



Safety and Risk Mitigation Organization (SRMO)

# State of Human Rights Defenders in Afghanistan Two-Year Annual Report 2018-2019

March 2020

## Executive Summary

The security situation of human rights defenders in Afghanistan and the space to freely carry out their human rights work continued to deteriorate during the last two years, 2018 and 2019.

During the period 2018 and 2019, the intensified armed conflict, resulting in a record high number of civilian casualties, political instability following violence marred parliamentary and presidential elections, and peace negotiations between the USA and Taliban that sidelining women and civil society, have affected adversely the civic space in Afghanistan. In this intimidating context, civil society and human rights defenders faced restrictions on their rights to freedom of expression, associations and peaceful assembly, as well as political participation.

Although during the reporting period, the Taliban actively engaged with the US to negotiate a peace agreement, the group did not cease their activities harming and targeting civilians, including targeting individuals for their work on promoting and protecting human rights. The armed group continued to threaten, intimidate and deliberately attack Afghan voters, human rights defenders and aid workers, including medical personnel and teachers, as well as journalists and media workers.

In addition, human rights defenders (HRDs), including women human rights defenders (WHRDs), faced threats from local government officials, warlords and local commanders. Women human rights defenders also experienced threats from their own families or family members of the perpetrators or victims, as their work is deemed to be challenging for social norms and values.

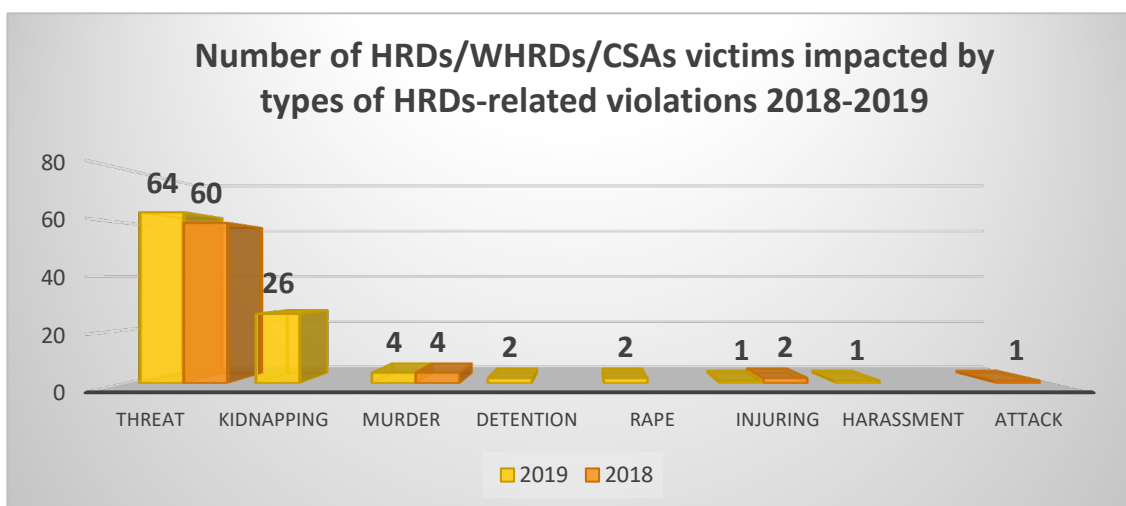
This report produced by SRMO examines the patterns of violations against the human rights defenders community in Afghanistan in the period between 2018 and 2019. It is based on data collected through SRMO's systematic research and regular communications with HRDs across Afghanistan.

## SRMO findings: Violations against Human Rights Defenders in Afghanistan

During the period 2018-2019, SRMO documented a total of **167** HRDs/WHRDs and civil society activists (CSAs) victims of abuse. HRDs faced physical attacks, targeted killings, smear campaigns/ character assassination, acts of intimidation, kidnapping, threats towards the family members and arbitrary arrest and judicial harassment. Additionally, some HRDs, especially WHRDs, were subjected to sexual and gender-based violence.

In 2019, SRMO recoded the highest number of HRDs cases/victims of abuse since 2015 when SRMO started recording cases of violence against HRDs and WHRDs. SRMO documented 100 cases of violence against HRDs and WHRDs in Afghanistan in 2019, an increase of 49 percent, comparing to 67 cases in 2018.<sup>1</sup>

HRDs victims of violence documented by SRMO in 2018 and 2019 included: women human rights defenders, midwives, grassroots civil society activists such as peace activists, staff of the Afghanistan Independent Human Rights Commission (AIHRC), lawyers, etc.



