

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



July 17, 2016

Increase in Violence in 1394

The poor civilians in Afghanistan have not been able to experience peace and tranquility though they have waited for it for a long time and given a lot of sacrifices as well. Decades of instability have disturbed their lives to a large extent and their future is not guaranteed as there is continuous rise in insecurity. Soon after the downfall of Taliban there were hopes that the situation in Afghanistan would improve and the people would ultimately step in a democratic and peaceful country, but the hopes remained only hopes and currently the situation seems to be getting out of control.

According to a latest report by Afghanistan's Independent Human Rights Commission (AIHRC), civilian casualties in Afghanistan increased by 17 percent in 1394. Based on the report, last year the violence scale in Afghanistan was unprecedented and more than 3,000 civilians were killed. Fifty percent of those civilians killed in suicide attacks and roadside bombings. Among those killed or wounded 4,642 were men while 775 were women and 1,116 were children. These figures clearly show how the poor civilians are targeted mercilessly in the country. They had to be given their basic rights and facilities; however, they are being denied not only those but their right to life is also being denied.

It is worthwhile to note that the insurgents are mostly responsible for the casualties though they claim that they do not target the civilians. According to AIHRC, armed opponents were responsible for 72 percent of the casualties while nine percent was at the hands of government forces. This means that the claim of Taliban insurgents that they do not target the civilians is a false one. They have been indiscriminate in their attacks and in certain cases they have even targeted the civilians intentionally so as to spread terror among the people. Though they claim to be the defender of Islam but they are not familiar with its true teachings. Islam prohibits to take the life of innocent people and it says that if a person kills a single person guiltlessly, he, in a sense, kills the entire humanity. However, Taliban insurgents seem to neglect this important teaching.

It is imperative to understand that it is not only the death toll. Besides the death toll, the ongoing conflict has also forced thousands of Afghans to evacuate their homes. More than 149,000 Afghans fled their homes in the first six months of the year due to ongoing conflict in Afghanistan, the United Nations said in its latest figures on the conflict. The UN's Office for the Coordination of Humanitarian Affairs said in a bulletin released in Kabul on Thursday that many of those affected were farmers who were missing critical sowing and harvest times.

In Afghanistan, people have not only suffered the hardships of the poor and miserable lives but also the horrors of war. They have been killed mercilessly as if their lives do not have any value or meaning and it is important to see that the Taliban are mostly behind the demise of the poor civilians. It should also be added that the poor civilians have also been influenced by insecurity in different other ways. The weaker strata, in particular, have been facing different faces of terror. Different attacks, bombings, shootings and suicide bombings of the vicious guardians of the so-called holy war have only been able to target the children, women and non-military figures. With the presence of such facts, it is weird to find Taliban calling themselves friendly to Afghan people. Civilian killings, therefore, clearly depict that Taliban do not care much about the civilian casualties; what they mostly care about is their threat and dominancy over the security arrangements.

Taliban, recently, have been trying to develop an image of caring and affectionate body that is trying to liberate the people of Afghanistan from the Western forces. But the fact is just on the contrary. They just want power and for that they will never hesitate to sacrifice the poor Afghan people. They will definitely, like cowards, target the weaker strata as they do not have proper security to guard themselves and are easy targets. If Taliban come to power, it is evident that Afghan people will never have peace, contentment and above all their due rights.

With the current rise and swelling wave of terrorism, it should not be neglected that Taliban have been able to grow largely in the recent few years. The transition period, instead of pointing towards progress and improvement, seems to be going the other way. In fact the overall process of transition does not seem to be working well. This period should not only be considered complete after the transfer of security responsibility from international forces to Afghan forces, rather it should be comprehensive enough to include within its folds the overall political and economic stability and better life opportunities for all the Afghan people. The post transition period in Afghanistan should guarantee a secure life for all the people. Moreover, it has to be a period that can give poverty stricken Afghan people their basic requirements; provide them better representation and participation in political and social life; make them capable of governing themselves appropriately.

