHRC representative, delivered speeches in regional and international conferences and participated in panel discussions organized by the international organizations, think-tanks, universities and government agencies (e.g. aid agencies, ministry of foreign affairs) in Europe and America. The centre of the speeches has been human rights and good governance with a focus to the transitional justice and vetting.

Also the AIHRC representatives held numerous press conferences and have appeared on international media such as BBC, VOA and many other international TV channels and participated in tens of radio and TV talk shows and have been interviewed by various international print and electric media to discuss the situation of Human Rights in Afghanistan, through which the AIHRC promoted the need for the establishment of good governance and respect for Human Rights in Afghanistan.

Universal Periodic Review (UPR):

Under the new mechanism of Universal Periodic Review of human rights, Afghanistan is scheduled to be reviewed in May 2009. The AIHRC, taking the opportunity, submitted a report on the situation of human rights in the country to the Office of High Commissioner for Human Rights (OHCHR) to be considered during the state review. Furthermore, the AIHRC participated actively, as member of the steering and drafting committees, in the preparation of Afghanistan state report under UPR.

Awards and recognitions:

1. The ICC membership and accreditation

According to the recommendation of the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for Promotion and Protection of Human Rights (ICC), the application of the AIHRC for membership of the ICC was considered in its October 2007 session (22-26 October) which was given “A” Accreditation to the AIHRC, but expressed concerns on the issues of “adequate funding” to the AIHRC by the Afghan government.

The Sub-Committee also reviewed the status of the AIHRC in its session (3 to 6 November 2008), and confirmed the Status “A” accreditation of the AIHRC. But the Sub-Committee notes the following:

- 1) It expresses its appreciation to the AIHRC for carrying out its mandate in difficult and volatile political and security related context and encourages the AIHRC to continue its vigilant role in monitoring, promoting and protecting human rights. The Sub-Committee refers to general Observation 5.1 “NHRIs during the situation of coup d’etat or a state of emergency”.
- 2) It recognizes the need for the international community to continue to engage and support the AIHRC in order to ensure it receives adequate funding, until such time when the State will be able to cover the AIHRC funding. The AIHRC should ensure the coordinated transparent and accountable management of funding.

The Sub-Committee also expressed its concern over any attempt to undermine the effectiveness and independent of the AIHRC, in particular through financial or budgetary constraints and/or amendments of its legal structure. It notes that any reform, particularly to the appointment process, should only aim at enhancing the AIHRC's independence, transparency and effectiveness.

2. Asia Democracy and Human Rights Award 2008

Dr. Sima Samar, Chairperson of the Afghanistan Independent Human Rights Commission, was selected as the winner of Taiwan Foundation for Democracy's 2008 Asia Democracy and Human Rights Award (ADHRA). Dr. Samar was recognized for her contributions to advancing human rights and especially women's rights and welfare in Afghanistan. She was chosen from a pool of 30 candidates representing 18 countries, after a rigorous two-stage review process



Left to right: Speaker of the Parliament and the Director of Taiwan Foundation for Democracy H.E Wang Jin-pyng, Dr. Sima Samar and President of Taiwan H.E Ma Ying-jeou

C. Ieper City Peace Award, 2008

Dr Sima Samar, also won from among 160 candidates the international peace prize from the city of Ieper in Belgium. Thousands of people voted for their favourite, but Sima Samar won the prestigious prize with more than 48% of the vote. The peace award is given, since 1975, to people who have served their countries in the interests of peace.

Press releases:

The AIHRC took stance on various pressing human rights issues. In total, six press statements were released on abuse against civilians by parties to the conflict, the economic and social situation of Afghan citizens, statement to appeal court decision on Mr. Sayed Parwiz Kambakhsh trial, statement on civilian casualties in military

operations in Aziz-Abad village of Shendan District of Hirat province, children in conflict with law are to be rehabilitated not punished, and the assassination of Abdul Samad Rohani, a BBC reporter in Helmand.

The AIHRC Commissioners and other authorized staff were interviewed by various national and international print and electronic media on different human rights issues, concerns and events.

Advocacy efforts

The AIHRC Commissioners and Senior Management played a significant role in advocating for human rights and providing support and recommendations to the Government in policy-making during the year.

The AIHRC advocacy efforts, in partnership with the Supreme Court, resulted in a new Marriage Certificate (Nikah Nama) which was prepared, approved and launched by the Supreme Court. The Marriage Certificate is to serve as a means to reduce the violence against women in the family and protect women's rights in accordance with the human rights principles.

The AIHRC also regularly attended the Coordination Committee¹³ meetings on issues related to women's shelters. The second protocol on facilitating provision of safe shelters for women in crisis, in cooperation with the Ministry of Women's Affairs, has been prepared and will be signed in the near future.

The WRU Commissioner maintained a close cooperation with the Network of Parliamentarian Women s. She regularly attended the joint working group of civil society and the network in which issues of common interests such as the draft law on elimination of violence against women, government's budget for gender were discussed. She also assisted in preparation of the six-month work plan for the network.

The AIHRC, in close cooperation, with CSOs and The Network of Parliamentarian Women s made a revision of draft law on Shiite's Personal Affairs. The draft had several articles in conflict with Afghanistan's obligations under international human rights instruments. In this regard, several meetings with President Hamid Karzai and Head of Parliament Mr. Qanoni as well as religious leaders were held. In meetings, the AIHRC's and its partners shared their concern over the draft law. As a result of the AIHRC's advocacy effort, the President and the Head of the Parliament both rejected the draft law and asked for the AIHRC's recommendations. The AIHRC in cooperation with other stakeholders and the Supreme Court of Afghanistan are working on a draft law which will soon be submitted to the Parliament for approval.

