



COI QUERY

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COI QUERY RESPONSE

1. Treatment of journalists and media workers (2018-2020)

Legal background

Articles 34 and 35 of the Constitution guarantee the rights to freedom of expression and association in Afghanistan, and Article 36 guarantees the right to peaceful assembly. Article 50, 3rd paragraph guarantees citizens ‘the right of access to information from state departments in accordance with the provisions of the law. This right shall have no limit except when harming rights of others as well as public security.’¹ This provision is further elaborated in the Access to Information Law (2014).²

The 2009 Mass media law aims to, amongst others: ‘1. Promote and guarantee the right to freedom of thought and speech; 2. Protect the rights of journalists and safeguard conditions for the free operations of the mass media; 3. Promote and develop free, independent and pluralistic mass media’. The law also stipulates: ‘5. Observe the right to freedom of speech and mass media as enshrined in the Universal Declaration of Human Rights observing the provisions of the principals of the sacred religion of Islam.’³

Background of the media sector in Afghanistan

Afghanistan has an active and independent media which expresses a variety of opinions and publishes independent magazines, newspapers, newsletters, websites and broadcasting stations. ‘Due to high levels of illiteracy, most citizens preferred broadcast to print or online media. Media outlets and activists routinely used social media to discuss political developments, and Facebook was widely used in urban areas. The Taliban used the internet and social media to spread its messages.’⁴

Most media outlets are privately-owned. There are ‘dozens of TV networks and more than 170 FM radio stations’, as BBC reported in 2019.⁵

The 2019 Netherlands Country of Origin Report gave a ‘mixed’ picture of freedom of the press: ‘on the one hand, Afghanistan has a critical and diverse media landscape, at least in comparison with other countries in the region. On the other hand, it is one of the most dangerous countries in the world for journalists.’⁶

The Afghan Journalists Safety Committee (AJSC) noted:

‘Press freedom is one of the major achievements of the post-Taliban era. Today Afghanistan is home to hundreds of media outlets, which broadcast in various languages for a variety of audiences across the country. There are also media outlets which are run by women and produce content solely for women. The vibrant press has made tremendous contribution towards creating an open and more informed society in the country. The Afghan people rely

¹ Afghanistan, MoJ, Enforced Constitution of Afghanistan, 30 July 2004, [url](#)

² Afghanistan, Access to Information Law, 2014 [Unofficial translation by Integrity Watch Afghanistan], available at: [url](#)

³ Afghanistan: Mass Media Law of 2009, 2009, available at: [url](#)

⁴ US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

⁵ BBC News, Afghanistan profile – Media, 27 August 2019, [url](#)

⁶ Netherlands (The), Ministry of Foreign Affairs (MFA), Country of Origin Report Afghanistan, March 2019, available at: [url](#), accessed 3 August 2020



on the media for their information and awareness of all that's happening in the country. It has also served as the anchor of freedom for a country, which has been ruled by repressive regimes for the most part.⁷

According to Al Jazeera, Afghan media have grown in particular after foreign troops partially withdrew in 2014 and international media decreased their presence.⁸

Female journalists

According to statistics from the Afghan women's Supporters Organisation, cited by AJSC, the number of active female journalists in Afghanistan was about 1700 at the time of writing (May 2020). The source noted: 'Journalism is one of the prominent professions that has attracted the attention of women, and women have been able to prove their presence in society by turning to this profession and improve public awareness of the role of women in social activities.'⁹

Many female journalists work under a pseudonym to avoid 'recognition, harassment, and retaliation'.¹⁰ TV stations reportedly 'self-censor and often partially-pixelate images of women'.¹¹ Radio stations employing women, and female journalists, are being targeted and receive death threats by Taliban.¹²

In several provinces (Kunduz, Khost, female journalists have started radio stations to reach Afghan women and to discuss topics relevant for women, such as health, education, and domestic violence.¹³

Freedom of Speech

According to UNAMA, Human Rights Watch, and Reporters without Borders, cited by USDOS, the 2014 Access to Information Law is not fully implemented, so that journalists often do not get access to the information they asked for.¹⁴

