

In the Name of God, the Most Merciful, the Most Kind



April 09, 2015

NUG Must Emphasize Human Rights

Human Rights is one of the most important areas where National Unity Government (NUG) requires diverting serious attention. Afghanistan needs to play an incredible role in the area of human rights because of the simple reason that there have been obvious violations of human rights in the country and they have been persistent even after so much emphasis and efforts. Even nowadays there are numerous examples of clear violation of human rights all over the country and they make the headlines in the national and international media, whereas there are many others that go unrecorded. Observing the plight of human rights in Afghan society, it is truly imperative that the Afghan government must do something more than promises and commitments.

Chief Executive Officer, Abdullah Abdullah, accepts this fact that NUG has not done enough in this regard and requires doing more. Speaking at a national conference on future of human rights in Afghanistan he mentioned that protection of human rights was his government's top priority and those violating human rights would be treated strictly. He also acknowledged that government has not been able to utilize available resources in the best possible way to improve human rights in the country and more efforts by all stakeholders must be appreciated to support government in this regard.

Human rights are "inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being." These rights are universal and egalitarian. These rights can exist as natural rights or as legal rights in both national and international law. The principle of human rights has been a foundation of public policy around the world in international practice, within international law, global and regional institutions, in the policies of states and in the activities of non-governmental organizations.

In the contemporary era when the world has been globalized and the politics has been internationalized, the theories and movements of rights have reached to all the corners of the world to provide the basic rights of the human beings. These endeavors try to facilitate human rights on the face of the barriers of economic and political incapacities and shortcomings of the national governments. These rights are basically monitored by the international bodies and work under the umbrella of United Nations Organizations. Though the international movements and organizations play their roles to make sure that all the human beings are given their rights, at the same time it is necessary for the human beings to have complete awareness about their rights so that they are not violated.

Though there have been both national and international endeavors to protect basic rights of human beings, still there are many human beings who suffer from the deprivation of their basic rights. Many governments in the world, like that of our country Afghanistan, still lack the basic democratic principles and the requirements of welfare state and therefore fail to provide the citizens their due rights. To be very specific about Afghanistan it can be said that a so-called democratic government has been installed, which has taken oath to provide the people their basic rights, yet there are millions who remain unattended.

The international concept of human rights can be best developed on the basis of the United Nations Charter and the United Nations Universal Declaration of Human Rights (UDHR). Article 1 of the UDHR says, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Its preamble also emphasizes on the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. The UDHR was adopted by the United Nations General Assembly in 1948.

The United Nations Charter provides very strong commitments to the preservation of human rights and emphasizes that the member countries must follow them. The preamble of the charter reaffirms faith in fundamental human rights, in the equal rights of men and women, while the Article 1(3) of the charter says that one of the basic purposes of UN is "to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion." Most importantly, Article 56 of the charter says, "All members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, which suggests for (a) higher standards of living, full employment, and conditions of economic and social progress and development; b) solutions of international economic, social, health, and related problems; c) international cultural and educational cooperation; d) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

The objective for NUG to play a tremendous role can be what is set forth in Article 55 of United Nations Charter. To be very much realistic about Afghanistan, one can say that guidelines are many; the only missing factor is practical measure. There is a wide gap between the guidelines/commitments and actions, and this gap becomes wider once the intentions and honesty are doubted; and in case of Afghanistan the gap is wider.

Access to Information Law Needs Apt Implementation and Regulation

By Asmatyari

One of the basic values and principles governing public administration is transparency. Every system of governance requires well-learned citizens, who are known of most if not all developments taking place within the organs of the government. The foresaid proposition is strengthened by implication of a degree of transparency that is fostered by providing the public with timely, accessible and accurate information.

The role of the media includes informing the public about how our government is run, and this information may very well have a bearing on elections. The media therefore has a significant influence in a democratic state. This carries with it the responsibility to report accurately. The consequences of inaccurate reporting may be devastating. Access to information is crucial to accurate reporting and thus to imparting accurate information to the public.