The AIHRC continued to provide support to other stakeholders and civil society organizations. In order to support the organizations which are involved in the area of women's rights such as Rights and Democracy, Commission on Elimination of Violations against Women and the Network of Parliamentarian Women s, several meetings were held and advice provided.

¹³ Coordination Committee members are from the Ministry of Women's Affairs, AIHRC, civil society organizations and NGOs.

A meeting with the cabinet members and the Presidential Advisory Group was also held in which the women's general condition in Afghanistan, the government obligations under International conventions such the CEDAW, CRC and the 1325 resolution of the Security Council were discussed. In the meeting, a draft law on elimination of violence against women was also presented to the Presidential Advisory Group.

The AIHRC Commissioners actively and regularly participated in the meetings of the family law drafting committee, set up by the Ministry of Women Affairs supported by Rights and Democracy.

The AIHRC also participated in meetings held by civil society group on combating child sexual abuse in Afghanistan. A detailed report on quantity and quality of cases registered in the year 1387 been prepared and presented to civil society groups to be used in their further advocacy efforts with government.

The AIHRC participated in Ministers' Committee meeting reviewing the draft law on counter trafficking in persons which was held in the Vice President Mr. Khalil's office with participation of representatives of relevant government institution. The draft law will be submitted to the cabinet for approval soon.

In order to explore further technical mutual co-operation between the Mol and the AIHRC and support to the Human Rights Unit of the ministry, several meetings were held with the Minister of Interior in early and mid December 2008. The new Minister promised to structurally support the Human Rights unit of the ministry, which will soon include gender and child rights dimensions. Meanwhile the AIHRC promised to consider an enhanced training programme for 50 police officers, who will be assigned to work under this unit in the provinces. Also, to ensure an efficient communication regarding urgent cases, the minister assigned a Mol staff to function as a focal point between the Mol and the AIHRC. So far, a smooth communication and good will for mutual co-operation has emerged between the Mol and the AIHRC.

The AIHRC held several meetings with high-ranking officials the ISAF, NATO and the EU to discuss the effects of the prevailing security situation on the activities of the AIHRC offices, concerns over rising number of civilian casualties, the situation of the Rule of Law and peace and stability in the country. At the meetings, the nature of the AIHRC's cooperation with the local authorities and the ISAF-led PRT team in Uruzgan and building the capacity of Urozgan judicial staff on the rule of law, human rights and other social affairs were discussed.

The AIHRC also took active part in various meetings related to the ANDS and provided comments on human rights aspects of the strategy, including setting up a Human Rights Unit at the Ministry of Justice.

The AIHRC continued to co chair the technical advisory group (TAG) on women and children with UNIFEM, which reviews the implementation of National Development Strategy in relation to the rights of women and children.

In collaboration with civil society institutions and the Free & Fair Election Foundation of Afghanistan (FEFA), the AIHRC initiated an advocacy effort concerning Afghanistan's Election Law. The objective was to ensure the new guarantees free elections in the country.

The AIHRC continued to collaborate effectively with Ministry of Foreign Affairs on several issues, such as evaluation of the treaty report on the CESCR, the preparation of the CRC report and UPR.

Given the important role of religious scholars in the Afghan society, the AIHRC cooperated in establishing of a *Shura-e Ulema* with the of *Haj-u-Awqaf* department in Kandahar province. The Shura is expected to promote human rights and the rights of women in particular, in the province

Legal Advisory:

The Legal Advisory played a crucial role in supporting the government with drafting new laws and legislations and/or amending them. Many laws and regulations were scrutinized and recommendations were formed and presented to legislations committee members. They, inter alia, include the juvenile offenders law, the Law on Independent Election Commission, the Law on Banking and Currency Transactions, the Law of Government Procurement Procedures, the Law of Counter Human Trafficking and Kidnapping, Law of Shiite Personal Affairs, the Family Law, the law of Anti-Immoral Behaviours, the regulation of child correction centres activities, The Presidential Decree on Ban of Child Begging, the Regulations on Legal Assistance, the Law on Patronage of un-accompanied Children, the Law on Punishment of Sexual Abuse of Women and Children, the draft Law on Elimination of Violence against Women etc.

The legal advisory also prepared 77 MoUs on different issue such as cooperation and provision of technical materials to the AIHRC.

The Resource Centres:

During the year, resource centres provided human rights related books and materials as well as other informative materials through its 12 resource centres across the country to the visitors. During the year, 1,591 visitors used the centeres and were provided with 206 copies of CDs of human rights related films . Most of the visitors used both the internet and books at the AIHRC resource centres.

The register of AIHRC resource centres shows that most of the visitors were universities students and teachers of high schools, clergies and scholars. The number shows that the resource centres played an important role through providing information (books, CDs and other publications) to the people.

In order to improve the efficiency of the resource centre services, Kabul regional office resource centre was equipped with a library database. Through the database visitors can easily search and find books they need. The AIHRC will install such a database in the rest of its regional and provincial offices too.

Institutional Strengthening:

In order to strengthen its activities, the AIHRC in January 2008 prepared its 2008-2010 Action Plan. The Action Plan was presented to the donor countries in mid February 2008 which was welcomed by the donors. Additionally, the AIHRC Commissioners¹⁴ and the National Program Managers undertook several field visits to the satellite offices for assessing organizational needs with a focus on better understanding and implementation of the Action Plan. Another purpose of the field visits was to assess the present capacity of the staff and to provide suggestions for further improvements.

Similarly, to strengthen the Commission institutionally and to build on its internal capacity, the Program Manager of Bamyan regional office was transferred to the HQ to carry on the task of Research, Report and Donor Relations Coordinator. His responsibilities will, inter alia, include building the capacity of the staff in research, reporting and donor relations tasks and to ensure an efficient and coordinated approach to research and reporting and liaison with the donor community. In order to strengthen its legal advisory services, the AIHRC also recruited a senior legal advisor.