According to US DOS, 'The government did not restrict or disrupt access to the internet, and there were no credible reports the government monitored private online communications without appropriate legal authority. [...] There were reports authorities at times used pressure, regulations, and threats to silence critics.' Freedom of speech is more constrained at the provincial levels, 'where local officials and power brokers exerted significant influence and authority to intimidate or threaten their critics, both private citizens and journalists', than in the capital. Fear of violent retribution occasionally leads to self-censorship.¹⁵

The authorities forbid live TV reporting of terrorist incidents, allegedly with the aim to 'avoid incitement to or support of terrorism'.¹⁶

AJSC warned against increasing threats to press freedom from the Taliban, who 'have traditionally declared their opposition to press freedom, particularly the presence of women in the media.' Taliban have attacked 'many media outlets and remain responsible for the killing of dozens of media workers'

⁷ AJSC, A roadmap to protect press freedom during the reconciliation process, n.d. [April 2020], [url](#)

⁸ Al Jazeera, Afghan media reject new rules they say could hurt press freedom, 25 June 2020, [url](#)

⁹ AJSC, challenges of being a woman reporter in Afghanistan, n.d. [2 May 2020], [url](#)

¹⁰ US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

¹¹ BBC News, Afghanistan profile – Media, 27 August 2019, [url](#)

¹² Reuters, Afghan radio station shuts down after threats by suspected Taliban, 15 July 2019, [url](#)

¹³ BBC News, The woman who dares to run a feminist radio station in Afghanistan, 6 September 2019, [url](#); RFE/RL (RadioFreeEurope/RadioLiberty), New Afghan Radio Station For Women, By Women, 10 March 2020, [url](#)

¹⁴ US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

¹⁵ US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

¹⁶ Freedom House, Freedom in the World 2020 – Afghanistan, 4 March 2020, [url](#)



in the past twenty years.¹⁷ The increase in threats and attacks by Taliban and ISIS amongst others not only threatened the lives of media workers but also ‘led to a massive self-censorship among reporters in insecure areas. Amidst such pressures, the impartiality and neutrality of journalists is questioned time and again.’¹⁸

On 24 June 2019, the Taliban issued a statement threatening all Afghan media, TV, radio and other channels if these would air or publish ‘advertisements critical of their fighters’.¹⁹ The government, in reaction, ‘vowed to protect the media’ as ‘freedom of speech is a big achievement for which the Afghan people have paid many sacrifices’ and added that threatening media and freedom of the speech is in contravention of the Islamic and human values’.²⁰

Targeting

In the past few years, journalists and media workers have been threatened and attacked by Taliban and ISIS fighters, but also by government officials and ‘powerful local figures unhappy with news coverage’.²¹ Journalists criticising impunity, crimes, and corruption by powerful local figures were intimidated and threatened by violence by government officials and citizens.²²

The UN Security Council reported on a journalist who had raised concerns about mismanagement of funds allocated to the COVID-19 response was arrested, while another was threatened by local authorities.²³

According to Reporters without Borders (RSF), ‘Women journalists are a favorite target and are especially vulnerable in those regions where fundamentalist propaganda is heeded.’²⁴

On 20 November 2019, the prominent pro-Taliban commentator Waheed Mozhda was killed in an ‘apparently targeted shooting, which was unsolved at year’s end’, according to Freedom House.²⁵

Number and types of incidents

Between 1 January 2018 and 18 July 2020, ACLED registered 30 cases of violent incidents against civilians (including journalists) resulting in the deaths of 23 journalists/media workers (total number of deaths in these incidents was 121). In **2018** there were 12 incidents, in **2019** 14 and in **2020** four incidents.²⁶ The most violent incidents were suicide bombings and remote explosions attacks in which journalists were reporting on the incident. Other attacks reportedly targeted at media were: the destruction of three radio stations, the kidnappings of two media workers, the shooting and killing of a BBC reporter and a female journalist/human rights defender who had earlier said to fear for her life, a car bomb in a journalist’s car which injured the reporter.²⁷

¹⁷ AJSC, A roadmap to protect press freedom during the reconciliation process, n.d. [April 2020], [url](#)

¹⁸ AJSC, challenges of being a woman reporter in Afghanistan, n.d. [2 May 2020], [url](#). See also HRW, Afghanistan’s Media Self-Censors to Survive, 10 April 2019, [url](#)