The majority of HRDs victims (88 percent) over the two-year period suffered as a result of attacks attributed to the Taliban – Taliban were implicated in impacting 147 HRDs out of the total recorded 167 HRDs victims in 2018-2019 period. According to the SRMO data, the second main perpetrators of violence against HRDs in 2018-2019 were other non-state actors and powerful warlords. State actors also subjected HRDs to human rights violations such as arbitrary arrest, abduction, judicial harassment and other forms of alleged intimidation.

In 2018 and 2019, SRMO recorded a worrying constant pattern of targeted killings of HRDs. The organisation documented four killings in each year of 2018 and 2019 – (a total of 8 HRDs were killed

<sup>1</sup> The rise of the number of cases reported to SRMO in 2019 is due to the increased insecurity and political instability in Afghanistan. Also, another factor could be that with the time SRMO expanded and strengthened contacts and communications with HRDs and CSA in the provinces and other national organisations who more regularly provide information about incidents.

during the two-year period). Taliban allegedly committed four out of the total 8 targeted killings of HRDs in 2018 and 2019, including the deliberate attack and killing of a staff member of the Afghanistan Independent Human Rights Commission (AIHRC).<sup>2</sup> In the remaining four separate cases of killing of HRDs by armed men, no one claimed responsibility. Additionally, no one claimed responsibility for the three cases of the targeted attacks injuring HRDs in 2018 and 2019.

HRDs also faced a persistent high level of threats. The majority of HRD abuse cases reported to SRMO and seeking protection assistance in both 2018 and 2019 were related to threats to personal security. Majority of threat cases were reported in the context of the large-scale Taliban assaults on the provincial capitals of Farah and Ghazni in 2018 and Baghlan and Kunduz in 2019. This led to over 100 HRDs and WHRDs fleeing the provinces fearing Taliban abusive record towards critical HRDs and women active in public sphere failing to observe strict Sharia norms prescribed by Taliban.

In addition, SRMO recorded at least 13 cases (four in 2018 and nine in 2019) of HRDs and WHRDs subjected to serious threat and intimidation, related directly to their human rights work. These acts of intimidation came not only from the Taliban and armed groups but also from government officials.

In the period 2018-2019, SRMO registered 35 cases of WHRDs impacted by HRDs-related threats and attacks, which included six targeted attacks of serious threats, harassment and sexual and gender-based violence. Two of the cases of serious threats against WHRDs were attributed to Taliban, the other three to non-state actors and one harassment case implicated government officials.

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#### **Taliban attacks on HRDs and civil society:**

In September 2019, Mr. Abdul Samad Ameri, acting head of the AIHRC office in Ghor province, was kidnapped and later killed allegedly by Taliban.<sup>3</sup>

In May 2019, Taliban carried out attack against the aid non-governmental organisation (NGO) Counterpart International in Kabul, killing eight civilians and injuring 27. The Taliban accused the NGO that it had “promoted inter-mixing between men and women” and had “groomed Kabul administration security and other personnel in implementing pro-Western objectives.”<sup>4</sup>

In 2019, more than 50 peace activists of the Helmand Peace Convoy (also called People’s Peace Movement) were kidnapped by Taliban in four different incidents, one was allegedly tortured and threatened to end his activism for peace.<sup>5</sup>

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<sup>2</sup> AIHRC linked Taliban to Mr Ameri’s murder. See: AIHRC, On the martyr of the Acting Head of Ghor Provincial Office of the AIHRC, 5 September 2019, [https://www.aihrc.org.af/home/press\\_release/8497](https://www.aihrc.org.af/home/press_release/8497)

<sup>3</sup> AIHRC linked Taliban to Mr Ameri’s murder: [https://www.aihrc.org.af/home/press\\_release/8497](https://www.aihrc.org.af/home/press_release/8497)

<sup>4</sup> UNAMA, Afghanistan Protection of Civilians in Armed Conflict Midyear Update – 2019, 30 July 2019, [https://unama.unmissions.org/sites/default/files/unama\\_poc\\_midyear\\_update\\_2019\\_-\\_30\\_july\\_english.pdf](https://unama.unmissions.org/sites/default/files/unama_poc_midyear_update_2019_-_30_july_english.pdf)

<sup>5</sup> Officials: 27 Afghan Activists Abducted By Taliban During Peace March , Gandhara – Radio Free Europe, 25 December 2019, <https://gandhara.rferl.org/a/officials-27-afghan-activists-abducted-by-taliban-during-peace-march/30344179.html> ; Taliban Takes 25 Members Of Peace Movement Apparently For Talks, Tolo News, 2 June 2019, <https://tolonews.com/afghanistan/taliban-receives-four-members-peace-movement-talks>

Violence against HRDs is widespread across Afghanistan - HRDs and CSAs remain at risk everywhere in the country due to their human rights-related activities. Activists reported threats and acts of intimidation by Taliban and other non-state actors from across Afghanistan, creating an environment of fear leading many HRDs to scale down their operations, flee the provinces, and self-censor.

