

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



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## The Insecurity is Getting Rampant

Security incidents have now become the order of the day in Afghanistan. Everyday there are tragic news from different parts of the country regarding bombings and ruthless killings by Taliban insurgents. The prospects of peace and tranquility are becoming darker with each passing day. The promises of negotiations and reconciliation do not seem to be turning into tangible steps and within such a scenario Afghan civilians are the ones who are suffering the most.

Neither there are steps being taken for paving the way to development that could guarantee providence of basic requirements to the people; nor are there arrangements to guarantee their security. Government authorities mostly blame insecurity as a hurdle towards development and claim that most of their energies and funds are utilized to provide security to the people; therefore, the attentions cannot be focused on other areas. However, the facts and figures show a different picture – the security sector remains unattended as well and insecurity is rampant throughout the country.

Recently, there has been an alarming rise in security incidents in the country and even the capital Kabul is being haunted by the ghost of insecurity. A tragic incident in Kabul on Saturday killed about 15 people and wounded another 33. The attack was carried out near the Afghan defense ministry, where mostly the employees of the ministry and poor civilians were targeted. It took place few hours after an attack that was carried out in Assadabad in eastern province of Kunar, which killed 13 people including a militia commander Haji Khan Jan.

Few analysts link the current rise in the attacks in different parts of the country and the capital Kabul to the efforts of peace talk. They suggest that Taliban insurgents want to enter the peace talks from a position of strength and they can only do so by accelerating their activities. They believe that Taliban may be able to have more of their conditions accepted in this way.

However, by doing so they may also lose the opportunity of entering the talks at all. If there is rise in attacks by Taliban, there are possibilities that Afghan government may accelerate the fight against them. President Ashraf Ghani has already mentioned that there would not be any talks with those who will continue killing the innocent people. It is also a possibility that the rise in the attacks may be by those factions in Taliban who do not favor the talks with Afghan government. Taliban cannot be seen as a unity in the current circumstances. They are divided in different factions and those factions have different objectives and incentives. The ones who do not favor peace talks will make all the efforts to make the talks a failure.

In such a scenario, it is important that the government must be able to have a clear idea about how to continue the peace talks. It can pursue talks with those who are ready for talks but can have an aggressive attitude against those who refuse the reconciliation process. Soft stance against the ones who refuse to talk can only encourage the insurgency and violence.

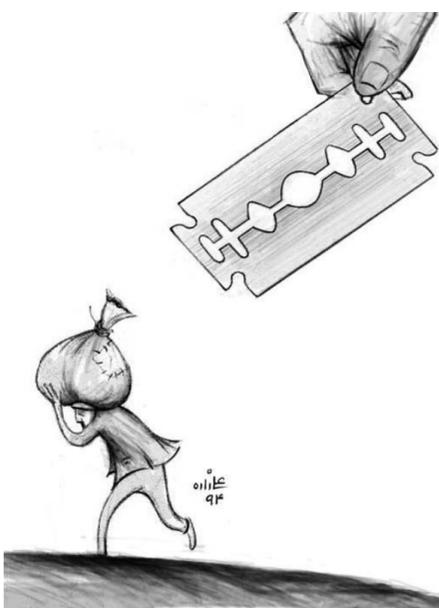
The Afghan government requires taking a definite and prudent stance at this crucial juncture, where the future of the country would be decided. The people of Afghanistan want to have a peaceful and tranquil life and it is their basic right as well. It is also important for them because ultimately they pay the price of the insecurity the most. United Nations (UN) annual report released a couple of weeks earlier depicted that the number of Afghan civilians killed and wounded passed 11,000 in 2015 - the highest number recorded since the United States-led invasion more than 14 years ago.

The United Nations said in its report released that there were 3,545 civilian deaths and 7,457 people wounded with children paying a particularly heavy toll. The total of 11,002 civilian casualties marked a four percent rise over 2014, the previous record high, the report said. One in four casualties was a child, while one in 10 was female, it said, with Nicholas Haysom, the UN's special representative for Afghanistan, calling the figures "unacceptable".

"We call on those inflicting this pain on the people of Afghanistan to take concrete action to protect civilians and put a stop to the killing and maiming of civilians in 2016," said Haysom.

The report said "anti-government elements" were responsible for the most harm, causing 62 percent of all civilian casualties. Those killed and wounded by "pro-government forces" represented 17 percent of the record figure.

