

### Organizational Background: who is SRMO and what we do:

The Safety and Risk Mitigation Organization (SRMO) is an Afghan-led NGO, established in May 2013 to provide protection to grassroots Human Rights Defenders (HRDs) at risk in Afghanistan. The SRMO's main objective is to develop and provide local protection solutions to HRDs in Afghanistan and to empower HRDs so they can safely continue their crucial work.

SRMO was established to respond to the growing threats and attacks against HRDs and Women Human Rights Defenders (WHRDs) in Afghanistan and the lack of an effective mechanism to provide them with protection. SRMO provides capacity building (including safety and risk mitigation training, first aid training and stress management), facilitates and provides emergency grants, legal aid, emergency relocation, emergency housing, safety and risk mitigation advisory, site security surveys for accommodations and offices of HRDs and WHRDs, training for unarmed security guards and for drivers supporting HRDs. SRMO particularly focuses its assistance on the local and grassroots' HRDs and WHRDs, recognizing their utmost vulnerability as being at the frontline of defending human rights. Especially SRMO focuses its resources on helping HRDS and WHRDs operating in the insecure and rural areas where HRDs have very limited or no links and contacts with international organizations or diplomatic and UN missions for protection.

#### SRMO's safety and risk mitigation services for HRDs:

- ✓ SRMO has established the Early Warning System and Rapid Response mechanisms in 2016 though the financial assistance of the Norwegian Human Rights Fund (NHRF) and since then hundreds of HRDs, WHRDs, CSOs and media workers are benefiting from our services. Through the service, SRMO is providing regular and vital security information and mitigation advice to more than 650 HRDs and WHRDs in the provinces across Afghanistan. Also, as a result of this mechanisms, SRMO provided emergency assistance including emergency relocation and medical assistance for the HRDs at risk.
- ✓ Between 2014 and 2020, SRMO had provided emergency relocation for over 143 HRDs and WHRDs from across Afghanistan who fled targeted attacks or serious threats to their lives.
- ✓ SRMO has provided regular trainings on Hostile Environment, Security, Digital and Cyber security, First aid and other forms for HRDs, WHRDs, CSOs and media workers across Afghanistan.

### About the Report Authors:

**Author: Zamarey Faqiri** is the Director and one of the co-founders of SRMO. Mr Faqiri has more than 15 years of working experience in the security and safety management for NGOs and HRDs in Afghanistan. Since 2015, Mr Faqiri has been assisting and working closely with HRDs in Afghanistan, providing regular safety and hostile environment trainings for HRDs, advising on safety arrangement for HRDs offices, managing an Early Warning System for HRDs and responding to emergency protection needs of HRDs at risk.

**Co-author: Horia Mosadiq** is one of the SRMO founders and a member of the SRMO Board responsible for donor liaison and emergency assistance for HRDs and WHRDs. Ms Mosadiq is a well-known and widely respected human rights defender from Afghanistan with more than 20 years of work experience in defending and promoting human rights and women's human rights in Afghanistan. She has an extensive experience in responding to cases of HRDs at risk in Afghanistan and has provided human rights and safety training for NGOs and civil society organizations around Afghanistan. Previously she worked as the Afghanistan Researcher with Amnesty International.

**Co-author: Sonya Merkova** is one of the co-founders of SRMO. She has over 12 years of experience in human rights, including on protection of HRDs in Afghanistan. Ms Merkova previously served with the United Nations Assistance Mission in Afghanistan (UNAMA) and worked with the Afghanistan and Pakistan Team at Amnesty International, and with CVICUS-Research Team (Afghanistan and MENA region). She holds an LLM in International Crimes and Justice and a Masters in International Politics and Human Rights.

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### Horia Mosadiq, Afghan human rights defender and SRMO's Co-Founder and Board Member:

"Despite that the peace talks are underway, the Afghan civil society is facing an unprecedented campaign of targeted killings and constant threats, aimed at silencing our voices and demands for human rights and accountability. In this crucial moment we need more than ever protection by all parties to ensure we can freely discuss Aghan victim's grievances and defend our basic rights and freedoms."

### 1. Report Summary and Recommendations

The year 2020 was the deadliest for the Afghan Human Rights Defenders (HRDs) and Civil Society since SRMO started documenting cases of attacks and threats against HRDs and civil society activists (CSAs) in 2015. Amidst the peace negotiations with the Taliban – marked with the signing of the US-Taliban peace deal in February 2020 and the commencement of the intra-Afghan peace talks in September 2020 - SRMO recorded the highest number of targeted killings of HRDs and CSAs in Afghanistan. As the Afghan government fails to provide urgent protection for HRDs, this alarming trend continues through 2021, spreading fear and panic among the civil society and prompting scores of HRDs/CSAs to seek leaving the county and self-sensor for protection. This intimidating reality for HRDs and CSAs, has a devastating impact on freedom of expression and as a consequence will further hamper the meaningful inclusion of the CSO's and their voices in the peace process discussions.

SRMO documented a total of **55 cases** of violence and abuse against HRDs and CSAs for the period between January and December 2020: **19 HRDs and CSAs were killed** including two of their family members, mainly as a result of targeted attacks against them. This is a five-fold increase of HRDs' deliberate killings comparing to 2019 when SRMO recorded four killings of HRDs. Among the CSOs who were deliberately killed, there were three WHRDs, peace activists and two AIHRC staff. In addition, SRMO recorded 32 cases of HRDs and CSAs who suffered injuries due to attacks, serious threats, intimidation, detentions, kidnapping and harassment. CSAs have been intimidated and attacked for who they are, for the human rights values they defend and for their legitimate civic work. The attacks and abuse against civil society is widespread across Afghanistan, with seven of the targeted killings occurring in Kabul. In the provinces HRDs and CSAs are even more vulnerable to threats and abuse due to the lack of protection and higher insecurity. In 2020, SRMO relocated and provided immediate safe shelter to seven HRDs and their families fleeing serious threats by the Taliban in Uruzgan, Takhar, Farah and Nangarhar.

In 18 of the 55 cases of attacks and abuse against HRDs and CSAs recorded by SRMO, victims accused the Taliban; mostly these cases related to threats, kidnapping and two deliberate killings and an assassination attempt of CSAs. A new worrying trend emerged in 2020, where there has been no admission of responsibility for a wave of targeted attacks and killings of HRDs. For 25 of the cases of threats, intimidation and majority (16) of the targeted killings against HRDs and CSAs no one admitted

responsibility until now. This new tactic aggravated the fear among CSAs community and made more difficult the protection for CSAs. In addition, SRMO recorded at least nine cases of human rights abuses against civil society and HRDs by Afghan authorities through arbitrary arrests, intimidation and judicial harassment, which were in connection to CSAs legitimate activities and their right to freedom of expression and assembly.

