

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



January 15 2017

Concerns Regarding Human Rights

The situation of human rights in Afghanistan has always worried the sensitive individuals, the human rights organizations, civil society, media and the international community. Decades of instability has proved to be the basic reason behind the evident violations of human rights. As most of the energies and attentions have been diverted towards security, little consideration has been given to the issues of human rights. After the downfall of Taliban, there were expectations that the country would defeat the evident human rights violations. Though, certain headways were made in this regard, major breakthrough could not be observed.

Therefore, many issues still prevail and threaten the status of human rights in the country. Moreover, the role of the current government in facing the challenges of human rights violations is not considered to be satisfactory. Human Rights Watch (HRW) revealed in its recent report that the Afghan government had not made any considerable achievements in improving human rights in 2016 and that internal political rifts and the lack of political will could put the achievements of the past 15 years in jeopardy.

The report said that 8,000 civilians were killed and thousands of families left their homes due to insecurity in 2016. Moreover, in the first nine months of 2016, 12 journalists were also killed. The report disclosed that most of the deaths were because of the insurgents; however, public uprising belonging to politically powerful men also led to the deaths and injuries of innocent civilians.

In response to these facts and figures the role of the National Unity Government (NUG) was controversial as the leaders were caught up in a power struggle and HRW senior researchers have warned if the NUG does not bring necessary reforms, the last 15 years' worth of achievements will be lost.

Immediate and large scale improvements are required regarding security, governance, justice and equality. Innocent people are being killed with no one to answer; there are serious issues like poverty, unemployment and corruption that are proving to be the main ingredients of a discriminatory setup; while, justice and law and order have gone out of the reach of the common people. At times, when the law and order system should come to play its role to curb discrimination, there is a huge gap, which further nourishes distrust and sows the seeds of long-term instability that would further debilitate the situation of human rights.

Afghan government needs to play a tremendous role in the area of human rights because of the basic reason that there have been evident violations of human rights on Afghan soil and they have even continued after so much emphasis and efforts.

Every day there are incidents that show clear violation of human rights and make the headlines in the national and international media. There are many other cases that are never brought to the attention of law enforcement officials or media. There are many districts in the country that are closed and do not allow the news of discrimination of human rights, particularly women rights, to leak. Therefore, many cases go unnoticed. Looking at the plight of human rights in Afghan society, it is really important that the Afghan government must do something more than promises and commitments. In addition to the responsibilities of the government there should be efforts to raise awareness on individual level.

The individuals must have proper information and knowledge about their rights and responsibilities and how can they make efforts for them. Because of the prevailing ignorance most of the people in the country cannot even think about a prosperous society, wherein all the citizens have their due rights. They even do not know that there are certain countries in the world that have most of the facilities of life and they have developed so much that now they have reached to skies to discover them. However, the situation in our country is so that if a clergy announces that man is mortal and he can never reach to the skies and the claims of the developed countries of the world are nothing than white lies, they will definitely believe him with respect and complete obedience.

However, they need to understand that they have to be vigilant and understand that they are being fooled. Their thoughts are being confined and their emotions are being betrayed. They are being utilized in the name of religion and history. Now, they have to realize that their responsibilities are to declare clearly that they are no more ready to be fooled and to be utilized by others. Their rights are to announce their hatred for ignorance, poverty, conservative ideas, slavish thinking and growing hypocrisy. They need to fight against the prevailing injustice and all the efforts that try to keep them away from their basic human rights. They should say no to the darkness and try to follow the light as it is the only way that they can live their life with prosperity and dignity.



Unknown Fate of Disqualified Ministers

By Asif Ghaznawi

Almost two months ago, Wolesi Jirga or Lower House of the parliament impeached 16 ministers of the national unity government and disqualified seven of them. Ministers were impeached because they spent less than 70% of allocated budget of their respective ministries. Government in reaction, called this act of House of Representatives unjustified and referred the case to Supreme Court.

President has instructed disqualified ministers to continue their work until the Supreme Court issues its decree; but House of Representatives called it illegal act and asked government to introduce new illegible persons for getting confidence vote. This is not the first legal problem between government and House of Representatives of Afghanistan; we remember that National Unity government at the beginning passed hard days for making and completing its cabinet. It seems that government has faced same problem once again. Seven ministries are now controlled by caretaker ministers and it is not clear when the Supreme Court announces its view on the issue. At the same time Wolesi Jirga intends to impeach defense minister also to explain on security situations.