¹⁹ HRW, World Report 2020, Events of 2019, Afghanistan, 14 January 2020, [url](#)

²⁰ Tolonews, Govt Vows To Protect Afghan Media Amid Taliban’s Warning, 25 June 2019, [url](#)

²¹ Al Jazeera, Afghan media reject new rules they say could hurt press freedom, 25 June 2020, [url](#)

²² US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

²³ UN Security Council, The situation in Afghanistan and its implications for international peace and security, Report of the Secretary-General [A/74/897–S/2020/549], 17 June 2020, [url](#), par. 41

²⁴ RSF, Afghanistan, n.d. [url](#); Tolonews, Govt Vows To Protect Afghan Media Amid Taliban’s Warning, 25 June 2019, [url](#)

²⁵ Freedom House, Freedom in the World 2020 – Afghanistan, 4 March 2020, [url](#). see also Afghan Biographies, Muzhda, Wahid Ahmad killed, 21 November 2019, [url](#)

²⁶ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

²⁷ EASO analysis based on ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#), accessed 30 July 2020



ToloneWS reported, based on 'press rights organisations', that Afghanistan was 'the deadliest country for journalists and media workers' since 2016, and that 17 reporters were killed in **2018**, and five in **2019** (23 in total) 'in attacks by the Taliban and other insurgent groups'.²⁸

According to the Committee to Protect Journalists (CPJ), 15 journalists were killed in **2018**, nine of them in a double suicide attack on 30 April 2018. The country was the 'most deadly' in the world for journalists in 2018.²⁹ In the next year, CPJ 'did not record any journalists killed in the line of duty in Afghanistan in **2019**'. CPJ reported that news agencies in Afghanistan 'have become more cautious, with fewer journalists rushing to cover explosions'.³⁰ CPJ recorded one incident in **2020** in which journalists were killed. An IED exploded in Kabul on 30 May 2020, killing a Khurshid TV-journalist and a technician, while injuring six more workers of the same media.³¹ This brings the total number of killed media workers reported by CPJ in the reporting period at 17.

Contrary to the previously mentioned media organisations, AJSC does not only record killings, but all types of violence. AJSC also considered the first half year of **2018** 'the bloodiest reporting period for journalists and the media community in Afghanistan'. It recorded 89 cases (22% more than 2017) of violence and intimidation against media workers including journalists, of which 11 killings. Other cases include humiliation/mistreatment (19), beatings or injurings (25), and intimidation (25). Perpetrators of these violent acts were in majority (37 incidents) ISIS and Taliban, government/ security forces (36 cases), and the rest are unidentified individuals and media managers (2 cases).

AJSC recorded over the first half year of **2019** 45 cases of violence against journalists and media workers, of which 3 cases of murder and 5 cases of physical assault. Verbal abuses, intimidation and illegal expulsion constitute the remaining cases.

AJSC further noted:

'Although the number of incidences of violence and threat against journalists show 50% decline during the first six months of **2019** compared to that of last year, it does not indicate a significant alleviation of the overall state of threat against journalists and media, as the perpetrators still manifest a great amount of intimidation against media outlets and journalists. Perpetrators of the violence reported by AJSC were: the government in 20 cases (44%), Taliban & ISIS in 8 cases (18%), unknown people in 8 cases, 'influential people' and 'media managers' in totally 9 cases.'³²

The source did not provide information on the second half of the year 2019.

In the first six months of **2020**, AJSC recorded 42 cases of violence against journalists, including killings (2), injuries (11), physical assault (6), and cases such as insults, intimidation and kidnapping. **Taliban and ISIS were the main perpetrators, followed by government officials.** Of these 42 violent cases, 7 referred to female media workers.³³

Non-exhaustive list of incidents

²⁸ ToloneWS, Afghanistan: Deadliest Nation for Journalists, 21 January 2020, [url](#)

²⁹ CPJ, In Afghanistan, Kabul News journalist shot dead on way to work, 26 April 2018, [url](#)

³⁰ CPJ, Number of journalists killed falls sharply as reprisal murders hit record low, 17 December 2019, [url](#)

³¹ CPJ, Afghan journalist and media worker killed in bomb attack, 2 June 2020 [url](#); ToloneWS, Journalist, Studio Technician Killed in Kabul Blast, 6 Wounded, 31 May 2020, [url](#)