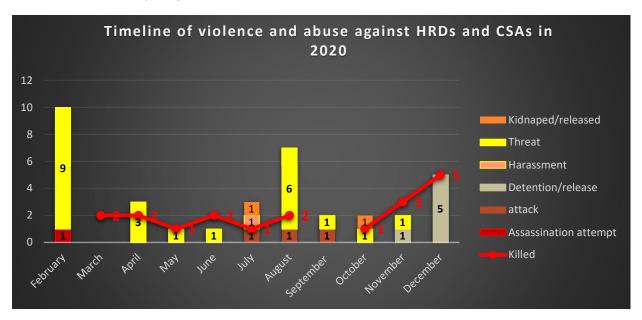
Especially worrying is that the spikes of attacks against civil society, recorded by SRMO, coincided with the peace negotiations phases. The targeted attacks against HRDs and CSAs, by magnetic bombs often attached to their cars or shooting to kill tactic, dramatically increased since the commencement of the peace negotiation between the Afghan Government and Taliban in September 2020, as SRMO documented nine such cases for the period October-December (five killings of HRDs occurred in December). SRMO data also revealed patterns of significant increase of threats and attacks against HRDs and CSOs around the peace negotiations, in February (as the US-Taliban concluded their peace negotiations) and in August (prior the start of the intra-Afghan peace talks in September). The majority of the threat cases during the peace negotiations in February and September were attributed to the Taliban. For example, in February, a group of seven HRDs and WHRDs vocal on women's rights, human rights, peace and transitional justice, received a threatening letter apparently stamped by the Taliban Military Council, warning them of severe punishment if they do not stop "spreading anti-Islamic values".

While the Afghan government blames the wave of unclaimed attacks against the CSAs on Taliban and the Haqqani Network, the Government has failed to investigate, identify the perpetrators, and respond to these blatant attacks and threats against HRDs and CSAs.

SRMO welcomes the establishment by the government of the HRDs National Protection Strategy launched in January 2020, in response to the persistent calls for protection by the Afghan civil society, and the setting up of the Joint Commission on protection of HRDs in December 2020. However, in practice nothing has changed so far to enhance the protection and safety of HRDs. The primary responsibly lies with the Afghans government to protect the right to life of its citizens and promptly investigate and provide remedy to the victims of human rights violations, as well as to respect and protect the right to freedom of expression and peaceful assembly and association.

Additional strain to the protection of HRDs was caused by the COVID-19 crisis and the diminishing international humanitarian support for the promotion and protection of human rights in Afghanistan, as international donors seemed more reluctant to support HRDs and WHRDs. Most of the donors have focused their decreasing resources on funding the peace-building activities, while the promise of the promotion and protection of human rights has been downgraded significantly. Hence, local organizations providing relief and protection to HRDs, which are highly dependent on international relief providers, have faced significant challenges to respond to the ever-growing protection needs of HRDs. Despite the little funding, SRMO still continues to provide life-saving safe house for HRDs and CSAs at immediate risk, and in 2020 accommodated a limited number of HRDs and their families escaping serious threats. With the start of the complete withdrawal of the international military forces in 2021, HRDs are ever more

vulnerable as the conflict is likely to intensify and critical voices are being targeted for intimidation and assassinations with impunity.



### Recommendations: protect HRDs and civic space for inclusive peace negotiations

In the current crucial historical moment for Afghanistan with the progress of the intra-Afghan peace process and to uphold the promises of inclusive process, SRMO urges the Afghanistan government, parties to the armed conflict and the international community to urgently implement the below practical recommendations. This will guarantee that the Afghan civil society and human rights defenders, including women human rights defenders, and victims' groups, will enjoy a safe space to participate meaningfully in ensuring a just and sustainable peace that will guarantee the rights of all groups of the Afghan society.

### **To the Afghan Government**

- Step up efforts to protect Human Rights Defenders, investigate and bring the perpetrators of threats and deliberate attacks against HRDs and civil society to justice, regardless of whether the perpetrators are state or non-state actors.
- Implement the HRDs National Protection Strategy and develop a protection mechanism, which also responds adequately to emergency cases and put in place preventative protective measures in consultations with HRDs and according to the humanitarian standards.
- Ensure inclusion and safe space for HRDs and CSOs to participate meaningfully in the peace process.
- Ensure that women's rights and civic freedoms including freedom of expression are addressed during the negotiations and guaranteed in the peace agreement with the Taliban.

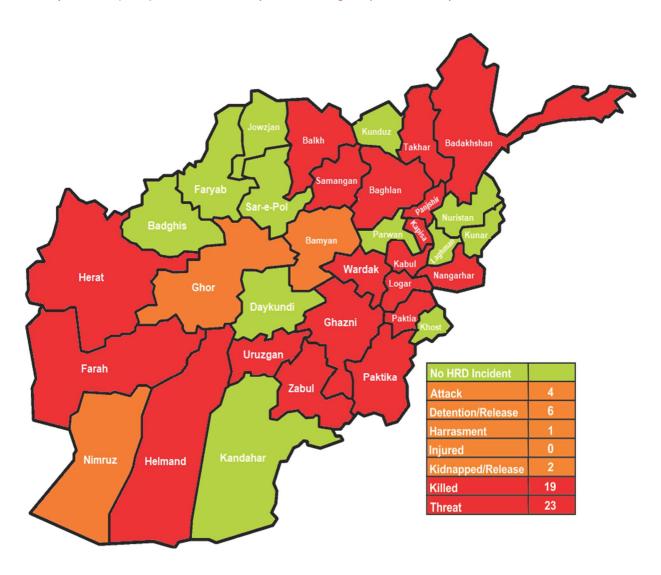
#### To the Taliban

- Taliban leadership must investigate and publicly condemn the attacks against Afghan human rights defenders by the Taliban members and make it clear to their fighters and commanders that such attacks will not be tolerated.
- Immediately stop all attacks and issuing threats against human rights defenders, women human rights defenders, civil society, aid workers, and media and respect their legitimate human rights work and freedom of expression.
- Ensure WHRDs and HRDs have the space free from intimidation to participate in the peace negotiations and ensure they are not targeted as a consequence of expressing critical opinions.
- Urgently issue instructions to local commanders to respect the protected civilian status of HRDs, WHRDs, CSAs, and journalists guaranteed under the international humanitarian law and condemn such attacks with the strongest terms.

### To the Donors and International Community

- Allocate adequate financial resources for Afghan NGOs who are working for the protection of human rights defenders, so that they can continue providing their vital services for HRDs and civil society at risk.
- Publicly condemn attacks against human rights defenders in strongest terms and show that you care and will not tolerate any attack that is undermining the fundamental principles of human rights and democratic values such as freedom of expression and association.
- Issue emergency visa for the human rights defenders at risk to save their lives.
- 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.
- Urge the Taliban to immediately cease attacks against HRDs, WHRDs, journalists and civil society and respect their rights to freedom of expression and their civilian status in the armed conflict.
- Regarding the national peace process, urge the Taliban and the Afghan Government to ensure meaningful and equal participation at all stages of the negotiations of civil society, including victims' groups and women human rights defenders.

