

Civil Society and Human Rights Network (CSHRN), Afghanistan

Thank you Mr. President

My name is Hassan Ali Faiz. I am from Afghanistan and belong to Hazara ethnic minority. I work for the Civil Society and Human Rights Network.

In a meeting in May 2016, with representatives of civil society, the president, Mr. Ghani said "I don't care about treaties and conventions signed in Hague and Washington; we have our Constitution".

He was apparently reacting to the civil society report on non-implementation of human rights conventions to which Afghanistan is a party.

Afghanistan is overdue for all its state reports in particular the Convention against Racial Discrimination and Civil and Political Covenant. The country for instance has not been able to submit its state report on the implementation of the Convention on the Elimination of Racial Discrimination for over 30 years and the Covenant on Civil Political Rights for over 23 years.

The very Constitution that our President was referring to, according to a civil society finding in 2016 is the most violated document. The report states that all articles of the Constitutions have been deliberately violated except one article which says "Kabul is the capital of Afghanistan". The violators are all branches of the state structure in particular the executive branch including the office of the president.

Mr. President, the human rights conventions and our Constitution are the only mechanisms to give protection to the rights of the minorities at policy level.

You can imagine the situation of the minorities in the absence of legal protection.

Minorities are constantly and systematically discriminated on the basis of their ethnicity primarily and then religion.

I divide minorities in Afghanistan into two categories. I call them 'neglected minorities' and 'prosecuted minority'. The neglected minorities are the smaller minorities in terms of number who are disappointed and lost confidence in the government, and the government has also not been kind and generous enough to address their basic needs. They are trapped in the geographical prisons in remote mountainous areas of Afghanistan, such as the Pamiris, the Kyrgis, the Aimaqs, the Balochs etc.

The prosecuted minority is the Hazaras who have been systematically discriminated against for over a 100 years beginning with their mass killing 1891 to 1893. Some historian believe that 62 per cent of the population of the community were massacred and over 10 thousand of the women, men and children of the community were sold out in the slaves market of the then India. The atrocities against this community has continued since then taking different forms and different magnitude. They are

constantly targeted, abducted, intimidated and discriminated on the ground of their ethnicity and religion.

From January 2016 to October 2017, 689 members of this community were killed and injured in their places of worship only. However, the overall number of casualties is much higher if all other incidents are also counted.

The pattern of discrimination has also adversely affected the life of youths. On 19 November 2017, Zahra Khawari a female student at Kabul University committed suicide after her thesis was rejected for five times, purportedly, on the ground of her ethnicity.

While the Hazaras comprise around 35 percent of the population in the capital city Kabul, the percentage of Hazaras occupying high level jobs in government institutions in Kabul is less than 2%.

Recommendations:

I on behalf my organization and my community, call upon my government to:

- 1) Provide physical protection to members of all minorities in particular the Hazara and Shia Muslims.
- 2) Enact an anti-discrimination law.
- 3) Report on implementation of the ICERD and ICCPR, at its earliest possible time.