³² AJSC, Six months report 2019, January - June, n.d. [url](#), p. 4

³³ AJSC, First Six Months Report 2020, July 2020, [url](#)



25 April 2018: Two unknown gunmen on motorcycles shot dead Abdul Manan Arghand, a reporter for Kabul News, as he was driving to work in Kandahar. Arghand had received anonymous threats by phone about his reporting.³⁴

On 30 April 2018, 29 people were killed and 49 injured³⁵ in a double suicide bomb attack by ISIS. A suicide bomber detonated himself near the NDS headquarters in the Shashdarak area of Kabul. ISIS, cited by BBC, said that the intelligence headquarters were the target. The second attack occurred after police, NDS personnel, and journalists arrived at the scene. Of the 29 killed, 9 were journalists and 4 were police officers.³⁶ BBC, citing AFP, reported: 'the second blast had deliberately targeted the group of journalists. "The bomber disguised himself as a journalist and detonated himself among the crowd," AFP quoted a police spokesman as saying.'³⁷

Also on 30 April 2018, a BBC reporter was shot dead by unidentified men on motorcycles on his way home in the outskirts of Khost city. No group claimed responsibility.³⁸ The BBC reported in January 2019 that three men had been convicted by 'a special anti-terrorism tribunal' for the killings but did not provide further details on the perpetrators.³⁹

On 6-September-2018, a double suicide bombing occurred at a sports gym in the Dasht-i-Barchi area of Kabul city, reportedly conducted by IS militants. A total of 25 people were killed, including 2 Tolo News journalists, and 90 others wounded.⁴⁰

On 18 October 2018, a Radio-TV Afghanistan journalist 'was killed in a crossfire' during an attack on the governor's compound in Kandahar.⁴¹

On 15 March, the journalist Sultan Mahmoud Khaikhwah was killed by two men on a motorcycle while he was in his car. The attack was claimed by an ISIL-affiliate but no motive was given.⁴²

On 11 May 2019, Mena Mangal, a female journalist and women's rights campaigner, adviser to the Afghan government, was shot and killed by unidentified gunmen in south-east Kabul just days after writing on Facebook that she feared for her life.⁴³

On July 31 2019, 35 civilians including 2 journalists were killed and 27 were wounded when a Taliban-planted IED hit their bus in the Ab Khorma area of Bala Buluk district, Farah.⁴⁴

On 4 August 2019, an IED 'targeted' a bus carrying employees of Khurshid TV, killing the driver and injuring four persons including media staff.

On 9 May 2020, a demonstration about food distribution outside the governor's office in Chaghcharan (Feroz Koh) city, Ghor, ended in violence. At least 3 protesters, 1 journalist, and 2 policemen were killed and about 19 wounded.⁴⁵

³⁴ CPJ, In Afghanistan, Kabul News journalist shot dead on way to work, 26 April 2018, [url](#)

³⁵ BBC News mentioned 26 killed and 45 injured. BBC, Kabul bombings: Journalists targeted in blast which killed 26, 30 April 2018, [url](#)

³⁶ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

³⁷ BBC, Kabul bombings: Journalists targeted in blast which killed 26, 30 April 2018, [url](#)

³⁸ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

³⁹ BBC, Ahmad Shah: Three convicted over BBC reporter's killing, 3 January 2019, [url](#)

⁴⁰ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

⁴¹ CPJ, Mohammad Salim Angaar killed, n.d., [url](#)

⁴² CPJ, Afghan journalist killed; Islamic State affiliate claims responsibility, 18 March 2019, [url](#)

⁴³ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#); Guardian (The), Mena Mangal: journalist and political adviser shot dead in Kabul, 11 May 2020, [url](#)

⁴⁴ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

⁴⁵ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)



On 30 May 2020, 2 Khurshid journalists were killed and 4 others were wounded when their bus was hit by a landmine in the Kolola Pushta area of Kabul city. IS claimed responsibility for the attack.⁴⁶

State response

In 2016, an initiative was launched by the government, with support committees and a coordination centre, to address cases of violence against journalists. However, although the national committee dealt with cases and referred them to the Attorney General's Office, press freedom organisations concluded that 'it did not increase protection for journalists', as US DOS noted.⁴⁷ On 16 October 2018, the government launched a support fund that was aimed at financially supporting journalists and families of media workers who had been killed or injured.⁴⁸