In order to strengthen the effectiveness of its programming body, the AIHRC recruited one additional program manger. In total, 43 new recruits, 16 resignations, 3 transfers, and 14 promotions were processed throughout the year.

To strengthen its daily operations, the AIHRC bought a total of 22 new desktop computers, 8 laptop computers, 8 internet switch boards, 31 UHF handsets, 1 UHF, 39 handset VHF and 13 Mobile VHF's. Similarly, to ensure the security and safety of its high level personnel, it purchased 2 bullet proof Land Cruiser vehicles.

As for upgrading its information technology, the AIHRC completed the installation of a new networking system in the new office buildings of Gardez, Herat and Kunduz. Improvements were made in the internet speed in the Headquarters and regional offices of Badakhshan, Bamyan, Gardez, Kabul, Nengarhar, Kandahar and Mazar-e-Sharif and the installation of Radio Repeaters in Badakhshan, Bamyan, Daikundi, Faryab, Gardez, Ghor, Herat, Kunduz, Kandahar, Mazar-e-Sharif and Nengarhar were completed.

The website was upgraded and updated daily. During the year, as many as 446,758 people visited the AIHRC website.

Publications: During the year, the AIHRC published the following:

Books/booklets:

- A guide book on calligraphy with (human rights massages), 5000 copies
- International Child Rights Convention, 10,000 copies
- International Convention on Elimination of Torture, 10,000 copies

¹⁴ Mr. Ahmad Fahim Hakim (Kandahar & Bamyan), Mr. A Karim Azizi (Ghor & Bulk) Mrs. Dr. Sobhrang (Nengarhar, Kunduz & Badakhshan) Mrs. Hangama Anwari (Herat & Kabul) Mr. S. A. Z Langari (Gardiz & Faryab) and Mr. Rahimi (Dakundi)

- International Convention on Elimination of Violence against Women, 10, 000 copies
- Protocol on Convention Economic, Social and Cultural Rights, 10,000 copies
- Universal Declaration of Human Rights, 10,000 copies
- International Convention on Elimination of Racial Discrimination, 10,000 copies
- Causes of Torture in Law Enforcement Agencies, 1,000 copies
- Human Rights Education Manual, 5000 copies.
- International Convention of the Rights of Persons with Disabilities, 15,000 copies.
- Child Rights Education Manual, 1,000 copies.
- History of Human Rights ,5,000 copies
- Child Rights Education Book, 3,000 copies
- Informative handbook on “ what everyone should know about PWDs ,54,000 copies
- New Afghan Constitution and law of the AIHRC, 20,000 copies
- Handbook on the rights of PWDs ,1,500 copies

Brochures:

- Marriage based on civil rights 10,000 copies
- Women’s Rights in Islam 10,000 copies.

Magazine:

- Human Rights Monthly Magazine, 220,000 copies
- Mozhda for children, an appendix of the magazine, 60,000 copies
- Background of Human Rights Days Calendar, 1000 copies.

Posters:

- Descriptions of a good school principal 10,000 copies.
- Description of a good teacher 10,000 copies.
- Torture and its effects (in both national languages) 5000 copies
- Rights of woman to education in Dari and Pashto languages,10,000 copies
- Good police in Dari and Pashto languages,18,000 copies
- Educational poster for children in Dari language,1000 copies
- Good Doctor ,20,000 copies
- PWDs poster ,12,000 copies

Reports:

- Economic, Social and Cultural Rights report III in Pashto language 1600 copies
- Annual report 2007, 1000 copies
- Status of PWD’s in the family and society, 1000 copies
- Human Rights situation in the year 1386 in Dari and Pashto languages (1500 copies)
- Call for Justice report reprinted in Dari language(1000 copies)

Additionally, during the reporting period, the AIHRC continued publishing human rights related topics in its exclusive and designated page in the daily newspaper of *Hasht-e Sobh*¹⁵ (8 AM).

Construction works:

During 2008, the construction of Kandahar office building was completed and already inaugurated and the construction of Bamyan regional office progressed by 78 percent. The preliminaries for the construction of Kabul office building have been finalized and the actual construction process will commence in the near future. Mazar Regional Office received the allocated piece of land for its office building. Likewise, Daikundi and Ghor provincial offices received the designated land from the government, however, the formalities for the processing of documentations of the lands is still in progress.

Similarly, the AIHRC in close cooperation with local population in Badakhshan province planned to construct a memorial museum for the memory of victims of past human rights violations in the province. It is worth to highlight that the land of museum was donated by a local landlord. During the reporting period, initial steps for construction of the museum such as preparation of a technical design of the building have been finalized and the construction work practically will commence in the near future.

¹⁵ www.8am.af

AIHRC Project Results and Resource Framework for 2008

Intended Outcomes

1. Functioning of the AIHRC improved through institutional strengthening and AIHRC capacities fully developed in all programme areas. 2. Public awareness on human rights and the support to human rights by governmental authorities and civil society increased 3. The human rights of Afghans are better protected. 4. Human rights situation assessed and analysed through regular monitoring of human rights violations. Ability to illustrate trends and changes in a comprehensive manner.

Outcome Indicators

Human rights increasingly incorporated in formal education and training in government agencies, particularly the judicial and security sectors. Increasingly accurate media coverage of women and child rights issues. Government ministries and departments increasingly establish and support human rights units or staff persons. Increased incidence of mullah speaking and acting in support of human rights principles. All data from complaints received through monitoring of Prisons, Detention Centres (DC) and Child Correction Centres (CCC) nationally for minimum standards and for violations of rights of prisoners and detainees are into place in a database with regular reports. Establishment and strengthening of laws to protect human rights in Afghanistan. Laws increasingly applied by police and courts. A reduction in the number of violations by government officials. Publishing of national human rights situation reports, increase in number of cases resolved, formalisation of procedures and increased efficiency.