Environmental Pollution Silent Killer of Citizens

By Mohammad Zahir Akbari

Kabul is the most polluted capitals in the world which forms greater threat to life of citizens than the terrorist does! In other words, we do not have only terrorism as an enemy; we also have a clandestine silent enemy that takes life of thousands of men, women and mostly children and health vulnerable. Kabul has turned into a centre of old vehicles and the use of substandard fuel and it is surrounded by dry mountains and the Kabul River that passes from full of polluted water. Lack of greenery and public parks has fuelled the health crisis issue. Culture of living in city as common home or the public awareness in regards to help the environment become clean is at its lowest. Waste is thrown everywhere and bothering voice is raised every time. In short, the capital in itself resembles a speaking dustbin. Unfortunately, the government has not been able to turn Kabul look like a real capital.

Over 70 percent of diseases in Kabul are linked to air pollution, unclean water and solid waste. Severe air pollution causes respiratory disorders, eye and nasal problems, and is one of the major causes of lung cancer, public health experts say. Over the past few years diagnosed cases of cancer, mainly among children, have increased considerably.

A short stroll in Kabul during the daytime leads to clear evidence - when one blows one's nose on a handkerchief - of the polluted atmosphere.

According to health experts, the air pollution can exacerbate a number of serious diseases among inhabitants of an air polluted city. These diseases include ischemic heart diseases, stroke, hypertension, and a number of respiratory diseases and birth defects. Those who are at highest risk of being affected by air pollution are children, the elderly and patients who already have diabetes, heart disease and respiratory disease. Air pollution can also affect fetus in the mother's womb. A study in United States of America showed that air pollution due to carbon mono-oxide can increase birth defects. Knowing the high concentration of carbon mono oxide in Kabul, it is of great concern to us that birth defects may increase in Kabul. We need to wake up for the sake of giving a better health for our coming generations.

The basic reason for the air pollution in Kabul is the enormous amounts of smoke produced by badly maintained vehicles and factories located in the densely populated areas of the Kabul city. Improper traffic system and its inadequate and unprofessional personnel are adding fuel to the fire. There are no any appropriate engine fitness inspections or restriction for vehicles producing the cloud-like smokes. On the other hand, the streets in Kabul represent the dirtiest streets of the world. The vehicles

running on the shabby, rough and tough roads blow dust particles, waste materials and garbage which make breathing almost impossible. These roads and streets are the main sources of various kinds of deadly germs causing fatal diseases each day to hundreds of people including children and other volatile groups.

Almost every day you see that traffic goes crazy in Kabul. That is due to huge number of vehicles and lack of a proper public transport system. Every month more than 8,000 new vehicles registered with the Kabul traffic department add to Kabul's about one million vehicles. Many of these vehicles are over 15 years old while some are running since 80s. The problem in Kabul is compounded by the widespread use of substandard car fuel and old engines.

Due to Lack of electricity and natural gas many households use wood, coal and some ignite junk storage due to lack of transport services by municipal. In addition, some brick factories, public baths and small businesses burn the old vehicle tyres, plastic and combustible waste to run their businesses more cheaply. Toxic pollutants, sulfur oxide, carbon monoxide, nitrogen dioxide and carbon dioxide are emitted. Poor waste management - both solid and otherwise - is yet another major problem in Kabul which also damages the air quality. Unlike some other capital cities, Kabul has the added problem of its arid and mountainous landscape and lack of nearby woodlands. Due to cost and pretty much little other alternatives, Afghans are forced to burn wood in order to keep warm in winter seasons and to cook their food. This, along with the fact that a large number of vehicles (many old and poorly maintained) in Afghanistan run on poor quality fuels, air pollution has become a problem in Afghanistan's major urban areas - like in the city of Kabul where it is clearly visible. In fact, a recent study revealed that 60% of Kabul's residents are exposed to increased levels of harmful toxins such as nitrous oxides, and sulfur dioxide.

The fight against pollution in Kabul city as much important as to fight against terrorist! The government has to stop sleeping like a log and act fast and execute a series of projects such as the rehabilitation of forests and promotion of greenery, ban the import and use of substandard fuel, improve waste management and at the same time build and strengthen our own institutional capacity. It is about the government and the people took steps in order to clean their environment, breath in a cleaner air and remain safe from various kinds of fatal diseases.