The Afghan government expressed its concern about the above-mentioned Taliban threats in June 2019 and 'vowed' to preserve press freedom and the safety of journalists.⁴⁹ However, AJSC characterized the state response to the number of attacks, killings and violence against journalists and media workers as 'indifference'. The government even attempted to amend the media law:⁵⁰

'The indifference of the Afghan government towards protecting freedoms of speech and press and the ideological opposition of the Taliban towards these values has undermined confidence about the future of these hard-gained achievements of Afghanistan. [...] The government's attempts to amend the mass media law raised serious concerns about press freedom.'⁵¹

The Afghan government had initiated an amendment to the media law which 'sought to restrict media outlets and investigative reporting, providing security agencies with access to sources of media reports'. However, after protests from the Afghan media⁵² and opposition from the Upper House of Parliament, the government removed the amendment on 24 June 2020.⁵³ The amendment met with wide criticism from the Afghan media which had 'flourished after the 2001 fall of the Taliban'. The proposed changes to the media law were seen as 'a setback for independent journalism'.⁵⁴

RSF, cited by Tolonews, said that the concern is growing that 'basic freedoms, including press freedom, could be sacrificed in the course of the international efforts to restore peace in Afghanistan'.⁵⁵

2. Treatment of human rights defenders (2018-2020)

The term 'Human rights defender' is used to describe 'people who, individually or with others, act to promote or protect human rights'.⁵⁶

Legal framework

Article 6 of the Constitution obliges the state 'to create a prosperous and progressive society based on social justice, preservation of human dignity, protection of human rights, realization of democracy,

⁴⁶ ACLED, Disorder Involving the Media (18 July 2020), [url](#), file: [url](#)

⁴⁷

⁴⁸ UN Human Rights Council, The situation of human rights in Afghanistan and technical assistance achievements in the field of human rights [A/HRC/40/4], 28 January 2019, [url](#), par. 70

⁴⁹ Tolonews, Govt Vows To Protect Afghan Media Amid Taliban's Warning, 25 June 2019, [url](#),

⁵⁰ AJSC, First Six Months Report 2020, July 2020, [url](#)

⁵¹ AJSC, First Six Months Report 2020, July 2020, [url](#)

⁵² AJSC, Afghan media raises alarm over proposed media law amendment, 16 June 2020, [url](#)

⁵³ IFJ, Afghanistan: Government drops controversial media law amendment, 17 July 2020, [url](#)

⁵⁴ Al Jazeera, Afghan media reject new rules they say could hurt press freedom, 25 June 2020, [url](#), accessed 4 August 2020

⁵⁵ Tolonews, Govt Vows To Protect Afghan Media Amid Taliban's Warning, 25 June 2019, [url](#), accessed 4 August 2020

⁵⁶ UN HRC, Who is a defender, n.d., [url](#)



attainment of national unity as well as equality between all peoples and tribes and balance development of all areas of the country.’⁵⁷

Articles 21 to 59, guarantee a variety of human rights, including the right to equality before the law, the right to life, the right to liberty, the right to a fair trial, the prohibition against torture, the right to legal representation, the right to freedom of expression, the right to association, the right to peaceful assembly, the right to freedom of movement, the right to education, the right to work, and the prohibition on forced labour.⁵⁸

The constitution also installed the Afghanistan Independent Human Rights Commission (AIHRC), ‘to monitor respect for human rights in Afghanistan as well as to foster and protect it’.⁵⁹

Background

Apart from the AIHRC, Afghanistan has a number of other organisations and networks focusing on defending human rights. These include, according to the 2016 EU+ Local Strategy on Human Rights Defenders in Afghanistan, the Afghan Women Network (AWN), Civil Society and Human Rights Network (CSHRN) and Afghan Civil Society Forum (ACSF) with over 120 member organisations in total.⁶⁰ In addition, there are smaller organisations with specific focuses or working at the local or provincial level, and international human rights and legal aid organisations. According to EEAS, ‘All HRDs face considerable threats and constraints in movement in some regions and cannot access some of the areas, where they are expected to monitor the human rights situation.’⁶¹

