

Appendix 3:

Questionnaire Responses Submitted by the Campaign of Dr. Abdullah Abdullah

Please note that the response was submitted in Dari; the English version below is a translation by Human Rights Watch.

Responses of Dr. Abdullah Abdullah, presidential candidate, to the questions of Human Rights Watch

A. Security Force Accountability

- 1. The Afghan Local Police (ALP) have been implicated in numerous abuses against civilians that have been traced to poor vetting of ALP members, limited governmental oversight, and the lack of a functioning disciplinary mechanism.. As president, what changes, if any, would you make to reform the ALP program?**

In relation to positive and negative actions by government employees and appointees of the armed forces, we will revive and strengthen the "reward and punishment system" and, in order to standardize it, we will hold human rights as its foundation. Mistreatment of civilians is considered among instances of human rights violation. In order to guarantee the mentioned rights, we will use all of our legal powers.

In the police system, especially the Local Police – as long as such structures are needed, [for] our program envisions eradicating the need for local police by strengthening the Civil Order Police – we will improve the level of the culture for respect of human rights standards and we will strengthen disciplinary frameworks; and we will elevate the level of accountability [in our efforts] centered around strengthening the process of professional and legal training.

- 2. Afghanistan has no functioning system to provide prompt, fair and consistent compensation to civilians harmed by Afghan security forces. As president, would you create such a system?**

Protecting the life, property and honor of citizens is one of our national duties; our dominant discourse in peace and war is abiding by human rights standards and ethics. In case an Afghan citizen bears losses or damages from security forces or, more generally the Afghan government, we consider it our duty to elevate the level of accountability and pay appropriate compensation at the earliest opportunity, and make comprehensive efforts to institutionalize this process.

- 3. As president, what steps would you take to end abuses by illegal militias (arbakis), some of which are aligned with and supported by the government?**

We have not supported the creation of "arbaki" forces from the beginning and believe that low level of training, their unwillingness to accept discipline and the possibility of their misuse will not only

not strengthen security but also intrude on security. In relation to the eradication of illegal forces, we will make serious efforts; towards this end, we will task the forces that follow legal procedures and function under the orders and directives of the armed forces of Afghanistan to conduct their duties consistent with principles and ethics. We will not tolerate abuse and law-breaking behavior in any shape and at any level, and will take serious legal action against it.

B. Women's Rights

- 4. As president, would you support and work to provide the necessary resources for the establishment of shelters for women fleeing domestic violence and specialized violence against women prosecution units within the Attorney General's Office in each of Afghanistan's 34 provinces?**

The discussion of protecting citizens' rights, especially those of the vulnerable class, has fundamental importance to us both from a moral as well as a legal perspective. In relation to violence against women, we will take multi-dimensional steps. On the one hand, we will increase the range of safety for them and, on the other hand, will invest in creating a culture for the encouragement and popularization of respect for their human rights. In addition, we will mobilize legal and rights support for them more than before. We will create legal and structural frameworks at various administrative levels to deal with violence against women. And most importantly, we will deal with perpetrators of violence against women within the framework of Afghan law with such seriousness that they become an example for others so that every perpetrator of violence against women will think multiple times before resorting to violence towards women.

- 5. There are very small numbers of women in the Afghan National Police (ANP). Could you please describe what specific steps you, as president, would take to increase the number of women who join the ANP and the ANP's success at retaining these women in the police force?**

The presence of women in the police is not satisfactory. Many families are not satisfied about the immunity of their daughters that join the ranks of the police. They fear discriminatory and immoral treatment for their daughters and because of this they are less ready for their daughters to join the police. We will endeavor that on the one hand we encourage and promote female participation, and on the other hand strengthen order and discipline in the police. On the other hand, we will make efforts to shape the environment of interaction between male and female police in a way that no male police can have the mentality of mistreatment or abuse of female police. In addition, promotion of female police at high administrative levels within the structure of the police can strengthen the immunity of their female colleagues. In this way, we can guarantee dependable conditions for female presence in the various levels of the police.

- 6. As president, what steps would you take to improve enforcement of the provisions of the Law on the Elimination of Violence Against Women, which makes forced marriage and child marriage a crime?**

We consider any illegal action as unjustifiable and will make efforts towards its eradication. We consider violence against women and underage marriage as a violation of the principles of human rights and the laws of Afghanistan. In this regard, we will be serious in strengthening the human rights of women and strengthening the rule of law. Through planning and implementing laws, we will make efforts to guarantee greater immunity for the women of the country.