Partnership Strategy: UNAMA, UNHCR, Ministry of Justice, Ministry of Education, Attorney General's office, Ministry of Foreign Affairs, civil society organisations, education and science academia, media, UNIFEM, Global Rights, Save the Children Sweden Norway, Katib Institute of Higher Education,

Project Title: Project in Support of the Three-Year Action Plan (2006-2008) of the Afghanistan Independent Human Rights Commission

**Intended Outputs for 2008
(Re: Outcome 1: Institutional
Strengthening)**

**Year 2008 Outputs
(related to Outcome 1)**

Indicative Activities

<p>Outputs 1.1. Capacity of AIHRC staff is strengthened. Construction activities in AIHRC satellite offices progressed. AIHRC staff is provided with better transportation means to conduct field missions.</p>	<p>Capacity of AIHRC staff from 8 regional and 4 provincial offices built on case analysis and case report, research methods, and conflict resolution and mediation; the capacity of 12 AIHRC staff raised through workshops and courses abroad, 43 staff members recruited; construction activities in Kandahar building completed and in Bamyan progressed by 78%</p>	<p>Workshops conducted in Kabul , training provided to AIHRC staff in Afghanistan and abroad, construction works progressed</p>
<p>Intended Outputs for 2008 (Re: Outcome 2: PROMOTION)</p>	<p>Year 2008 Outputs (related to Outcome 2)</p>	<p>Indicative Activities & Programme Units responsible for activities.</p>
<p>Outputs 2.1 Minimum of 16,000 people (40% women) per year or 4,000 people (including decision makers) per quarter receive information about and discuss UDHR principles</p>	<p>15,764 people (5,059 women, including mullas, ANA, ANP, teachers and students, made aware of UDHR principles, the Convention on Elimination of all forms of Discrimination Against Women (CEDAW), conflict resolution, human rights violation, forced marriages and its results, and the Convention on Torture and its principles, and their relevance to Afghanistan through 227 workshops and 266 awareness-raising meetings. 4,690minutes of TV and 12,837 minutes of radio broadcast on a variety of human rights issues including past human rights abuses, women's rights according to the principles of human rights and Islam, Justice for Children, the international day of the Child, the tradition of <i>Bad</i> from the prospective of Islam and human rights and AIHRC duties and responsibilities,</p>	<p>Afghans participating in UDHR promotion activities, public broadcasts prepared and aired from 15 provincial centres and many TV networks (Human Rights Education Unit - HREU).</p>
<p>Outputs 2.2 8,800 people (50% women) and 2,200 people per quarter (including mullah, elders and officials) informed of women's rights in Islam and VAW; awareness raised among the Afghans on women's condition in Afghanistan</p>	<p>Women's rights in Islam and CEDAW, and VAW issues and existence and purpose of AIHRC was taught to 12,875 people (3,436 men), including mullahs, elders, government officials through 94 workshops and 223 awareness-raising meetings.</p>	<p>(Women's Rights Unit - WRU)</p>

Outputs 2.3 8,800 people (50% women) and 2,200 people per quarter (including prosecutors, students and court officials), learn about child rights and the vulnerability of children in the Afghan society	Child Rights, the UN Convention on the Rights of the Child (CRC), child labour and its impact on Afghan children, and protection from child trafficking was taught to 7,589 people (3,296 women), including police, elders, prosecutors, court officials and students through 72 workshops and 190 awareness-raising meetings.	People participated in child rights promotion activities (Child Rights Unit -CRU).
Outputs 2.4 Nationwide discussions and information provided on transitional justice and its relationship to human rights. Minimum 4,000 people reached each year.	3,665 people (567 women), including civil society, governmental staff, religious scholars and community elders informed about the purpose and history of transitional justice, the International Criminal Court (ICC), and <i>A Call for Justice Report</i> , Government action on Peace, Justice and Reconciliation, conflict mapping, through 21 workshops and 115 awareness-raising meetings around the country.	Meetings held around the country with civil society to raise awareness on Transitional Justice, (Transitional Justice Unit – TJU)
Out put 2.5 2,000 people (40% women) and 500 people per quarter learn about the rights of people with disabilities	2,444 people (478 women) including community elders, government officials learned about rights of PWD, role of PWD in Society and responsibilities of the Government to support PWD through 12 workshops and 83 awareness-raising meetings.	Workshops and meetings, relevant publications and posters (PWD)
Intended Outputs for 2008 (Re:Outcome 3: PROTECTION)	Year 2008 Outputs (Related to Outcome 3)	Indicative Activities & Programme Units responsible for activities
Outputs 3.1 Prison authorities informed of failures to uphold the Minimum Standards in prisons. Improvements in standards of prisons and detention centres, child correctional centres and other government institutions (hospitals, orphanages, etc).	Improved standards of men's prisons in Badakhshan, Baghlan, Bamyán, Ghor, Herat Jawzjan, Kunduz, Takhar and detention centres in Kunduz, Kapisa Laghman, Takhar and Wardak provinces Improved, standards of women's prisons in Balkh, Badakhshan, Baghlan, Faryab, Herat, Kandahar, Samangan and Sar-e-Pul,. Improved Standards of Child Correction centres in Balkh, Baghlan, Daikundi, Faryab, Kunduz, Kabul, Kunar, Sar-e-Pul, Samangan and Takhar.	Interventions and meetings with authorities to address violations and the role of Government/prison authorities. (M&IU supported by CRU and WRU)