Democracy ensures the rule of majority by preservation of its core value, keeping the masses informed about every single development in socio-political and economic affairs of the government. In this system of government, say of ordinary masses are given great weightage, who are kept known via unhindered exchange of information between government and masses. Thus the public representatives hence are left with least chance manipulation, but have to follow the due course of action because of being closely watched by their Electoral College. The worth of informed civic is immense in democracy, having kept that in mind the Access to information Law was deeply felt to get ratified by legislative assembly.

Earlier, President Ashraf Ghani signed an Access to Information Law for Afghanistan. It was indeed a great achievement by the war-torn country. By getting the law signed, Afghanistan turns to be 101st country to have an Access to information Law. The law approved by Afghan lawmakers consists of 6 chapters and 32 articles. For the first time in Afghan history, citizens and journalists get access to information through state institutions. Next step is the difficult task of realizing the law in practice.

It earned a great win for media bodies and advocates working on rationalization of media laws. The supporters of free media and rights to freedom of speech had long been striving to make the government pass the Access to Information Law. It took the civil society organizations and media outlets long to introduce a draft regarding access to information and get that duly signed. The media functionaries warmly received the move and termed it a positive step for promoting transparency and accountability.

The law revives up the international standards and will have major effects in limiting corruption, localizing democracy and strengthening the people's political and social participation in state building. People will gain access to state and public budgets, and official spokespeople will be inclined to share information with journalists and citizens. The law conveys the values of the Universal Declaration of Human Rights and it respects the civil, political, economic, social and cultural rights. There is, however, still quite some way to go, given Afghanistan is worst plagued by widespread corruption, and having a great law on paper does not mean much if it is not implemented in practice. Implementation of the law is one of the biggest challenges. A joint working force was developed between presidential office and civil society

to monitor the implementation of the law. Following that a nominal commission was constituted to monitor the aforesaid law.

According to this law, the Monitoring Commission on Access to Information can only recommend disciplinary actions against violators of the act and no fines are specified if information is not provided. It is feared in the dominant environment of favoritism and misuse of power the needed information might be concealed and kept out to the reach of media bodies. Consequently, the law should be amended to ensure the information hiders are punished and fined. Imparting a degree of independence to the newly created Commission on Access to Information can be an encouraging step ahead.

There is some underlining reservations pertaining the dispatch of certain sensitive information if shared could equally harm and reverse the developments achieved to the length of time, should be share, isn't obligatory. Nonetheless, the information dealing issues of human rights and use and misuse of public resources should inevitably be shared renders an uncompromising and appealing demand ever made by media bodies.

The facts and figures on ground depicts a degree of restraint exercised by corresponding officials to dispatch information, complicates the work of journalists who find minimal application of the law. Earlier, officials in several provinces said they had been told by the Ministry of Interior (MoI) not to share information with media outlets. In contrary the sources of presidential palace states the Security Council should facilitate the responsible official from each province provide information to the journalists.

It was this officials' stance that enraged the journalists with the Afghanistan Independent Journalist Association (AIJA) in a statement said that Security Council barred provincial officials from sharing information. The statement said that the Ministry of Interior (MoI) had been directed to issue media with information on security related issues in future. On the other hand, MoI Spokesman Sadique Sadiqui said: "We have public affairs officials in provinces are tasked to share information with media on regular basis."

The state of affairs reflects a great degree of confusion on working mechanism of flow of information from concerned department to journalists, particularly in the provinces. However, it clearly manifests the toughened course to seek relevant information about governmental affairs. It is therefore; previously some civil society organizations and media-men demanded the president to help amend the relevant law to make access easy to information.

Hence it is suggested that a new draft should be introduced containing a degree of clarification on information flow mechanism, legal actions whether information are not deliberately concealed and the regulatory principles barring the sensationalism and unfounded accusation against any citizen. The new draft must contain the formation of an independent and neutral commission to be assigned the task of investigating complaints, lodged against any public official. Moreover, the complaints investigation mechanism should be fair and transparent; to make it sure the complaints are heard and addressed properly devoid of keeping political, social and economical status of person in regard.