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Human Rights Violation

By Hujjatullah Zia

Man's natural and unalienable rights and dignity, which are stated in national laws and international instruments, are violated to a great extent. Curtailing people's freedoms and trampling upon their fundamental rights outrage one's conscience and fill the air with a sense of fear and disappointment. Afghans suffer not only from violence and bloodshed but also from lack of respect to the state law approved on the basis of democratic criteria following the downfall of the Taliban's regime. Man's natural rights to life, liberty and property, which are included in the Universal Declaration of Human Rights (UDHR), have been endorsed by Afghan administration and the state is committed to respect and protect those rights and to "form a civil society void of oppression, atrocity, discrimination as well as violence, based on rule of law, social justice, protecting integrity and human rights, and attaining peoples' freedoms and fundamental rights," as stated in the Constitution's preamble.

Afghanistan's Constitution has been approved immaculately based on both national values and international standards. Universal principles, which are rooted in humans' natural characteristics, are appropriately reflected in our law. For instance, the principle of non-discrimination on the grounds of one's race, sex or color, invalidating the confession obtained under duress, criminalizing physical or mental tortures, degradation of the accused/suspect, arbitrary detention and etc. Since the accused are mostly treated as criminal in our society, observing their rights is underlined in the country's laws, mainly in Constitution, Penal Code and Criminal Procedure Code. As a result, article 29 of the Constitution states, "Persecution of human beings shall be forbidden. No one shall be allowed to or order torture, even for discovering the truth from another individual who is under investigation, arrest, detention or has been convicted to be punished. Punishment contrary to human dignity shall be prohibited."

Constitutionally, when the accused are detained by the police, they will have to be informed of the reasons behind their detention and entitled to appoint defending attorney forthwith and confidentiality of conversations, correspondence, and communications between the accused and their attorney shall be secure from any kind of violation. In addition, forced confession is not valid or allowed at any cost. Mental or spiritual tortures are also banned in law. Since Afghanistan has committed to observe the United Nation's Charter and UDHR, mental or spiritual tortures are also regarded violation of human rights in international instruments which are known as: solitary confinement, keeping in solitary cell without being allowed to have access to food, water and toilet, threatening to throw from window, using foul language, immersing their heads in smelly substance and making them watch the act of

torture.

After all, ambiguity in the statements of law is never supposed to be interpreted against the accused and the district attorney/prosecutor will have to consider both the accusing and exonerating documents equally.

As mentioned above, arbitrary detention is against the law and a court can order the detention of the accused in six cases: (1) In case of the existence of criminal documents against the accused. (2) In case of committing crime evidently. (3) When the identity of the accused/suspects is unknown. (4) When there is fear of escape or concealment. (5) When there is fear of sabotage or change of criminal documents. (6) When the accused/suspects do not have a permanent residence in district where crime is committed.

Moreover, the court can release the accused on bail based on its own decision or on the suggestions made by the accused or their attorney. The president of the court can determine the amount of bail, for releasing the accused/suspects temporarily, in accordance with the level of accusation or damage inflicted on a person - as mentioned in article 105 and 106 of Criminal Procedure Code. It is worth saying that detaining the accused without a legal order of an authoritative court is not allowed in the legislative system.

It goes without saying that court, which is a part of legislative system, is an independent entity and no one, including the president, can put pressure on it about its decisions. The division of powers - i.e. legislative, executive and judiciary powers - is recognized only in democratic administrations, including Afghanistan. All the powers are independent and have to work in a parallel manner but cannot interfere in the decisions of one another.

Considering the laws approved immaculately on the basis of democracy, now the question is that why our people suffer from lawlessness and violation of their rights? Indeed, our legislative system is perfect and people's rights, liberty and dignity are reflected rightly in our Constitution, Penal Code and etc. However, some major challenges rule our judicial and executive systems. Corruption is one of those challenges which has paralyzed the entire system in our country and suck the people's blood on day-to-day life. To put it succinctly, those who are supposed to protect the law, are the main law-breakers. Who are they? It is not me but the government to find out and put them on trial. Moreover, laws are not enforced as they are articulated by legislators. It is believed that the major violators of citizens' rights and law-breakers, such as members of Mafia and militant groups, are at large. They escape law and prosecution for having power or money - the two curses which have taken their toll on our nation for decades.

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