Legislators - who had warned ministers earlier to spend the allotted funds in fixed time- accused the disqualified ministers of inability and inefficiency at their works. But government disputed it, blamed the House to have ignored people's vote and did not have enough scrutiny and deliberation on reports and responses of ministries. President Ashraf Ghani in an urgent meeting of the council of ministers referring to principle of 'division of power' said that impeachment was different from accountability. He asked the Supreme Court to check the decision by the Wolesi Jirga, while considering security situation of the country and financial restrictions in previous fiscal year.

"Other obstacles, humane capability and terms and conditions of donors for implementation of projects and spending funds, also should be looked in", Ghani said. Ministers were disqualified by Wolesi Jirga members in their absence and government says: this is unjustified.

Constitution of Afghanistan in article 92 gives this right to Wolesi Jirga to give confidence vote to ministers and take it back; but some lawyers believe that legislators should have firm, lawful and valid reasons to disqualify ministers; it has been specified clearly in the constitution that reasons for disqualifying ministers and other officials -who need to be approved by the Wolesi Jirga - should be explicit, open and justified. Lawyers say: personal grudges of legislators and their intentions not related to official works, should not be involved and that should not be incentive for giving confidence vote and taking it back.

At the meantime, legislators were frequently accused of using right of impeachment for their personal economic gains and deals. Members of Wolesi Jirga in the past approved and disapproved ministers on ethnical basis, political affiliation and private relationships.

Impeachment process of the ministers this time also was not transparent and there are doubts and speculations about action taken by members of the lower house of the parliament.

However, unknown fate of disqualified ministers - who are continuing their work as authorized ministers- is surprising for people. To end this wonder and bewilderment, first National Unity Government should make it clear that either disqualified ministers are lawful ministers with legal mandate or they are caretaker ministers. Secondly; context of article 91, 92 of the constitution is clear and needs no interpretation. Yet if they want to interpret it, a long time is not required doing that. Supreme Court as highest judicial organization of the country and the only authorized source to interpret constitution, is obliged to do its duty and announce its view on the issue; so that fate of the ministers is clear and next legal procedure should be passed.

While Afghanistan is facing challenges in terms of security, economy, governance, corruption and unemployment; people expect their representatives in parliament not to ignore national interests and spirit of true representation. As constitution requires them, they should monitor activities of government, investigate works of officials and impeach them; but all these must be based on law and national interests not personal.

National unity government has been made up of two rival coalitions; who contested in election bitterly and both sides still remember their tough and serious confrontations. Leaders of both groups, though, overcame the difference and tensions of election rivalries; but distribution of posts and getting more power still matters for them. To introduce new ministers nominee to parliament needs agreement of both teams; people remember that it took more than a year that both teams finally compromised and completed members of the cabinet. That should not be repeated again; because as we waste time, we lose opportunities and new challenges appear. Moreover, it increases disappointment among people and deepen mistrust on government.

Recent political developments in the country indicate that probably new bargaining between government leaders and on the other hand between government and some high profile political Afghan heads started. Tension in political circle is continuing, Budget plan is still on legislators' desk which has been rejected twice, peace talks is in complete ambiguity, terrorist groups are active and threatening country and people; though Afghan security forces are doing well. At this critical juncture, our government leaders and politicians should work for betterment of the country, protecting national interest and helping people reach their dreams and aspiration. Controversy on taking ministries or other high level posts, struggling for rights of political parties and persons instead of people and country, gives us nothing except miseries. A state is successful when there is full coordination and cooperation among executive power, legislature and judiciary. Contrast among these main pillars of the state, leave us no opportunity to build the country and serve that nation. Ministries and other high level positions with caretaker ministers or heads were always coupled with irregularities and corruption. Concerned authorities must step to end this situation in accordance with constitution.