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The Twin Sisters: Woman and Anguish

By Hujjatullah Zia

What a mother suffers from, a daughter tends to repeat while upbringing her children, leaving the girls from one generation after the next, deprived of their rights - particularly the rights to getting education. Such circumstances are mainly a consequence of parental dysfunction and inequality and social restrictions. A number of hapless girls take their dreams to the grave with them - the same as their mothers did. In a home, where the father and mother reap off the struggles and sacrifices of their children who are barely adults, girls are entangled in the fear of letting their families down. The female children are not only deprived of their rights, circumstances also force them to mature very early. An entire childhood is lost.

Afghanistan is turning its back on female activists and leaving them vulnerable to threats, assassinations and sexual assault. Female rights campaigners have been suffering a growing number of targeted car bombings, grenade attacks and killings of family members. Amnesty International said Tuesday April 07, 2015, urging the international community to preserve hard-won gains for women.

"Laws meant to support them are poorly implemented, if at all, while the international community is doing far too little to ease their plight," it said.

According to the report, most of the threats come from the Taliban and armed opposition groups, but government officials and local warlords also commit abuses against female activists.

"Women human rights defenders from all walks of life have fought bravely for some significant gains over the past 14 years - many have even paid with their lives. It is outrageous that Afghan authorities are leaving them to fend for themselves, with their situation more dangerous than ever" Amnesty International chief Salil Shetty told reporters in Kabul.

Since the fall of the Taliban in 2001, Afghan women have made significant advances in rights, with millions of girls attending schools and women holding government posts. But with the steady withdrawal of foreign forces and the Taliban insurgency still resilient, there are growing fears the gains will be lost. "Afghanistan is facing an uncertain future, and is at arguably the most critical moment in its recent history. Now is not the time for international governments to walk away," Shetty said.

A radio report said that a woman was decapitated, last week, and her daughter-in-law sustained mortal wounds when unknown men attacked her home in Logar province - where the graph of violence against women is high.

Last month a mob in downtown Kabul lynched a 27-year old woman, Farkhunda, for allegedly burning the Holy Koran. The mob then set her body ablaze and dumped it in Kabul river while several police officers looked on. This act was in direct conflict with the Constitution of

Afghanistan. As article 27 declares, "No deed shall be considered a crime unless ruled by a law promulgated prior to commitment of the offense. No one shall be pursued, arrested, or detained without due process of law. No one shall be punished without the decision of an authoritative court taken in accordance with the provisions of the law, promulgated prior to commitment of the offense."

In February popular female politician Angiza Shinwari died following a bomb attack on her vehicle in the volatile eastern province of Nangarhar.

And last year Shukria Barakzai, a prominent female MP and women's rights campaigner, survived a suicide attack in Kabul.

Perhaps, the images of abused and helpless Afghan women incessantly flood our minds, undermining the significant role of women as agents of change in Afghanistan. During the 1920s and 70s, a period of economic and political stability, a large number of Afghan women asserted their rights and continued their education and professional pursuits. These women belonged to a privileged economic background; all the same their role and aspirations offer the world an alternative narrative. Acknowledging the agency, contributions, and strong voice of Afghan women does not undermine the stories of women like Nazia, an 18-year-old Afghan woman whose nose and ears were sliced off by her husband and appeared on the cover of Time magazine in August 2010, or Sitara, a 30-year-old woman whose nose and lips were lopped off by her addict husband in Herat province in 2013 and their audacious spirit, whose story of sufferings is one too many for our world.

I remember vividly the miserable story of a rape victim in Daikundi Province a year and half ago. Shakila, a teenage school girl who was living in Korga village, always had to pass by her neighbors' houses on her way to school. One morning, on her way to school, she was waylaid and raped by an eighty-year-old man of her neighborhood. He did this to avenge his wife's rape many years ago by the father of the same girl, Shakila. Hence, Afghan girls and women fall prey to violence for the acts of their brothers or fathers - which is forbidden from religious and constitutional perspective. The Constitution of Afghanistan states in article 26 as, "Crime is a personal act. Investigation, arrest and detention of an accused as well as penalty execution shall not incriminate another person."

"For every woman and girl violently attacked, we reduce our humanity. For every woman forced into unprotected sex because men demand this, we destroy dignity and pride. Every woman who has to sell her life for sex we condemn to a lifetime in prison. For every moment we remain silent, we conspire against our women. For every woman infected by HIV, we destroy a generation."

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