Map of Afghanistan showing the geographical spread of threats and attacks against HRDs/WHRDs and civil society activists (CSAs), as documented by SRMO during the period January-December 2020.



### 2. Methodology

This report is based on detailed research and documentation by SRMO of 55 cases of mostly direct abuse and attacks against human rights defenders (HRDs), women human rights defenders (WHRDs) and civil society activists (CSAs) in Afghanistan, between January and December 2020. Through this period, SRMO has been regularly monitoring the general security situation affecting HRDs an CSAs in Afghanistan and directly assisted HRDs at imminent risk. SRMO has been in contact with hundreds of CSAs and HRDs through its Early Warning System and Hostile Environment Trainings across Afghanistan, which allowed the SRMO to systematically monitor and record the main trends and specific cases against the civil society. Sources of information include the HRDs victims, their family members, wider HRDs community, media and other CSOs organisations. The attribution of responsibility to the relevant actors have been based on the victim's testimonies; in addition, SRMO had access to some threat letters by the Taliban (when the threats were issued in writing).

### A note on the figures used in the report:

The number of cases of abuse and attacks against HRDs/WHRDs and CSAs discussed in this report are not exhaustive. Based on its systematic monitoring of the situation on the ground and regular communication with HRDs/WHRDs, SRMO believes that the actual number of attacks and threats against HRDs, WHRDs and CSAs is much higher. SRMO observed that there is a low self-care awareness and reporting by HRDs and CSAs of threatening incidents, especially among WHRDs and civil society in the provinces.

However, the data recorded by SRMO provides a plausible indication of the patterns of abuse that HRDs, WHRDs and CSAs face on daily bases due to their human rights work, and presents an indication of the gravity of the harm civil society experienced in 2020.

### Who are Human Rights Defenders?

When assessing and documenting cases for this report, SRMO has used the definition of HRDs, provided by the United Nations Declaration on Human Rights Defenders.<sup>1</sup>

According to the UN definition the term of "human rights defender" is used to describe people who, individually or with others, act to promote or protect human rights in a peaceful manner. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights. Human rights defenders can be anyone, and HRDs are defined above all by what they do, based on assessment of their actions and of some of the contexts in which they work. Common to most defenders are a commitment to helping others, a commitment to international human rights standards, a belief in equality and in non-discrimination, determination and, in many instances, tremendous courage.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (commonly known as the "Declaration on human rights defenders").

<sup>&</sup>lt;sup>2</sup> See: https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx

# 3. Security and political context impacting HRDs' safety and civic space

The operational and civic space for civil society and human rights defenders (HRDs) continued to deteriorate in Afghanistan amidst the ongoing armed conflict and increased attacks deliberately targeting activists and critics.

The peace deal signed between the United States and Taliban in February 2020,<sup>3</sup> failed to bring a ceasefire and the violence largely affecting civilians in Afghanistan continued. Since the start of the Afghanistan Peace Negotiations between the Afghan government and the Taliban in September 2020<sup>4</sup> in Doha, Qatar, armed groups stepped up attacks deliberately targeting civilians.

For the period, from 1 January to 31 December 2020, UNAMA documented 8,820 civilian casualties (3,035 killed and 5,785 injured). According to UNAMA, anti-Government Elements were responsible for 62 per cent of the civilian casualties,<sup>5</sup> while the Taliban continued to cause the most civilian casualties of any party to the armed conflict.<sup>6</sup> UNAMA documented a concerning trend of considerable increase of civilian casualties by 45 per cent since the start of the intra-Afghan negotiations, mainly due to the use of improvised explosive devices (IEDs) and targeted killings by anti-government groups. Among civilians who were deliberately targeted by armed groups were media workers, civil society activists, teachers, and members of the judiciary and the civilian government administration, religious leaders, tribal elders. The Taliban were found responsible for nearly half of the civilian casualties from attacks deliberately targeting civilians, and 29 per cent were attributed to ISIL-KP. However, UNAMA recorded an increased number of deliberate attacks that have not been claimed by any of the Anti-Government Elements.

Anti-government groups continued to deliberately target scores of healthcare workers and hospitals, and education centers and teachers, as well as NGOs. The International NGO Safety Organisation (INSO), an international NGO dedicated to support the safety of aid workers in insecure contexts, recorded 180 attacks against NGOs in Afghanistan, including 14 killing, 27 injuries and 42 abduction of NGOs staff. The increased use of targeted attacks coupled with the lack of claim of responsibility added to the environment of fear and intimidation among CSOs and HRDs. As a result of the increased risks and attacks and with the lack of prospect of protection, many HRDs left their homes to seek protection of themselves and their families and continued to self-sensor. 8

<sup>&</sup>lt;sup>3</sup> BBC, Afghan conflict: US and Taliban sign deal to end 18-year war, 29 February 2020, https://www.bbc.com/news/world-asia-51689443

<sup>&</sup>lt;sup>4</sup> Al Jazeera, *Talks between Afghan government and Taliban open in Qatar*, 12 September 2020, https://www.aljazeera.com/news/2020/9/12/talks-between-afghan-government-and-taliban-open-in-gatar

 $<sup>^{5}</sup>$  See: UNAMA/OHCHR, PROTECTION OF CIVILIANS IN ARMED CONFLICT ANNUAL REPORT 2020, February 2021, available

https://unama.unmissions.org/sites/default/files/afghanistan\_protection\_of\_civilians\_report\_2020\_revs3.pdf 
<sup>6</sup> Ibid.

<sup>&</sup>lt;sup>7</sup> INSO, INSO Key Data Dashboard, https://ngosafety.org/keydata-dashboard/

<sup>&</sup>lt;sup>8</sup> UNAMA, Special Report-killing of human rights defenders and journalists 2018-2021, 14 February 2021, available at:

In addition, civil society, including women's groups and human rights defenders including those representing victims, continued to be sidelined in the ongoing peace process. Critical voices regarding the peace negotiations and deals with the Taliban have been restricted. For example, during the Loya Jirga (a traditional grand assembly) convened in August 2020 to consult on the release of 400 hard-core Taliban prisoners and the intra-Afghan talks, an MP Belqis Roshan was dragged out of the venue after she protested the release of Taliban prisoners during President Ghani's opening speech, by another woman, that she believes is an employee of the State Ministry for Peace Affairs. This case is illustrative of the challenges and restrictions HRDs and especially women's activists face when they are critical and speak out, especially when promoting human rights and women's rights, as they are often accused of promoting Western values and have been threatened as a result of the growing violent extremism in Afghanistan.