During the reporting period, SRMO also recorded cases of the Afghan authorities using the state security apparatus and the judiciary to silence critical human rights defenders by threatening them with arrest and detention.

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#### Abuse against HRDs by State actors:

In November 2019, the security agencies abducted and subjected to enforced disappearance two HRDs pressuring them to renounce their findings exposing a paedophile ring in Logar implicating local authorities and education staff.

In March 2019, an HRD from a Western province of Afghanistan was continuously harassed by the prosecutor's office because of his public speeches and media interviews discussing the security situation in the province.

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The Afghan authorities continue failing to adequately investigate and prosecute perpetrators of human rights violations against HRDs and WHRDs and CSAs. No one is known to have been arrested in connection to the killings of HRDs who were attacked and killed during 2018-2019 in Afghanistan. HRDs reporting serious threats to the authorities have not been protected. This creates a climate of impunity for attacks against HRDs and further endangers HRDs as the lack of accountability and protection emboldens the perpetrators.

In the growing insecurity affecting directly and indirectly HRDs community in Afghanistan, SRMO along with other local stakeholders such as the Human Rights Defenders Committee have been assisting HRDs at risk, but there has been a lack funding for HRDs protection activities.

Foreign embassies in Afghanistan provide small and mid-size grants for Civil Society and Human Rights Organizations in the country but rarely have provided much needed financial support to organisations such as SRMO working to protect HRDs at risk. While some international and country specific funding has been allocated to promote human rights and democratic values, the donors do not seem to consider enough the connection between human rights promotion and the protection of HRDs, WHRDs and CSAs. With the prospects of national peace process and international investigations of war-related crimes in Afghanistan, it is important that more funding is made available for local organisations protecting HRDs, in order to help Afghan CSOs and HRDs to engage with these processes and promote human rights and democracy safely.

## SRMO is calling on the Government of Afghanistan, International Donor Community and Taliban to take the following measures to protect HRDs:

### **To the Afghanistan Government**

- The Government must enact laws, policies, and practices to recognize and ensure protection of the rights of human rights defenders, and implement them through the provinces.
- The Government should take seriously and ensure that each case of threats, intimidation, attacks and killings of human rights defenders and civil society activists is promptly, thoroughly and independently investigated and prosecuted. Including of incidents in which government officials are being implicated.
- Take all possible measures to ensure an enabling and safe environment for HRDs and WHRDs, including in ensuring their meaningful participation in all stages, including decision-making, at the peace process and transitional justice.

### **To the Donors and international community**

- Provide an adequate funding to NGOs working on protection of HRDs and WHRDs, with flexibility on timeframe and considering the needs of responding to emergency situations. The current lack of funding for emergency relocation endangers further the safety of HRDs and WHRDs.
- In collaboration with the civil society, including victim's groups, WHRDs and transitional justice groups, design protection strategies enabling HRDs and WHRDs to engage free from fear of reprisal or attacks at the peace process and in pursuing of transitional justice and international accountability.
- Urge the Afghan Government to take immediate steps to establish the national HRD protection mechanism for HRDs at risk; and provide technical support.
- Urge the Afghan Government to ensure prompt and thorough investigations and prosecutions of violations against human rights defenders and to stop using its security services and the justice system to harass HRDs and restrict their human rights work.

### **To Taliban and other Non-State Armed Groups**

- Immediately stop all attacks and issuing threats against human rights defenders, women human rights defenders, civil society, aid workers, and media including based on their legitimate human rights work and freedom of expression. Respect the protected civilian status of human rights defenders, including women human rights defenders, and media, under the international humanitarian law.

### **To Taliban regarding HRDs and WHRDs participation in peace process**

- Ensure and support civil society and women human rights activists unrestricted access to the peace negotiations. Strongly refrain from threatening, intimidating and attack civil society and women delegates and WHRDs in a reprisal for their participation and intervention at the peace talks. Ensure the peace deal guarantees the human rights to freedom of expression and women's human rights, including to equal participation in public and political life.