The USDOS 2019 country report on human rights practices reported:

‘Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. Human rights activists continued to express concern that human rights abusers remained in positions of power within the government.’⁶²

Targeting

According to the 2016 EEAS report, human rights defenders experience threats and violence not only from the Taliban or other armed anti-government groups, but also from government entities, warlords and organised crime. They also face more subtle and diffuse forms of violence, such as ‘denial of medical care, education for the children, loss of housing, land or citizenship, or other types of social disqualification’.⁶³

Female human rights defenders are, according to the EU+ Local Strategy, ‘in a particularly difficult situation: they are not only targeted for the work they do, but also for who they are and for challenging social and religious patriarchal norms, which may result in stigmatization, isolation and various forms of threats and violence.’⁶⁴

Also the UN Special Rapporteur on the situation of human rights defenders, said in his 2018 report that female defenders ‘face higher risks because of their identity and their activism. They often face

⁵⁷ Afghanistan, MoJ, Enforced Constitution of Afghanistan, 30 July 2004, [url](#), art. 6

⁵⁸ Afghanistan, MoJ, Enforced Constitution of Afghanistan, 30 July 2004, [url](#), artt. 21-59

⁵⁹ Afghanistan, MoJ, Enforced Constitution of Afghanistan, 30 July 2004, [url](#), art. 58

⁶⁰ EEAS, EU+ Local Strategy for Human Rights Defenders in Afghanistan 2014, Revised 2016, n.d. [url](#), p. 4

⁶¹ EEAS, EU+ Local Strategy for Human Rights Defenders in Afghanistan 2014, Revised 2016, n.d. [url](#), pp. 4-5

⁶² US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

⁶³ EEAS, EU+ Local Strategy for Human Rights Defenders in Afghanistan 2014, Revised 2016, n.d. [url](#), p. 4

⁶⁴ EEAS, EU+ Local Strategy for Human Rights Defenders in Afghanistan 2014, Revised 2016, n.d. [url](#), p. 4



stigmatization, shame, isolation [...] often, threats against them are not taken seriously and violence is treated with impunity.’⁶⁵

In 2019, USDOS noted that ‘human rights defenders were disproportionately targeted’.⁶⁶

In February/March 2019, the global civil society alliance CIVICUS interviewed a number of prominent civil society members and leaders of Civil Society Organisations. They noted a ‘shrinking civil society space’ in Afghanistan, due to the following factors: ‘insecurity and armed groups opposing civil society’s work and values; political interference that undermine civil society; exclusion of civil society, and in particular women’s groups, from the peace talks’. Concerns about the ongoing threats to journalists and human rights defenders led CIVICUS to put Afghanistan on the CIVICUS Monitor Watch List, which ‘highlights countries where there is an urgent, immediate and developing threat to civic space’.⁶⁷

Amnesty International (AI), presenting its August 2019 report *Defenceless Defenders: Attacks on Afghanistan’s Human Rights Community*, stated: ‘Afghanistan’s human rights community is under intensifying attacks from both the authorities and armed groups as human rights defenders and activists face intimidation, harassment, threats and violence.’⁶⁸ Defenders who complain to the government about violence and harassment were sometimes accused of fabricating the complaint, others were told to ‘protect themselves’, implying that they have to buy weapons for their own security.⁶⁹

The work of human (and women’s) rights defenders is, according to AI, ‘labeled as “anti-religion” and “anti-culture” and are targeted for challenging injustices. There have been systematic attacks on human rights defenders in Afghanistan in the last couple of years, which notably increased in 2019.’⁷⁰

The level of threats depends on the public visibility of the person concerned and the location, according to AI. In Kabul, defenders are more often threatened than at provincial levels, however, in the latter cases threats are more often ‘carried out immediately in the context of poor security and general lawlessness’. Women experience more serious threats at the provincial level, not only from the known actors regarding the general security situation, but also from their own families and ‘numerous other external elements’.⁷¹

Number and types of incidents

In the period January-October **2018**, 202 security incidents were recorded by NGOs, according to the UN Special Rapporteur. These included ‘robberies, threats, abduction, direct fire’, and the use of IEDs.⁷²

In **2019**, AI noted several violent incidents targeting human rights defenders.