# 4. SRMO's 2020 Findings: unprecedented growing attacks against HRDs and CSOs

During the period from January to December 2020, SRMO documented a total of 55 cases of violence against HRDs and WHRDs in Afghanistan, which includes 39 male and 16 female CSOs and HRDs. The year 2020 was the deadliest for HRDs in Afghanistan since SRMO started recording cases of violence against HRDs and WHRDs in 2015. In 2020, SRMO documented a total of 19 HRDs and CSOs killed, 18 of whom as a result of a targeted attack, and in addition three of the HRDs' family members were killed. This marks a sharp increase of deadly attacks on HRDs, comparing to 4 cases in each of the previous two years of 2019 and 2018 recorded by SRMO.<sup>10</sup>

Most HRDs were killed either by magnetic bombs attached to their cars or were shot. For example, two staff members of the AHRC, Fatima "Natasha" Khalil, a Donor Liaison Officer, and the driver Mr. Jawid Folad were killed after the explosion of a magnetic bomb attached to their car, in June 2020 in Kabul. In December 2020, also in Kabul, Yusuf Rashid, Director of Free and Fair Election Forum of Afghanistan (FEFA) and his driver were killed by unidentified gunmen. No one has admitted responsibility for these attacks, and few months later the Government has still not identified any possible perpetrators.

In addition, HRDs and CSOs were subjected to physical attacks, threats, kidnappings, abductions and arbitrary detention, intimidation, judicial harassment, smear campaigns/ "character assassination" aimed at damaging the reputation and credibility of CSAs, threats and attacks against CSA's family members as a tool of retribution, and judicial harassment against HRDs. Threats remain a highly used tool aimed at suppressing critical voices, as 23 HRDs and CSOs reported to SRMO facing serious threats due to their work. To protect HRDs and CSOs who have been subjected to serious threats apparently by the Taliban, SRMO sheltered altogether seven CSOs/HRDs and their families (in total 35 people) from different locations – from Kabul, Uruzgan, Takhar, Farah and Nangarhar.

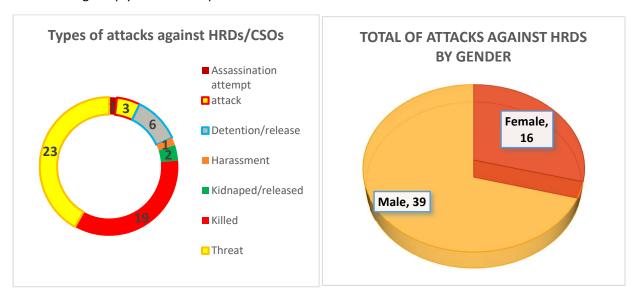
https://unama.unmissions.org/sites/default/files/unama special report killing of human rights defenders and journalists in afghanistan 2018-2021 february 2021.pdf

<sup>&</sup>lt;sup>9</sup> Tolo News, <u>Protesters at Jirga Claim Mistreatment</u>, 8 August 2020, <u>https://tolonews.com/afghanistan/protesters-jirga-claim-mistreatment</u>

<sup>&</sup>lt;sup>10</sup> See SRMO's Annual Report -State of HRDs in Afghanistan 2018-2019, available at: <u>2018-2019 – Safety and Risk Mitigation Organization (srmo.org)</u>

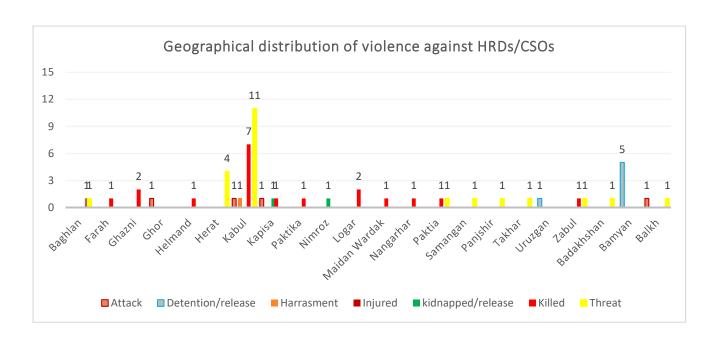
The family members of the HRDs were increasingly attacked in 2020. SRMO documented three cases of direct attacks against the family members of the HRDs/ WHRDs in 2020. It is believed that these attacks were related to the work of the HRDs as a warning or retribution against the HRDs.

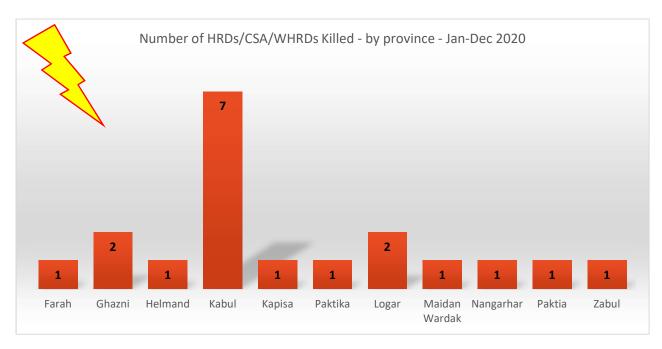
Additionally, some WHRDs faced threats from their own family or community members, as by being active in the public life and with their women's rights work, they have been deemed as challenging or undermining deeply entrenched patriarchal and Islamic norms.



Attacks and violations against HRDs and CSOs have been widespread across Afghanistan. SRMO documented killings of HRDs from different locations, but most of the reported cases of targeted killings of HRDs were from Kabul and other parts of the central region (from the 11 CSAs killed in the central region, 7 HRDs were assassinated in Kabul); followed by five HRDs/CSAs killed in the eastern region, two in the south (Helmand and Zabul province) and one in Farah province in the western region. In Kabul, also HRDs and CSOs reported the higher number of threats - SRMO recorded 11 cases of threats against HRDs in Kabul, followed by four in Herat.

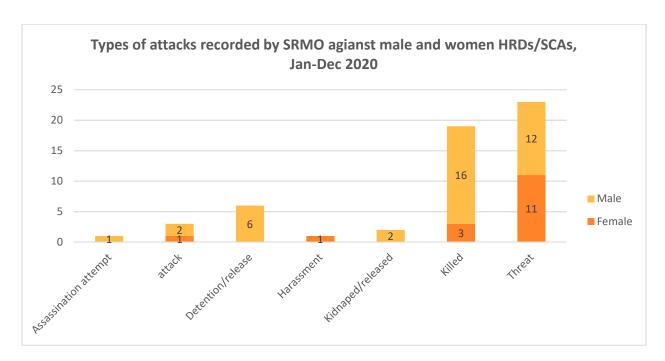
The recording of high number of cases of attacks against CSOs and HRDs from Kabul, which is considered relatively safe comparing to the provinces, reveals the alarming danger faced by HRDs and CSOs in Afghanistan. The high records of cases from HRDs/CSAs from Kabul can be explained also with the higher number of HRDs/CSOs residing in Kabul, as with the increased hostilities in the provinces many CSAs have fled to Kabul, hoping they might be safer and better protected by the authorities. Also, HRDs/CSAs at national level are more outspoken and have a higher level of awareness of their rights and protection mechanisms and are more likely to report threats and attacks against them, comparing to the HRDs in the provinces who have increasingly choose to keep low profile to be able to continue their work.