<p>Outputs 3.2 Investigations initiated into all verified complaints of human rights violations. All cases opened for investigation should be investigated within one month of being opened. Within 6 months of being opened, a min. 30% of cases should be closed after finding effective remedy.</p>	<p>887 complaints investigated of the 915 complaints (involving 1,036 violations and abuses) received and 532 cases resolved. 131 family disputes including VAW mediated, with feedback indicating resolution or improvement in the situation. 697 women received legal advice. Secured release of 95 illegally detained (92 men and 3 woman), 19 illegally imprisoned (18 men and 1 woman) and 107 illegally arrested (105 men and 2 women). Secured release of 160 illegally detained children (136 boys and 24 girls) in prisons, child correctional centres and detention centres.</p>	<p>Interventions with authorities to address violations and the role of the Government / local authorities in providing effective remedy. (M&IU, WRU, CRU). Complaints/Case Forms filled out and legal advice recorded. (M&IU). Mediation and facilitation to address family disputes and problems of violence and abuse. (WRU)</p>
<p>Intended Outputs for 2008 (Re:Outcome 4: MONITORING)</p>	<p>Year 2008 Outputs (Related to Outcome 4)</p>	<p>Indicative Activities & Programme Units responsible for activities</p>
<p>Output 4.1 11 hospitals monitored at the regional level for VAW. Orphanages monitored for conditions and signs of abuse.</p>	<p>29 hospitals in 20 provinces monitored for VAW. 30 Orphanages monitored for conditions and abuse.</p>	<p>Monitoring hospitals and orphanages (WRU & CRU)</p>
<p>Outputs 4.2 All women's prisons and all Child Correctional Centres (CCC) monitored. All male prisons and detention centres approached for monitoring.</p>	<p>20 Women's prisons in 20 provinces monitored according to UN Minimum Standard Rules for Treatment of Prisoners (Minimum Standards). 24 Child Correction Centres monitored. 1,366 monitoring missions conducted in prisons and detention centres in 34 provinces.</p>	<p>Monitoring of CCCs, DCs and prisons for adherence to Minimum Standards and for violations. Reporting incidents of violations. (WRU, CRU, M&IU)</p>
<p>Outputs 4.3 400 interviews (100 interviews per quarter) are conducted each year and evidence collected nationwide of past human rights abuses in Afghanistan, for conflict mapping exercise (identification, recording and documentation of cases of past human rights abuses)</p>	<p>Recorded data of past human rights violations and abuses pertaining to transitional justice, 2,320 including (370 women) victims, eyewitnesses and clergies interviewed.</p>	<p>Interviews undertaken to identify incidents of past human rights violations. Complaints/Case forms completed for entry to database. (TJU)</p>

Finance

The AIHRC had planned a core budget of US\$ 9,501,776 to implement the activities planned for the year 2008 towards achieving the objectives set out in its Action Plan 2008. The Commission was able to carry out its activities, despite the challenges caused by the deteriorating security situation in the country.

As of closing of the year, the AIHRC has spent USD 8,108,914 which makes 85.34 percent of its core budget, with a remaining budget balance of USD 1,392,862.

Table A.

Afghanistan Independent Human Rights Commission Core Fund Financial Activities For the Period from January 01 to December 31, 2008								
Activity ID	Total Budget for 2008	QUARTER EXPENDITURES REPORT				Expenditures for the Year 2008	Remaining Balance	
		Q1	Q2	Q3	Q4			
		January 01 to March 31	April 01 to June 30	July 01 to September 30	October 01 to December 31			
101	<i>Women Rights</i>	672,357	93,151	113,747	119,020	175,553	501,471	170,886
102	<i>Child Rights</i>	493,601	72,728	104,440	93,731	150,298	421,196	72,405
103	<i>Human Rights Education</i>	562,160	118,897	159,593	140,541	190,876	609,907	(47,747)
104	<i>Monitoring & Investigation</i>	520,212	103,334	158,228	147,033	130,859	539,454	(19,242)
105	<i>Field Monitoring</i>	272,715	61,395	138,511	86,648	33,761	320,315	(47,600)
106	<i>Transitional Justice</i>	440,365	114,134	110,170	99,259	88,368	411,931	28,434
107	<i>Research and Policy</i>	76,345	22,963	47,633	18,027	19,046	107,669	(31,324)
108	<i>Media and Publication</i>	1,629,068	143,747	184,482	164,640	113,033	605,903	1,023,165
109	<i>Persons With Disability</i>	322,652	45,078	48,526	43,479	120,538	257,621	65,031
110	<i>Reporting</i>	95,977	18,113	13,040	33,992	14,302	79,448	16,529
111	<i>Resource Centre</i>	31,462	4,509	7,249	8,060	8,346	28,165	3,297
112	<i>Data Base</i>	33,519	8,085	13,077	5,472	5,752	32,385	1,134
113	<i>Running cost</i>	2,993,663	837,526	738,090	857,971	1,073,108	3,506,696	(513,033)
114	<i>Governance cost</i>	357,680	61,306	103,818	83,766	89,295	338,185	19,495
115	<i>Construction New Building</i>	1,000,000	159,586	67,583	47,050	74,349	348,568	651,432
Total:		9,501,776	1,864,553	2,008,187	1,948,688	2,287,485	8,108,914	1,392,862