‘In May last year [2019], a female journalist and activist, Mena Mangal was shot dead in Kabul.’⁷³

⁶⁵ Forst, M., World report on the situation of human rights defenders, December 2018 [url](#)

⁶⁶ US DOS, 2019 Country Reports on Human Rights Practices: Afghanistan, 11 March 2020, [url](#)

⁶⁷ CIVICUS Monitor, Afghan HRDs concerned about shrinking space for civil society, 29 March 2019, [url](#)

⁶⁸ AI, Afghanistan: Human rights defenders under attack, 28 August 2019, [url](#)

⁶⁹ AI, *Defenceless Defenders: Attacks on Afghanistan’s Human Rights Community*, 28 August 2019, [url](#), pp. 5-6

⁷⁰ AI, *Defending Afghanistan's defenders: from commitments to action*, 27 February 2020, [url](#)

⁷¹ AI, *Defenceless Defenders: Attacks on Afghanistan’s Human Rights Community*, 28 August 2019, [url](#), p. 12

⁷² Forst, M., World report on the situation of human rights defenders, December 2018 [url](#)

⁷³ Guardian (The), Mena Mangal: journalist and political adviser shot dead in Kabul , 11 May 2020, [url](#). See also under Journalists.



In July [23 July 2019], Saeed Karim Musawi, a well-known human rights defender and civil society activist was shot and killed by two gunmen who were riding on a motorbike and escaped the scene in Kunduz province.⁷⁴

In September [2019], the Taliban attacked Kunduz and Baghlan provinces, laying siege to the cities. Human rights defenders were trapped for days without access to communication, internet and any kind of protection support from the government or other actors. Their fear was being found and targeted for their human rights work.

In the same month [September 2019], Abdul Samad Amiri, a human rights defender and head of the Ghor provincial office for Afghanistan Independent Human Rights Commission was kidnapped and killed on his way to Ghor province.⁷⁵

In November [2019], two prominent human rights defenders from Logar province were forcibly disappeared and then detained for exposing alleged sexual abuse against children.⁷⁶

In **2020**, several human rights defenders have been targeted with 'death threats, abduction and assassination attempts in reprisal for their peaceful human rights work.'⁷⁷

For example, 'in March 2020, eight prominent human rights defenders were threatened to death in Kabul. In April 2020, Wida Saghary, a prominent women human rights defender was threatened to death.'⁷⁸

On 27 April 2020, protesters against the sexual assault of two women by policemen in the Jaghouri district, Ghazni province, gathered at the district building to demand the removal of the police chief, the head of the anti-crime branch and the district governor of Jaghouri. When police opened fire on the protesters, one person was killed and nine wounded. Later, the district police commander and head of the anti-crime branch were fired, two police officers arrested and investigated.⁷⁹

During the reporting period of the UN Human Rights Council (17 March 2020-17 June 2020), 'five human rights defenders were killed in Kabul and three other provinces, allegedly by anti-government elements, although there was no claim of responsibility. Three other human rights defenders were kidnapped and subjected to ill treatment by the Taliban in Paktika.'⁸⁰

On 9 May 2020, security forces reportedly killed five people in the capital of Ghor Province who protested against the way the government distributed humanitarian aid.⁸¹

On 28 May 2020, human rights defender Ibrahim Ebrat died after having been shot a week earlier by unknown gunmen. He was 'a prominent human rights defender and the coordinator of the Afghan Civil Society Joint Working Group in Zabul province, Afghanistan.'⁸²

On 27 June 2020, two employees of the Afghan Independent Human Rights Commission (AIHRC), Fatima Khalil and Ahmad Jawed Folad, were killed by an IED while on the way to their work in Kabul.