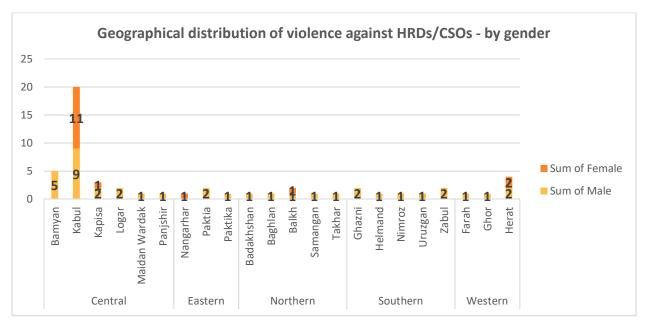


### Types of attacks against HRDs/CSOs and gender dynamics

SRMO's data shows that in 2020, both men and women were targeted for assassination and threats. Majority of the cases of WHRDs documented by SRMO consisted of cases of threats (70% of women cases) and 3 WHRDs were killed; while male HRDs/CSOs represented the higher number of cases of deliberate killings (46%) while also experiencing different threats for their work. Additionally, male HRDs/CSOs were subjected to kidnappings by armed groups and arbitrary detention by state forces as well as judicial harassment.



WHRDs and female CSAs reported threats and attacks mostly from Kabul, as well as some from Herat, Balkh and Nangarhar, while male HRDs and CSAs had reported abuses from many locations across Afghanistan. The lower levels of reporting by WHRDs from the provinces, also could be due to the patterns observed by SRMO that WHRDs in provinces work under the radar trying to evade threats and attacks, given the conservative environment and increasing violent extremism especially in the rural areas, coupled with more limited knowledge and access to protection mechanisms.



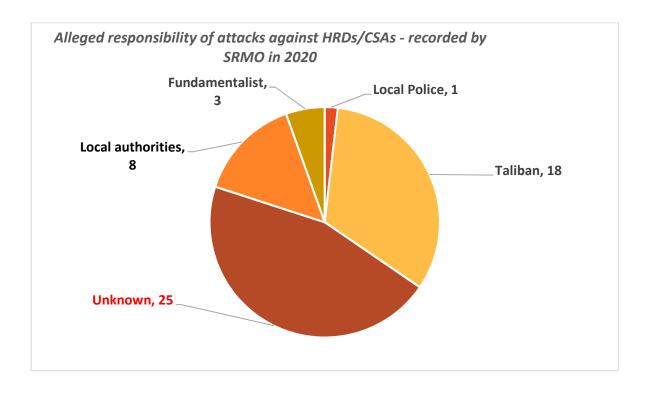
Often WHRDs in Afghanistan have been targeted for who they are and the values they stand for, as women civil society activists have been mostly at the forefront of calling of women's rights in the negotiations with the Taliban and leading the campaign for transitional justice and accountability in Afghanistan.

Highlighting the risks to WHRDs is a threatening letter issued apparently by the Taliban in February 2020, targeting seven prominent HRDs and civil society activists, four of whom were outspoken WHRDs. The group was accused for "spreading anti-Islam values" "under the name of peace, women rights, youth rights, elections". <sup>11</sup> (see more about the letter below).

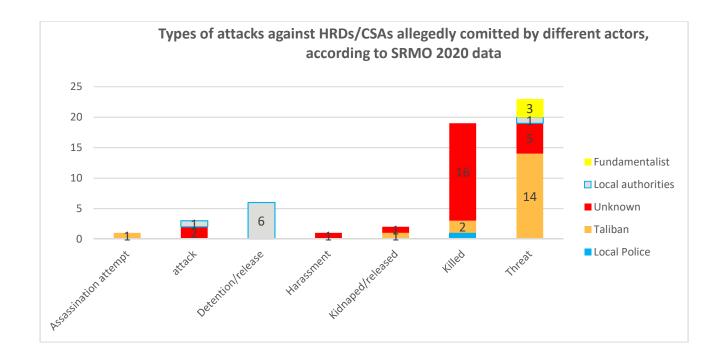
Alleged perpetrators of attacks and abuse against HRDs/CSAs

Half of the incidents of abuse against HRDs/CSOs, consisting mainly of the targeted killings, that were documented by SRMO, have not been attributed to any group or perpetrator; and no group has yet admitted responsibility. However, some of the victims of the targeted killings had a record of being threatened by the Taliban or other armed insurgent groups in the past.

According to the victims and information gathered by SRMO, 18 of the cases of abuse against HRDs/CSAs were attributed to the Taliban, while the Afghan authorities were implicated in 9 cases. Taliban were mostly alleged for carrying out threats of HRDs/CSAs. Two of the total 19 cases of killing of HRDs/CSAs were attributed to the Taliban; police were alleged for committing one of the killings of CSAs but the circumstances around the case were unclear and there has been no investigation yet. For the remaining 16 HRDs/CSAs targeted killings of HRDs/CSAs no one has admitted responsibility. In addition, the Afghan authorities were allegedly responsible for threatening, attacking CSAs/HRDs and for detaining 6 HRDs/CSAs in relation to their civic activities.



<sup>11</sup> The letter contained a stamp apparently by the Military Council of the Islamic Emirates and was dated of 26 February 2020. A copy of the original letter has been seen by SRMO.



A major problem for the safety of HRDs in Afghanistan remains that the Taliban and other armed insurgent groups do not respect the legitimate human rights of HRDs and civil society which is to promote and protect human rights. Non-state armed groups continued to threaten including with death, HRDs/WHRDs and CSAs if they do not stop their work, often accusing them of spying, promoting Western culture and Anti-Sharia values or being part of the "Western propaganda" in Afghanistan.

On 26 February 2020, a threatening letter was issued apparently by the Taliban targeting seven prominent HRDs and civil society activists, outspoken on human rights, women's rights, transitional justice and critical of the abuses committed by the Taliban. The letter apparently issued by the Military Council of the Islamic Emirates warned the seven activists of severe punishment if they do not stop "working with the infidels and enemies of Islam who are having anti-Islam agenda in Afghanistan" and further accused them of "spreading anti-Islam values" "under the name of peace, women rights, youth rights, elections". The letter further stated: "This is the last warning against you, if you do not stop your activities, we know where you live and the Supreme Council of Islamic Emirates has decided and ordered the Military Commission to punish you severely." <sup>12</sup>

### Increased Targeted Killings – a deadly campaign to silence HRDs amidst peace talks

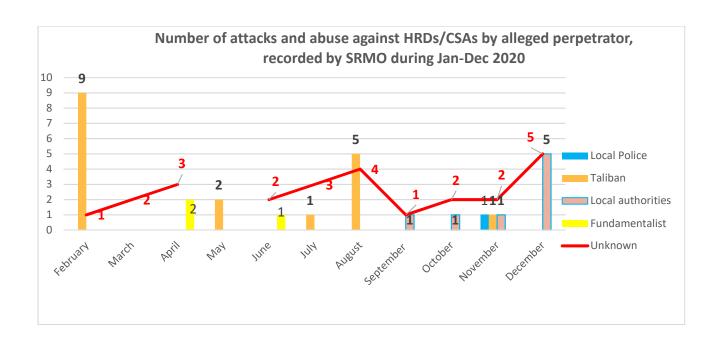
SRMO observed that soon after the peace agreement between the US-Taliban was concluded in February 2020, the campaign of violence against members of civil society, HRDs and media workers have intensified across Afghanistan. The SRMO data reveals a pattern of increased level of threats in the months coinciding