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Afghanistan: Entering New Chapter of Crises

By Muhammad Zahir Akbari

Considering the new political stances, it seems that Afghanistan is entering a new chapter of crises. Since beginning of 2017 Afghanistan has been shocking with consecutive deadly attacks. These seem to be the fruit of new emerging games just been started. According to media reports quoting Local official, Taliban got access to Russian weapons and night vision binoculars the reason behind increased casualties among Afghan forces and falling of some areas in western Farah province. The moral of Taliban enhanced after Moscow hosted a trilateral dialogue with Beijing and Islamabad on the future of Afghanistan. Importantly, left out of the talks were Kabul, Washington and New Delhi—a historic Russian ally now moving closer to the United States.

The joint statement released after the dialogue expressed support for talks with the Afghan Taliban and concern over the spread of Daesh group. The new games are following a series of regional level completions as the United States has been challenged in the Ukraine and Syria by Russia and its allies; Additionally, Moscow has impressively deployed hybrid warfare tactics to create the perception that it has influenced the U.S. presidential election and forged a rift between the incoming commander-in-chief and elements of the U.S. intelligence community. The world is waiting how the incoming Trump Administration would face the threats it poses as well as the potential opportunities it may present.

The new moves mark a definitive departure from Moscow's decades-old policy toward the region. Pakistan was a strong U.S. ally during most of the Cold War, while the Soviet Union had a defense pact with the nominally non-aligned India. After the Soviet invasion of Afghanistan, Pakistan, in concert with the United States, helped make Afghanistan a graveyard for the Red Army, forcing its withdrawal.

After 9/11, Moscow supported the U.S.-led coalition in Afghanistan, which ousted the Taliban and brought back to power elements of the Northern Alliance that Russia had supported. The post-9/11 Afghan war and broader global war on terror also gave Moscow space to brutally crush the Chechen insurgency, which had been taken over by Salafi jihadists after Russia sidelined Chechen Sufi separatists. Russia also provided diplomatic and logistical support for a sizable U.S. military presence in its backyard. From 2009 into 2015, Russia served as a supply route for U.S. and NATO forces through what was known as the Northern Distribution Network (NDN), which lessened Washington's dependence on Islamabad for the Pakistan-based ground lines of communication into Afghanistan. Moscow's relations with Washington have taken a turn for the worse since 2014, following the Russian intervention in the

Ukraine. In the same year, U.S. combat operations in Afghanistan came to an end without having meaningfully weakened the Afghan Taliban. Moscow has had to contend with the reality that there are insufficient U.S. and NATO troops to defeat the Taliban, but still a troubling number of residual Western forces too close to home in its strategic backyard. Additionally, as the Taliban resurges, Islamic State has developed an embryonic presence along the Afghanistan-Pakistan border. Russia has fears about the group using Afghanistan to establish networks nearby in Central Asia. Meanwhile, opium production in Afghanistan continues at near-record level, which severely impacts Russia as it is both a transit route for Europe-bound Afghan opiates and a major consumer market. Russia consumes around a fifth of the world's illegal opiate supply and is afflicted by a heroin addiction epidemic.

It is in this context that, last year, Moscow has stepped up its engagement with the Afghan Taliban beget two questions. If Russia supports a negotiated settlement to the conflict in Afghanistan, why is blocking a deal that, if successful, could provide a model for a future settlement with the Taliban? And if Moscow is indeed providing lethal support to the Afghan Taliban, are its objectives merely to curry favor with the group and counter Islamic State?

Anyway, Afghanistan is on the eve of becoming more steeped in social and political crises like Syria. The Russia-US relationship has a direct impact on other countries, particularly on a nation like Afghanistan which is located in close proximity to Russia. In new US and Russia policies, if diplomacy does not overcome hostilities, there would be no winner and accordingly Afghan government will face new challenges at multiple levels. For Afghans it is more annoying when they review the several repeated scenarios in the history but no one found to learn from the past.

The current government still lacks a true strategy for key reforms at the administrative level and, at the same time, it has failed to bring about good governance and decrease corruption. A recent survey revealed that Afghans pay \$3 billion in bribes to get everyday tasks done. Therefore, The Afghan Nation Unity Government must be warned to stop the repeated scenario here. They would be responsible for losing political achievements obtained within past 15 years at cost of millions of Afghan martyred youth's life. It is high time to change the course of history and change the internal and external policies based on national interests. Afghanistan is in the axes of regional and global opportunities if the policy makers believe in prosperity and dignity of Afghans.

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