"Unprecedented numbers of children were needlessly killed and injured last year," said Danielle Bell, the UN's director of human rights in Afghanistan. "Other children suffered the loss of parents ... one in 10 casualties was a women." All these figures show that government authorities must take some speedy measures to control the situation in the country. They have the responsibility of providing a secure and better life to the people and they have to fulfill that responsibility or at least strive, honestly, to fulfill it.



## The Uncertainties over the Electoral Reforms

By Abdul Ahad Bahrami

With the electoral reforms in a stalemate, concerns are growing over the fate of the reform process and the upcoming parliamentary and provincial council elections. Government officials have said that President Ashraf Ghani would soon issue a second decree on the electoral reforms before the end of the MPs' winter recess. Other reports suggest the government has been engaged in talks with members of the parliament to secure support of the MPs before the decree goes to the lower house of representatives. The news come as the fate of the electoral reforms process remains uncertain given the legal stalemate created after the lower house of the parliament, the Wolesi Jirga, rejected two presidential decrees over the reforms. Despite the announcements, it is not yet clear whether the government would be able to make a breakthrough in the reforms process and fulfill its commitment on reforming the country's electoral system and governing bodies. The main challenge for delivering the electoral reforms seems to be lack of commitment and political will in the higher tiers of the government rather than the parliament's blockade of the reforms process. The government has failed to lead an effective reform process. It has fallen short of exploring every possible way for getting the reforms process through the bureaucratic and legal procedures. The efforts have been lagging behind the expected timeline for delivering the reforms while the reforms are a vital prerequisite to the future parliamentary election.

The timeline and arrangements for holding the upcoming parliamentary and provincial council elections are messy. While government officials continuously insisting on its commitment to make the reforms, there are conflicts going on over arrangements and timeline of the upcoming elections. With uncertainties hovering over the electoral reforms, officials of the Independent Election Commissions do not miss the opportunity to make use of the chaos and insist on their own election agenda. Earlier the head of the IEC announced a date for the parliamentary election which was rebuffed by authorities of the Chief Executive Office. The IEC is viewed as an incompetent and its move to set the date of the upcoming elections are considered as incredible and unbinding. The government's lack of action to find a way forward for making the reforms is going to further complicate the situation. If the trend continues, the failures would build up and in turn result to failure of the parliamentary and the provincial council elections. Without the promise reforms, the legitimacy of the upcoming parliamentary election would again be marred by cheatings, controversies and behind-door dealings. The government needs to learn from the problematic presidential elections held in 2014. The current national unity government is a product of political dealings between two key major camps that contested in the 2014 elections. Electoral reforms were a key foundation of the agreement that led to the formation of the unity government. There is a need to prevent the repetition of vote which pushed

the country into the brink of an abyss.

The news over the government's efforts to make consensus with the lawmakers over the reforms and the relevant presidential decree is promising. However, much more needed to be done to end the political wrangling. The inconsistencies in activities of the relevant commissions and government offices must end and relevant agencies need to be aligned with the reform process. The leaders of the government need to join efforts to make agreements over this and direct all other groups to abide by the reforms process. The government agencies and commissions involved in the process such as the electoral reforms commission, the two electoral commissions and the selection committees are needed to remain on the same page under a unified government policy of electoral reforms.

In addition, broader consensus are needed over the electoral reforms, the upcoming elections and the overall political developments in the country. Political divisions undermine the government's efforts to lead the country's political development, stabilize the country and implement programs for improving the economy. The government needs to lead an initiative to bring all political actors on board and garner their support. After a recent remark by an American official, there were chats in the media of possible political breakdown in the country due to the growing rifts over key national issues including the controversial electoral reforms. Such environment in the politics and the media would potentially harm the state's credibility and sustainability against existing challenges. The politicians and the leaders of the government need to realize the intensity and dimensions of the potentially undermining situation.

There is no clear roadmap for delivering the reforms and making preparations for the next parliamentary and provincial council elections. The protracted efforts have already harmed the process of the electoral reforms. Since getting underway, the reform process has been involved with repeated delays, blame games and controversies. This needs to be prevented. The government needs to lead the reforms based on a holding and efficient timeline. The process has been stalled many times since it started, and there is no guarantee it would not be stopped again amidst the controversies. Policy makers need to redouble efforts and agree on a clear roadmap for the whole process.