<sup>&</sup>lt;sup>12</sup> The letter was apparently issued by the Military Council of the Islamic Emirates, dated 26 February 2020. A copy of the original letter has been seen by SRMO.

with the peace negotiations with the Taliban – respectively during the US-Taliban peace negotiations resulting in signing a peace deal in February; and in August – in the eve of the start of the intra-Afghan peace talks between the Afghan government and the Taliban in September. As shown at the graph below, these peaks were mostly due to threats attributed to the Taliban. As mentioned above, in February 2020, as the US and Taliban were concluding their peace negotiations, Taliban have allegedly issued a death threat via a letter against seven outspoken WHRDs, HRDs and civil society activists who have been calling for human rights, women's rights, transitional justice and often have been critical of the abuses committed by the Taliban. Many of them were subjected to previous death threats by the Taliban.

In addition, in 2020, another worrying trend emerged of increased targeted killings of HRDs/CSOs, especially since the commencement of the intra-Afghan peace negotiations in September. Nine HRDs/CSOs were killed during the three months of October -December, as December recorded the highest number with five HRDs killed. While during the October-December period, the Taliban were alleged for being responsible for one incident of threat, the remaining incidents of assassination and attacks on HRDs have not been claimed by any group.

This expanding tactic of assassinations of CSAs and HRDs without admitting responsibility have spread fear among the civil society community. As a result, and due to the general impunity and lack of accountability for attacks and abuse against HRDs, a number of high-profile HRDs and WHRDs (who have been under threats) have left Afghanistan fearing for their lives and the lives of their families. Many HRDs who are still in the country are living in constant concern and are in hiding or are severely self-censoring.



### A record of HRDs and CSAs killed in 2020 (documented by SRMO)

- 1. On 7 March 2020, Hamza Ghafar Zoe a CSA and Head of Aqwame Ba Ham Beradaran Afghanistan organization was shot and killed by unknown armed men in Ghazni city of Ghazni province.
- 2. On 28 March 2020, Qudratullah Stanikzai a Civil Society Activist was killed by unknown armed men in Puli Alam District of Logar province.
- 3. On 4 April 2020, Sayed Mohammad Wali Amin, a civil rights activist and a member of the local council was shot and killed by unknown armed men in Gardez capital of Paktia province.
- 4. On 7 April 2020, Ziauddin Kamal a CSA, peace activist and Head of Wardak tribal council was shot and killed by unknown armed men in Maidan Shahr capital district of Maidan Wardak Province.
- 5. On 21 May 2020, Mohammad Ibrahim Ebrat a civil rights activist was shot and seriously wounded in Qalat City of Zabul Province. He later succumbed to his injuries and died in the hospital in Kabul.
- 6. On 28 June 2020, Fatima Khalil, a WHRD and AIHRC staff and AIHRC driver Ahmad Folad were both killed as a result of an explosion of a magnetic bomb attached to their car.
- 7. On 1 July 2020, Hamidullah Khan a CSA and a schoolteacher was ambushed and killed on a road in Deh Payeen area of Farah province.
- 8. On 1 August 2020, Asmatullah Salaam a civil rights activist and head of a local council province was abducted, tortured and later shot and killed allegedly by Taliban in Andar District of Ghazni.
- 9. On 19 August 2020, Dr. Abdul Baqi Amin a CSA and Director of Afghanistan Strategic Studies Centre was killed as a result of detonation of a magnetic IED planted in his car, in Kampany area of Kabul.
- 10. On 2 October 2020, Sayed Haider Hashimi a civil rights activist was shot and killed along with two other civilians by unknown armed men on a motorbike in Puli Alam Distirct of Logar Province.
- 11. On 3 November 2020, Habibullah a civil rights activist and a member of Local Advocacy Group was shot and killed after a scuffle with local police in Galawal village, Shahrana district of Paktika province. The circumstances of the case remain unclear and still there has been no investigation.
- 12. On 7 November 2020, Mr Yama Siawash a CSA and a former journalist was killed after the detonation of an IED attached to his car in Kabul City.
- 13. On 10 December 2020, Malalai Maiwand a CSA and journalist was shot and killed in Nangarhar province.
- 14. On 23 December 2020, Yusuf Rashid a CSA and Director of Free and Fair Election Forum of Afghanistan (FEFA) was shot and killed together with his driver in Kabul.
- 15. On 24 December 2020, Freshta Kohistani a WHRD was shot and killed together with her teenage brother in Kapisa Province.
- 16. On 31 December 2020, Abed Jahid a civil rights activist and a member of Afghanistan Hazara Council of Sunnah was shot and killed in Kabul City, Kabul province.
- 17. On 31 December 2020, Haji Abdul Baqi a civil rights activist and head of Community Development Council, Community and Tribal leader was shot and killed in Nawa District of Helmand province.

### COVID-19 and increased vulnerability of HRDs/WHRDs

During the COVID-19 crisis, the risk for HRDs/WHRDs became even more pronounced as funding was mostly put towards responding and curbing the spread of COVID-19 pandemic and significantly decreased the little funding previously available for the protection of HRDs. Further due to the spread of COVID-19,

the access and provision of safe houses extremely decreased, leaving threatened HRDs and particular WHRDs and their families even more vulnerable to further attacks and retaliation.

Additionally, HRDs/WHRDs and members of civil society reported threats by local authorities when they monitored the government response to the COVID-19 pandemic and reported on government corruption - related to assistance provided through the social welfare programme and the provision of vital access to health care for those affected by the pandemic.

In Samangan, a member of the civil society reported of being threatened and attacked while monitoring the government-run health facilities for the COVID-19 patients and for exposing the health officials in the province for corruption. He reported that after he spoke out publicly about the missing ventilators from the local hospital, he was followed by some men on motorbike, and received threatening phone calls. He also suspected of being poisoned but managed to recover.

Similarly, several HRDs and CSAs from Kabul, Balkh, Kandahar and Kunduz reported that they started receiving phone threats by unknown callers after they exposed misuse and corruption in the distribution of the state social welfare assistances. They believed the threats were linked to their anti-corruption work.

### Arrests and Judicial Harassment against HRDs/CSAs

HRDs and members of the civil society reported arbitrary arrests and judicial harassment by the local government officials.