Table B

Donors		Total Fund Received for 2008	QUARTER CONTRIBUTION REPORT				Total Funds Contribution in Expenditures	Remaining Balance
			Q1	Q2	Q3	Q4		
			January 01 to March 31	April 01 to June 30	July 01 to September 30	October 01 to December 31		
1002	CANADA	3,959,060	497,166	329,343	808,181	512,286	2,146,976	1,812,084
1003	Denmark	1,171,370		350,055	213,980	377,159	941,194	230,176
1004	Finland	1,416,524		712,000	313,780	355,697	1,381,477	35,047
1005	Norway	771,179	254,393	271,786	98,000	136,416	760,595	10,583
1006	New-Zealand	671,766			210,900	370,161	581,061	90,705
1007	United Kingdom	211,245	100,000	24,545	43,900	38,503	206,948	4,297
1008	USAID (Construction)	126,815	112,183			-	112,183	14,632
1009	OHCHR	1,080				-	-	1,080
1011	SDC Switzerland	1,000,096	250,121		145,900	190,479	586,500	413,596
1012	Irish Aid	41,724	20,000			21,724	41,724	-
1014	Netherland	1,274,595	330,690	177,514	114,048	283,449	905,701	368,894
1015	Australia	442,944	300,000	142,944		-	442,944	0
5000	AIHRC Income	1,611				1,611	1,611	-
Total:		11,090,008	1,864,553	2,008,187	1,948,689	2,287,485	8,108,914	2,981,094

Contribution provided by Canada made up more than one third (1/3) or 35.699 % of the total budget in 2008. The contributions of other donors in percentage are as follows: Finland 12.773 %, Netherlands 11.493 %, Denmark 10.562 %, SDC-Switzerland 9.018 %, Norway 6.954 %, New Zealand 6.057 %, Australia 3.994 %, United Kingdom 1.905 %, USAID 1.144 %, and Irish Aid 0.376 %.

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


Table C.

Afghanistan Independent Human Rights Commission
Other Donors Funding Status
For the Period from January 01 to December 31, 2008



Donor		Balance from Year 2007 & Funds Received during Year 2008	Total Funds Contribution in Expenditures	Remaining Balance	VARIANCE%
200	UNHCR	450,842	386,196	64,646	14.34%
300	SCSN	105,988	43,097	62,891	59.34%
400	ADS	613	-	613	100.00%
600	Global Rights	6,255	5,879	376	6.02%
800	AREU	1,729	1,729	-	0.00%
1000	UNICEF	279,672	291,139	(11,467)	-4.10%
1100	SCA	10,490	7,242	3,249	30.97%
1200	DED	16,740	16,337	403	2.41%
1300	CIDA	26,256	26,256	-	0.00%
1400	SWEDEN	200,000	-	200,000	100.00%
1500	OS	10,000	10,000	-	0.00%
Total:		1,108,585	787,874	320,711	28.93%

Table D.

Afghanistan Independent Human Rights Commission																	
<i>Expenditures Detail for All Offices & Activities</i>																	
For the Period from January 01 to December 31, 2008																	
																	
OFFICES	ACTIVITIES FOR THE YEAR 2008																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	193,040	142,560	122,055	151,182	36,192	77,429	106,347	510,061	82,375	74,921	3,602	31,680	1,801,251	338,185	270,675	3,941,556
2	Kabul Regional Office	38,129	35,413	98,951	58,015	19,675	52,234	540		57,829		22,430	390	123,405			507,011
3	Mazar Regional Office	35,508	27,140	42,914	31,048	29,444	36,665		17,722	18,070				207,595			446,106
4	Heart Regional Office	31,506	33,076	48,731	36,255	50,976	30,537		26,795	19,773				169,846		7,988	455,483
5	Kandahar Regional Office	29,792	31,192	44,633	79,778	31,220	34,189	26	10,113	12,887				186,486			460,317
6	Jalalabad Regional Office	36,311	26,023	54,980	38,950	34,773	34,813		3,867	25,189				192,400			447,305
7	Gardez Regional Office	23,307	20,035	27,659	30,764	28,492	23,272		10,131	11,054		20	166,603		7,758		349,096
8	Bamyan Regional Office	30,754	28,827	53,807	36,708	28,582	33,814		14,960	17,402	204	275	172,793		55,111		473,237
9	Kunduz Regional Office	32,031	22,452	44,889	31,770	27,868	28,881		12,254	13,043	4,323			146,851		7,036	371,398
10	Badakhshan Provincial Office	17,540	16,568	22,549	13,423	11,535	16,640							95,927			194,182
11	Maimana Provincial Office	14,051	13,145	19,566	2,161	10,013	27,877					1,270		86,136			174,219
12	Daikundi Provincial Office	9,651	13,754	19,670	18,575	8,934	15,312	756				863	19	83,639			171,173
13	Ghore Provincial Office	9,852	11,009	9,502	10,826	2,612	266							73,763			117,830
Total Expense		501,471	421,196	609,907	539,454	320,315	411,931	107,669	605,903	257,621	79,448	28,165	32,385	3,506,696	338,185	348,568	8,108,914

- 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

The budget for the year 2009 is planned at the amount of US\$ 16,915,401 and the AIHRC may revise its budget after the mid-year evaluation of its activities towards achieving its mandate. Available funds for the year 2009 is the remaining balance of US\$ 2,981,094¹⁶, pledged funds of CAD 2,500,000 (US\$ 1,983,907)¹⁷ by Canada and US\$ 256,003 (58,000 by SDC, 198,000 by the Netherlands) and Euro 900,000 (US\$ 1,140,973.6318) by Finland totalling approximately US\$ 6,361,977.73. Therefore, the budget still faces with a deficit of US\$ 10,553,423.27. This gap is hoped to be bridged by the generous contribution of esteemed AIHRC donors.

It is worth to mention that the remaining balance of US\$ 2,981,094 also includes an amount of US\$ 395,903 withheld by UNDP since 2006. Hopefully UNDP will be able, in 2009, to adjust and clear all the remaining balances from pervious years.

To avoid any delay in the implementation of the Action Plan 2009, the AIHRC would like to encourage its generous donors to renew their next pledges as soon as possible.