The legal stalemate over the electoral reforms will be resolved if the government works closely with the MPs and persuade them to approve the laws or endorse the presidential decrees. The government needs to lead a more robust lobby for passing the reform agenda from the parliament. As the MPs are in their winter recess, there is also the possibility for the government to issue a decree over the reforms process. The electoral reforms are imperative for a sound, transparent and fraud-free parliamentary election. The government should end the uncertainties and lead the process out of the stalemate.

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## The Persistent Violation of Human Rights

By Hujjatullah Zia

Human rights have been reportedly violated to a large extent and the bleeding nation suffered great challenges in 2015. Amnesty International (AI) has recently released that terror, civilian casualties, violence against women and other criminal activities had increased and National Unity Government (NUG) failed to fight crime and prosecute the perpetrators. AI also expressed deep concerns over the rise in terror and violence and said that hundreds of civilians had been killed or injured. Similarly, Afghanistan Independent Human Rights Commission (AIHRC) said that human rights, mainly women's rights, have been largely trampled upon over the past year despite the priority given for safeguarding their rights.

Historically, mankind has fought to protect his rights and dignity. A myriad of people sacrificed their life to break the chains of slavery and to gain freedom. Rivers of blood streamed to maintain liberty and dignity. Violating man's natural and inalienable rights, has constantly outraged man's conscience and led to catastrophic wars. People preferred death to subjugation and humiliation. Finally, the men's painful experiences of war and bloodshed were combined with the survival of natural rights' theories to be resumed in human rights' frame. In other words, natural rights, which were weakened by the conceptual confusion, high ambitions and strong criticism of positivists, were recovered in international instruments and here claim to decrease the pain and suffering of men and provide the human society justice, freedom and peace. Therefore, the theories of natural rights survived the historical challenges and crossed that tortuous path successfully. Ultimately, Human Rights' law was established to curb the life-threatening challenges and mortal battles and claimed to bring universal peace.

It is aptly stated in the preamble of the Universal Declaration of Human Rights (UDHR) that "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". It further adds that "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.... it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law...." Human rights are commonly understood as inalienable fundamental rights "to which a person is inherently entitled simply because she or he is a human being," and which are

"inherent in all human beings" regardless of their nation, location, language, religion, ethnic origin or any other status. They are applicable everywhere and at every time in the sense of being universal, and they are egalitarian in the sense of being the same for everyone. They require empathy and the rule of law and impose an obligation on persons to respect the human rights of others. They should not be taken away except as a result of due process based on specific circumstances, and require freedom from unlawful imprisonment, torture and execution.

Considering the terror and insurgencies and lack of justice in judicial system, a large number of Afghans suffer from having their rights violated. The Chief Executive Officer of the National Unity Government (NUG) Abdullah Abdullah said last year that he was not satisfied with the performance of the government over the past few months, adding that justice was also not being implemented in the judicial system. He believed that without respecting human rights and maintaining justice in its true spirit, it would be impossible to move the country toward longstanding peace and stability - an issue which was stressed constantly by the Afghanistan Independent Human Rights Commission (AIHRC).

Afghanistan has committed to observe the UDHR, as it is said in the preamble of Afghanistan Constitution, "We the people of Afghanistan Observing the United Nations Charter as well as the Universal Declaration of Human Rights...." Moreover, men and women are entitled to equal rights in the Constitution as it declares in article 22, "Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. The citizens of Afghanistan, man and woman, have equal rights and duties before the law."

The National Unity Government has to ensure that the rights and dignity of all Afghan men and women are protected and address the challenges going on across the country. The officials should consider that with the establishment of NUG, political instability and economic stagnation have been intensified and civilians suffered the bulk of insurgencies. Moreover, a large number of Afghan people took refuge to foreign countries to avoid insecurity and economic crises.

Similarly, with the emergence of self-styled Islamic State of Iraq and the Levant (ISIL), the rights of minority are imperiled further and their freedoms are curtailed on a large scale. People lost their lives on the grounds of their race, color and creed. In other words, sectarian violence is the product of ISIL presence which surfaced in the country last year.

Since there is no clear strategy to curb the challenges, people's rights to life, liberty and property are still at stake and, constitutionally, the government is responsible to protect the rights of the public.

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