In December, five civil society members and one journalist in Bamyan were arrested and detained for a week after they organised a strike against the increased insecurity and a rare bomb attack in November 2020 that killed and injured scores of civilians in Bamiyan. <sup>13</sup> The five CSAs were summoned by the prosecutor in Bamyan for a previous case against them for their involvement in a demonstration in 2018 which turned violent, despite that they were acquitted for previous charges on the case. When the civil society members went to the prosecutor's office to see why they were summoned, they were all arrested and put in detention. They were not allowed a visit by their family members or the lawyers and they were not aware of any charges against them. The arrested members of the civil society believed that their arrest was politically motivated by the local government officials to silence them for their campaign and because of criticising the local authorities of being incapable to investigate the bomb attack. During the sit-in protest staged by the CSAs, civil society claimed of being "indirectly threatened from various quarters" who warned them against setting up the protest tent, and that they cannot ensure their security. <sup>14</sup>

In Uruzgan province, a member of the civil society reported of being harassed and summoned by the provincial public prosecutor's office after he accused the government for not regulating the mobile phone networks alleged for over-charging people. He said that the prosecutor threatened him with arrest and detention if he continued to speak out about such issues publicly.

<sup>&</sup>lt;sup>13</sup> https://www.etilaatroz.com/112867/shock-after-explosion-in-bamyan-city-is-in-disarray-and-response-of-officials-is-not-satisfactory/

<sup>&</sup>lt;sup>14</sup> https://www.etilaatroz.com/112867/shock-after-explosion-in-bamyan-city-is-in-disarray-and-response-of-officials-is-not-satisfactory/

### 5. Lack of protection and remedy for attacks against HRDs/CSAs

In 2020, the Afghan government has made some positive steps for the protection of HRDs, but in practice the authorities have done little to respond to the growing threats and attacks against HRDs and civil society, including in Kabul, where the government has more extensive control comparing to the provinces.

In January 2020, the Afghan government launched the Human Rights Defenders Protection Strategy with the technical support from Amnesty International, following the long-standing campaign by SRMO and Afghan HRDs and CSOs for the development of national HRD protection mechanism. The HRDs Strategy was intended as a roadmap for the Afghan government on issues related to the protection, investigation, referral, relocation and psychosocial support for human rights defenders. In November 2020, the Afghan government established the Joint Commission on Protection of HRDs, under the chairmanship of the second vice-president Mr. Danish; on 1 December 2020, President Ghani issued a decree establishing the Joint Commission. The Commission includes representatives from the Attorney General's Office, the Ministers of Justice, Interior, and Women's Affairs, the Deputy Foreign Minister, the Chairman of the Afghan Independent Human Rights Commission (AIHRC), the Directors General of the National Security Directorate (NDS) and the Independent Directorate of Local Governance (IDLG), as well as representatives of the Legislative and Judicial Affairs of the Office of the President and from relevant civil society organisations. The Commission is tasked "to develop a coherent plan for the protection of human rights defenders, obtain the views of human rights organizations inside and outside Afghanistan, and address the complaints and suggestions of human rights defenders."

Setting up a national mechanism for the protection of HRDs is a huge success for civil society and HRDs in Afghanistan, however, it would need the support by the Aghan government and the international community to make it operational and effective.

So far there has been almost complete impunity and lack of protection for HRDs in Afghanistan by the government. The Afghan government has failed to investigate and identify the perpetrators of the growing number of targeted killings against civil society and HRDs that were carried out in 2020 and continue into 2021. Despite many calls from the human rights and civil society organizations as well as the families of the victims, the government has been reluctant to share any information about the progress of the investigations with the victims' families.

It is gravely concerning that with the cases of attacks and threats of HRDs on the rise, the government's response has been inadequate to offer protection. Similarly to previous years, the government continued to advise HRDs/WHRDs and SCO's members to avoid public gatherings and to use fire weapons for their protection. In a series of meetings that SRMO and other HRDs and CSOs conducted with the Ministry of Interior and National Directorate of Security (NDS), CSAs were advised that they should purchase a weapon (pistol or AK-47) from the free market and that then they will be issued with a license of carrying

<sup>&</sup>lt;sup>15</sup> Amnesty International, Afghanistan: New Commission a major step toward protection of human rights defenders, 3 Decmebr 2020, <a href="https://www.amnesty.org/en/latest/news/2020/12/afghanistan-new-commission-a-major-step-toward-protection-of-human-rights-defenders/">https://www.amnesty.org/en/latest/news/2020/12/afghanistan-new-commission-a-major-step-toward-protection-of-human-rights-defenders/</a>

<sup>&</sup>lt;sup>16</sup> The Decree establishing the Joint Commission for the Protection of Human Rights Defenders and the accompanying statement from the Second Vice President Sarwar Danish are available here: <u>Afghanistan - HRD Commission statements - Google Drive</u>

weapons. This strategy is risking the safety of HRDs even further, it is compromising the CSAs civilian status and work, and is against the humanitarian principles that civil society and HRDs stand for.

Further, SRMO has warned many times, that an advice of avoiding public gatherings as a self-protection, has a reverse impact on HRDs/WHRDs and SCAs and their ability to conduct their work, as it is also revictimizing HRDs and CSAs by effectively restricting further their rights to peaceful assembly.

### 6. SRMO's HRDs Protection Activities in 2020

In 2020, SRMO continued providing vital protection services to HRDs and CSAs at risk, via its Early Warning System and Rapid Response programme established with the financial assistance of the Norwegian Human Rights Fund (NHRF) in 2016. The system remains one of the most effective mechanisms for providing security alerts to grass root HRDs and WHRDs across Afghanistan through text messages, as it also provides rapid response to the HRDs and CSAs facing threats, attacks and intimidation. Through the Early Warning System (EWS), SRMO continued to provide vital safety advice to affected HRDs which enabled them to take precautionary measures and mitigate or avoid the impact of the security risk on them and their work. Around 650 and 700 HRDs/WHRDs and CSO's members are benefiting from this vital service across Afghanistan.

Further, SRMO run a safe house for HRDs, using Lifeline funding, which proved to be an effective remedy and much needed to save the lives of many HRDs/WHRDs who were in need of immediate relocation and removal from a dangerous environment.

Additionally, SRMO provided rapid response and relief assistance to HRDs and WHRDs at risk to help them with relocation. While the organization itself does not have any financial resources to assist the HRDs and WHRDs at risk, SRMO coordinated with other relief providers and assisted affected HRDs with drafting applications to donors for accessing relief funds. Also being in close contact with HRDs in the field, SRMO assisted with channeling and distributing funds provided by relief providers to the HRDs and WHRDs at risk. SRMO was also instrumental with assisting relief providers with verification of cases of HRDs/CSAs who were seeking protection and relief assistance.

With the financial support of the donors in 2020, SRMO provided rapid responses and relief assistance for nine HRDs and WHRDs from different provinces in Afghanistan. The assistance was in the form of temporary relocation, medical treatment, financial assistance for HRDs/WHRDs and victims of persecution.

SRMO continued to conduct Site Security Survey for civil society organizations and assist them in preparing their security plans.