¹⁶ The remaining balance of US \$ 2,981,094 also includes an amount of US\$ 395,903 withheld by UNDP.

¹⁷ Calculated at the exchange rate of 1 CAD = 0.793563 USD on 18 February 2009

¹⁸ Calculated at the exchange rate of 1 EUR = 1.26775 USD on 1 March 2009

Challenges

The AIHRC faced many challenges during 2008, 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 represent obstacles to the improvement of human rights situation during the year, either directly or indirectly.

The deteriorating security situation in Afghanistan throughout 2008 presented a serious obstacle for the implementation of activities and field missions by the AIHRC. The most insecure areas were Kandahar, Khost, Paktia, Paktika, Orozgan, Helmand Logar and Ghazni 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 taking into account regular security updates and 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.

In a very sad and tragic incident, the Provincial Program Manager of the newly established office of the AIHRC in Ghore province was kidnapped on 5th January 2008 apparently by anti-government elements. His beheaded body was found on 31 July 2008, seven months later. There have been some other indications of intimidation and threat against the AIHRC staff in other provinces too. The AIHRC has taken all available precautionary measures into consideration to ensure the safety and security of its staff members.

Other major obstacles throughout 2008 consisted of a 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. Despite the decline in the number of torture, inhumane and degrading treatment in prisons and detention centres is still practiced.

The human rights situation in Afghanistan, due to growing security deterioration and threats, absence of tangible commitment and slow pace of development programs, is showing a degrading pattern. It requires due attention from both the International community as well as the Afghan government to reverse the trend. The international community should enable the Afghan Government to be fully committed to its national and international human rights commitments and obligations. Rampant corruption, poppy cultivation and a weak rule of law system are all symptoms of bad governance and the continuation of impunity are severe blows to human rights and maintenance of law and order.

On the other hand, while the deadline for the implementation of the Action Plan for Peace, Reconciliation and Justice is over, most Key Actions of the plan have not been implemented. Afghans, especially the victims feel frustrated and disappointed over lack of attention to their rightful demand for justice. The government and the

international have to take appropriate measures to implement the Action Plan or renew its deadline.

Another matter of concern for the AIHRC is the situation of women and children. The AIHRC, in 2008, documented some of the most egregious crimes, such as rape and violence, against women and children. The AIHRC on several occasions have called on the authorities to bring the perpetrators of violations against women and children to justice.

Increase in civilian casualties due to ongoing conflicts in Afghanistan, and its vast negative impacts upon ordinary people and the progress of reconstruction in various areas of the country has been another challenge and a matter of serious concern for the Independent Human Rights Commission.

And last but not least, the AIHRC faced many challenges, in following up human rights cases, created by the government officials especially in the justice sector. The obstacles include delay in setting up meetings, insulting the AIHRC staff members and reluctance in accepting the AIHRC as a National Human Rights Institution. The AIHRC, in order to resolve the issue, informed the relevant officials by sending many letters and holding meetings with the Supreme Court. It also, when required, brought the issue to the attention of ministers and the President. Also the AIHRC invited a large number of the officials to attend human rights workshops in which, inter alia, the obligations of Afghanistan under international human rights instruments and the mandate of the AIHRC were discussed. However, such behavior remains a matter of concern and a challenge for the AIHRC.

Conclusions

In conclusion, despite the numerous challenges faced by the Commission, 2008 represented a year of significant achievements in the implementation of the Three-Year Action Plan (2008-2010) of Afghanistan Independent Human Rights Commission. The AIHRC witnessed outstanding tangible achievements in promoting, protecting and monitoring of human rights in Afghanistan. It educated thousands of people on human rights concepts, principles, standards and values, monitored the situation of human rights and investigated/resolved a good deal of cases of human rights violations, and made a difference in the daily lives of the Afghan people.

Partnerships with civil society organizations and advocacy efforts at the Government and the Parliament's level were strengthened. Several databases were developed or improved to enable an efficient and professional monitoring of human rights, and human rights related researches enabled the Commission to produce high quality reports with useful recommendations to the Government.

To enhance its institutional and professional effectiveness and efficiency, the AIHRC undertook a number of reshufflings, including recruitment of an additional national program manager, two admin and finance assistants and a senior legal advisor. It also finalized a plan to establish two provincial offices in Helmand and Urozgan.

The AIHRC wishes to acknowledge with gratitude the financial support provided by Australia, Canada, Denmark, Finland, Irish Aid, the Netherlands, Norway, New Zealand, OHCHR, Switzerland (SDC), Sweden, USAID, United Kingdom, UNHCR and UNICEF, and the technical support provided by the United Nations.

The AIHRC also wish to acknowledge the partnership with International organizations such as Afghanistan Research and Evaluation Unit (AREU), ADSI, Canadian International Development Agency (CIDA), Deutscher Entwicklungsdienst (DED), Global Rights, Save the Children Sweden-Norway (SCS-N), Swedish Committee for Afghanistan (SCA) and Open Society Institute (OSI).

The AIHRC hopes to continue its close collaboration with the Government, civil society and its donors, whose financial and technical support has so far been instrumental in the success of the Commission.

Contact Information

If you have any question or enquiries with regard to this report, please feel free to contact the person listed below:

Musa Sultani
Research, Report and Donor Relations Coordinator
E-mail: donor.liaison@aihrc.org.af
sultanimusa@gmail.com
Phone: Mobile 0799304845, Digital 020 - 2500676

Annex I

The AIHRC commissioners and staff members have attended conferences and training programs, upon the invitations of various international organizations.