⁷⁴ HRD Memorial, Saeed Karim Musawi, 23 July 2019, [url](#)

⁷⁵ Frontline Defenders, Statement on the Killing of Abdul Samad Amiri in Afghanistan, 6 September 2019, [url](#)

⁷⁶ AI, Defending Afghanistan's defenders: from commitments to action, 27 February 2020, [url](#)

⁷⁷ Frontline Defenders, Afghanistan: Human rights defender Ibrahim Ebrat killed, 29 May 2020, [url](#), p. 1

⁷⁸ AI (Amnesty International), Urgent Action, Human Rights Defenders Under Attack, 10 July 2020, [url](#)

⁷⁹ CIVICUS Monitor, Afghan human rights and media workers face attacks while new NGO law threatens civil society, 8 July 2020, [url](#); Tolonews, 1 Protester Killed as Ghazni Protest Turns Violent, 28 April 2020, [url](#)

⁸⁰ UN Security Council, The situation in Afghanistan and its implications for international peace and security, [A/74/897-S/2020/549], 17 June 2020, [url](#), par. 41

⁸¹ UN Security Council, The situation in Afghanistan and its implications for international peace and security, [A/74/897-S/2020/549], 17 June 2020, [url](#), par. 41

⁸² Frontline Defenders, Afghanistan: Human rights defender Ibrahim Ebrat killed, 29 May 2020, [url](#), p. 1



The AIHRC is ‘a national human rights institution, dedicated to educating, promoting, protecting and monitoring human rights and the investigation of human rights abuses. The commission has been an active body in a highly volatile and challenging environment and has been in the forefront for the protection of human rights.’⁸³

This attack was ‘the latest in a rising number of targeted killings’ in Kabul. In this regard, a spokesman for the National Security Council, said that ‘the Taliban attacks in the past three months rose nearly 40 percent compared with the same period last year’.⁸⁴

In reaction to this attack, a group of international human rights organisations launched a press release on 7 July 2020 in which they expressed their serious concern about the increased targeting of members of the AIHRC. They mentioned ‘an increasing number of attacks on those associated with the organisation’, such as the abduction and killing of the Acting Head of the Ghor Provincial Office in September 2019 by the Taliban.⁸⁵

State response

The above mentioned international human rights organisations noted in their press release:

‘Despite a public commitment to protect defenders and the launching of a protection strategy for human rights defenders in early 2020, the government has failed to investigate and bring justice to those that have been victimised and targeted as a result of their human rights work. [...] We call on the Afghanistan government to provide effective support and protection to human rights defenders and to carry out immediate, thorough and impartial investigations into these attacks, with a view to publishing the results and bringing those responsible to justice.’⁸⁶

AI also noted how the government ‘has repeatedly failed to investigate attacks on human rights activists, sometimes accused them of ‘fabricating’ their claims, and even told them to take up arms to defend themselves.’⁸⁷

The Afghan government drafted a new Law on Non-Governmental Organizations (NGOs), approved by the Cabinet Committee on 31 December 2019, which aims to ‘regulate affairs related to registration and establishment of and facilitation of monitoring and assessment and ensure transparency in the activities of NGOs’. All national and international organisation are requested to register and establish their existence with the Ministry of Economy, which decides on the application. The application can be rejected on grounds of ‘contradiction of articles of association and document of registration of NGOs with provision of this law.’ According to AI, this provision ‘may be used to target independent and critical NGOs’. Under Article 43 the Ministry of Economy has the right “to monitor and evaluate the structure, leadership, management and modus operandi of organization.” These provisions would put NGO operation firmly under the government’s direct control.’ The government also has the right

⁸³ OMCT, Afghanistan: Increased targeting of members of the Afghan Independent Human Rights Commission, 7 July 2020, [url](#)

⁸⁴ New York Times (The), Afghan Deaths Pile Up in Uncertainty Over U.S. Deal With Taliban, 27 June 2020, [url](#)

⁸⁵ OMCT, Afghanistan: Increased targeting of members of the Afghan Independent Human Rights Commission, 7 July 2020, [url](#)

⁸⁶ OMCT, Afghanistan: Increased targeting of members of the Afghan Independent Human Rights Commission, 7 July 2020, [url](#)

⁸⁷ AI, Defenceless Defenders: Attacks on Afghanistan’s Human Rights Community, 28 August 2019, [url](#)



to 'interfere with legitimate NGO activities', including the right to close any NGO that was critical on the government or its policies.⁸⁸

⁸⁸ AI (Amnesty International), Draft Ngo Law threatens Civil Society organizations in Afghanistan, 27 June 2020, [url](#); Civicus Monitor, Afghan human rights and media workers face attacks while new NGO law threatens civil society, 8 July 2020, [url](#)



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