SRMO conducted several advocacy and lobbying meetings at the provincial and central government level every month and discussed the security situation and protection of CSOs and HRDs.

To address concerns with the increased targeting of HRDs in 2020, SRMO also conducted advocacy meetings with the international policymakers including Members of the European Parliament, foreign diplomats and UN officials including UN Special Rapporteur on protection of HRDs. Since December 2020, SRMO conducted five virtual meetings with Afghanistan donors, diplomatic missions in Afghanistan, UN special rapporteur on protection of human rights defenders and Afghan HRDs/WHRDs and Civil Society

Activists. In these meetings SRMO shared the challenges and concerns HRDs face in the different provinces and provided recommendations to the international communities and donors to improve the protection for HRDs in Afghanistan.

SRMO issued regular press releases condemning attacks and targeted killing of HRDs/WHRDs and CSO's members and called on the government, international communities and Taliban to prevent further attacks against civil society.

### Funding challenges for the HRDs emergency protection

In 2020, SRMO as well as the Afghan civil society-led Human Rights Defenders Committee that consists of around 16 NGOs and CSOs individuals, have been overwhelmed with the growing caseload of HRDs needing protection and facing serious risks. Despite the seriousness of the situation and threat to HRDs in 2020, the HRD Committee, of which SRMO is a member, faced lack of funding that made the response even more challenging.

The HRDs Committee and local NGOs which work for the protection and assistance of HRDs at risk, such as SRMO, are highly dependent on international relief providers. However, there is no emergency protection grant for HRDs which can be accessed immediately to assist HRDs when they face a severe risk. Often relief providers take weeks before they respond to an application which limits the ability to adequately respond to the HRDs' immediate need of relief for their safety. Often when HRDs and WHRDs contact SRMO and HRDs Protection Committee, they are under immediate threat and, in some instances, they need immediate evacuation. A human rights defender at severe risk can easily lose their life due to a lack of funding for her/her protection.

Due to the lack of a safe place where the HRDs and WHRDs could be accommodated, often they have to remain in the same risky and volatile situation until solution is found.

It is crucial that the international community steps up their support for the HRDs and civil society protection in Afghanistan, as the HRDs are facing even more challenging and threatening environment with the withdrawal of the international military forces in 2021 and the intensifying armed conflict. HRDs in Afghanistan have been the main voice for change and human rights protectors in Afghanistan, and their protection is vital, so they continue their work to ensure that human rights advances made in the past twenty years are preserved.

# ANNEX – SRMO's recorded cases of attacks and abuse against HRDs and CSOs - January-December 2020

HRDs/WHRDs and CSAs incidents 2020								
				Downstrator	Duning	In aid and Toma		
No	Date	Gender	Victim	Perpetrator	Province	Incident Type		
1	09/02/20	Female	WHRD	Unknown	Kabul	Threat		
2	15/02/20	Male	HRD	Taliban	Balkh	Assassination attempt		
3	20/02/20	Female	WHRD	Taliban	Balkh	Threat		
4	26/02/20	Female	WHRD	Taliban	Kabul	Threat		
5	26/02/20	Female	WHRD	Taliban	Kabul	Threat		
6	26/02/20	Male	HRD	Taliban	Kabul	Threat		
7	26/02/20	Male	HRD	Taliban	Kabul	Threat		
8	26/02/20	Female	WHRD	Taliban	Kabul	Threat		
9	26/02/20	Male	WHRD	Taliban	Kabul	Threat		
10	26/02/20	Female	WHRD	Taliban	Kabul	Threat		
11	08/03/20	Male	CSA	Unknown	Ghazni	Killed		
12	28/03/20	Male	CSA	Unknown	Logar	Killed		
13	04/04/20	Male	CSA	Unknown	Paktia	Killed		
14	07/04/20	Male	CSA	Unknown	Wardak	Killed		
15	12/04/20	Female	WHRD	Unknown	Kabul	Threat		
16	22/04/20	Female	WHRD	Fundamentalist	Herat	Threat		
17	22/04/20	Female	WHRD	Fundamentalist	Herat	Threat		
18	21/05/20	Male	CSA	Taliban	Zabul	Threat		
19	21/05/20	Male	HRD	Taliban	Zabul	Killed		
20	28/06/20	Female	WHRD	Unknown	Kabul	Killed		
21	28/06/20	Male	WHRD	Unknown	Kabul	Killed		
22	28/06/20	Female	WHRD	Fundamentalist	Kabul	Threat		
23	01/07/20	Male	CSA	Unknown	Farah	Killed		
24	05/07/20	Male	CSA	Taliban	Kapisa	Kidnaped/released		
25	06/07/20	Male	CSA	Unknown	Kapisa	attack		
26	08/07/20	Female	WHRD	Unknown	Kabul	Harassment		
27	01/08/20	Male	CSA	Taliban	Ghazni	Killed		
28	10/08/20	Male	CSA	Taliban	Paktia	Threat		
29	19/08/20	Male	CSA	Unknown	Kabul	Killed		

30	22/08/20	Male	CSA	Taliban	Panjsher	Threat
31	23/08/20	Male	HRD	Unknown	Samangan	Threat
32	23/08/20	Male	CSA	Unknown	Badakhshan	Threat
33	24/08/20	Male	CSA	Taliban	Herat	Threat
34	25/08/20	Female	WHRD	Unknown	Kabul	attack
35	25/08/20	Male	CSA	Taliban	Baghlan	Threat
36	05/09/20	Male	CSA	Local authorities	Ghor	attack
37	11/09/20	Male	HRD	Unknown	Herat	Threat
38	02/10/20	Male	CSA	Unknown	Logar	Killed
39	05/10/20	Male	HRD	Local authorities	Takhar	Threat
40	12/10/20	Male	CSA	Unknown	Nimruz	Kidnaped/released
41	03/11/20	Male	CSA	Local Police	Paktika	Killed
42	05/11/20	Male	WHRD/family	Unknown	Kabul	Killed
43	07/11/20	Male	CSA/Journalist	Unknown	Kabul	Killed
44	17/11/20	Female	WHRD	Taliban	Kabul	Threat
45	19/11/20	Male	CSA	Local authorities	Uruzgan	Detention/release
46	10/12/20	Male	CSA	Local authorities	Bamyan	Detention/release
47	10/12/20	Male	CSA	Local authorities	Bamyan	Detention/release
48	10/12/20	Male	CSA	Local authorities	Bamyan	Detention/release
49	10/12/20	Male	CSA	Local authorities	Bamyan	Detention/release
50	10/12/20	Male	CSA	Local authorities	Bamyan	Detention/release
51	10/12/20	Female	WHRD/Journal	Unknown	Nangarhar	Killed
52	23/12/20	Male	HRD	Unknown	Kabul	Killed
53	24/12/20	Female	WHRD	Unknown	Kapisa	Killed
54	31/12/20	Male	CSA	Unknown	Kabul	killed
55	31/12/20	Male	CSA	Unknown	Helmand	Killed

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