- Commissioner Ahmad Farid Hamidi and Mr. Ahmad Ali, Secretary to the Chairperson, attended an essential course on transitional justice organized by the International Centre for Transitional Justice in New York from 25-28 February 2008.
- Commissioner Suraya Sobhrang attended the “International Visitor Leadership Program, Women as Social and Political Leaders” on introduction of the participants as leaders organized by the State Department of United States of America (6 – 30 June 2008).
- Sayed Abdul Qader Rahimi, the National Program Manager and Mrs. Nafisa Nezam, the Admin Rinance Manager, attended a workshop on Regional Linking and Learning Program on Human Rights based Development organized by SSRRC in India (28 May -3 June 2008).
- Mr. Shafiq Noori, Special Investigation Team Assistant attended a training workshop on International Investigations organized by IICI in Holland (26 May – 6 June 2008).
- Mr. Abdul Ahad Farzam, Monitoring and Investigation Officer at Bamyan Regional Office, Mr. Hussain Hasrat Research Assistant, Ms. Anarkaly Hunaryar Women Rights Assistant at Kabul Regional Office and Ms. Afifa Marofi Monitoring and Investigation Assistant at Kandahar Regional Office attended a sub-regional training workshop on "National Human Rights Institutions and Human Rights Defenders" organized by the APF in Qatar (22 – 26 June 2008).
- Ms. Najiba Hashimi the Women Rights Officer of Kandahar Regional Office attended the “Multicultural Nation-building for Senior Afghan Officials” organized by the Asia Foundation in Malaysia (26 July – 9 August 2008).
- Commissioner Ahmad Fahim Hakim AIHRC Deputy Chairperson, attended “The Jennings Randolph Fellowship Program in USA”. (1st August – 10 November 2008).
- Miss Parwin Rahimi, the Women Rights Officer of Bamyan Regional Office attended the 13th SANGAT Feminist Capacity Building Course on “Gender, Sustainable Livelihood, Human Rights and Peace” organized by SANGAT in Nepal (11 August -8 September 2008).
- Commissioner Nader Nadery and commissioner Suraya Sobhrang attended the “LISD Afghanistan Review Conference” organized by the LISD in Germany (4 – 9 September 2008).

- Mr. Rahmatullah Weda, Resource Centre Officer attended a training workshop on “Multimedia Local Content Production for ICT4D” organized by IICI in Nepal (22 – 29 September 2008).
- Mr. Rahman Ali Jawid, Peace Building and Conflict Transformation Trainer at Kabul Regional Office and Mr. Hezatullah Zaki trainer attended the Seventh South Asian Human Rights and Peace studies orientation course organized by the South Asia Forum in Nepal (7-21 November 2008).
- Mr. Said Abdul Qadir Rahimi Program Manager of Hirat Regional Office attended the 18th Annual Human Rights and People’s Diplomacy Training Program for Human Rights Defenders Forum, organized by Asia Pacific Region and Indigenous in Australia (24 November – 12 December 2008).
- Mr. Musa Sultani, Regional Program Manager of Bamyan regional office and the AIHRC Focal Point for UPR, participated in a regional seminar on the Universal Periodic Review (UPR) organized by the OHCHR office for South-East Asia in Bangkok, Thailand (20-21 November 2008).

*Annex II***List of partners in 2008****A. Partners in human rights education**

1. Afghan Human Rights Activists Foundation (AHRAF)
2. Afghan Human Rights Volunteers Foundation (AHRVF)
3. Atifaq-e-Islam
4. Afghan Women Network (AWN)
5. Afghan Women Skill Development Centre (AWSDC)
6. Barakat organization
7. Centre of International Journalism (CIJ)
8. Civil Society and Human Rights Network (CSHRN)
9. Co-ordination for Reconstruction of Afghanistan (CRA)
10. Foundation for Culture and Civil society (FCCS)
11. Faryad Radio
12. Free and Fair Election Foundation of Afghanistan (FEFA)
13. Ghoryan TV
14. Human Rights Research and Advocacy Consortium (HRRAC)
15. Jamal Foundation (JF)
16. National Democratic Institute (NDI)
17. Pazhwak News Agency
18. Radio Peace
19. Radio Bamyan
20. Sada-e- Zan Radio
21. Universal Peace Foundation
22. USAID
23. UNAMA
24. Women's Political Participation Committee
25. Women and Children Legal Research Foundation - WCLRF

B. Partners in women rights promotion and protection

1. Afghan Civil Society Foundation (ACSF)
2. Afghan Woman Services and Educational Centre (AWSE)
3. Afghan Woman Educational Centre (AWEC)
4. Afghan Woman Network (AWN)
5. Afghan Women Skills Development Centre (AWSDC)
6. Commission of Elimination of Violence against Women
7. HKAW (Shelter for women)
8. HAKA Shelter for Women (HSW)
9. Medica Mandiale
10. Noor Learning Centre (NLC)
11. Network of Parliamentarian Women
12. Rights and Democracy (RD)
13. Society Unit for Woman in Afghanistan (SUWA)
14. United Nations Development Fund for Women (UNIFEM)
15. United States Agency for International Development (USAID)

C. Partners in child rights promotion and protection

1. Afghan Women Carpet Network (AWCN)
2. Acshiana
3. Bahzesti Khanwada (Family Welfare Foundation)
4. Bakhter (a local NGO)
5. Foundation for Cultural and Civil Society
6. Mobile Mini Circus for Children (MMCC)
7. Save the Children Sweden-Norway
8. Save the Children UK
9. Save the Children USA
10. Saba Radio
11. United Nations International Children Emergency Fund (UNICEF)
12. UNICEF
13. UNHCR
14. Women for Afghan Women

D. Others

1. One World Research Institute
2. UNHCR
3. UNICEF
4. International Centre for International Justice
5. Afghanistan National Participation Association
6. Foundation for Solidarity of Victims
7. National Blind Association of Afghanistan