7. Following Afghanistan's first review by the United Nations Committee on the Elimination of Discrimination against Women in mid-2013, the committee expressed serious concerns about discriminatory treatment of women in regard to personal status and family law matters. The committee called on Afghanistan to:

- a) Repeal all discriminatory provisions of the Shia Personal Status Law and Civil Code;**
- b) Raise the age of marriage for girls to 18;**
- c) Adopt a Family Law providing equal rights for women and men in all matters related to marriage and family, including property, inheritance, divorce and child custody;**
- (d) Abolish polygamy.**

As president, would you support and work for these changes?

Our preconditions for the articles of the Personal Status Law and the Civil Code include upholding, in a wise way, of fundamental human rights, the laws of Afghanistan and contemporary interests. In this regard, we will strive for the strengthening of the professionalism of legal and legislative organs. We will not keep Afghanistan separate from the progress of the global family.

8. In recent years, there have been many murders of high-profile women, including women who work for the government, such as Lieutenant Islam Bibi and Lieutenant Nigar in Helmand this year. As president, what would you do to protect female government employees from attacks?

We will strengthen the justice and judicial organs of the country. We value their independence, the evolution of their role in fair arbitration, their trustworthiness and professionalism. We will ask the judicial organs to seriously follow the cases of chain assassinations, especially those of female service members.

In relation to the safety and security of female service members, we will take effective steps.

C. Transitional Justice and the Afghanistan Independent Human Rights Commission

9. Many serious human rights abuses have been committed in Afghanistan over the past 35 years, yet no major perpetrators have been prosecuted or convicted for any of these abuses. As president, would you take steps to prosecute those people who credible evidence indicates were involved in serious human rights abuses?

Transitional justice is one of the most important topics in our society. Entering this discourse requires professional and impartial institutions and necessitates a justice and judicial organ that is standard, independent and trustworthy. In addition to the fact that we feel a sense of duty in this regard, we will also actively conduct our duties in promoting the ethics of tolerance. In our view, it is necessary to create the appropriate cultural, moral and legal backdrop through which the discussion of transitional justice can be had. Without that, political misuse and the strengthening of a spirit of vengeance under this banner [of transitional justice] will not allow for the realization of the adjudication of truth.

10. In 2012, the Afghanistan Independent Human Rights Commission (AIHRC) completed an 800-page report mapping serious human rights abuses that were committed in Afghanistan between 1978 and 2001, but the report has not yet been released by the Afghan government. As president, would you release this report?

We deem it necessary that for the accurate assessment of this report, we appoint a group of specialists and experts so that all aspects of this report and the documents that it is based on can be assessed transparently, honestly and professionally. And if necessary, further investigations will be conducted into the cases included in this report. In our view, only after gaining confidence about the accuracy of this report can we make a decision about publishing it.

11. As president, what would you do to revive and implement the 2005 Action Plan for Peace, Reconciliation and Justice?

The Action Plan for Peace, Reconciliation and Justice is brought up at a time and context that, considering the changes, it should fall prey to positive changes and be adjusted to new needs. In this regard, it is necessary that specialists of these affairs offer concrete recommendations so that principled and useful executions can be made.

D. Torture and Cruel, Inhumane and Degrading Treatment

12. After a government committee found widespread torture in Afghan detention centers, President Karzai in February 2013 ordered that any government officials who engage in torture would be prosecuted, yet there have been virtually no prosecutions. As president, what steps would you take to ensure that members of the police, military and other government officials who commit torture are brought to justice?

To prevent acts of torture in prisons and detention centers of the country, it is needed that the administration of prisons be fundamentally reformed. Professional teams of guards and researchers can also safeguard and guarantee the rights of prisoners in a better way. We not only condemn torture and degrading treatment but also will not tolerate it in practice. Humans deserve human dignity in all states (freedom or incarceration). In this regard, we consider any neglect unjustifiable and for the respect of the values of human rights, we will prosecute all torturers.

Torture is not the only instance that exists as a big problem in prisons and detention centers. Multiple reports compiled by domestic and international organs show that the financial situation of prisoners is exceedingly bad. In addition to that, the existence of crimes in prisons – such as rapes of young prisoners,

rape of female prisoners, buying and selling of narcotics – are among other issues that exist in Afghan prisons. The capacity of most prisons is also inadequate, and prisoners in most prisons have to sleep 10 to 20 in rooms that can hold three or four.

All these problems can be eradicated with a comprehensive program that first requires a comprehensive evaluation of the conditions of prisons.

13. As president, would you ensure access to all Afghan detention facilities by the AIHRC, the United Nations, and humanitarian and human rights organizations to monitor conditions within these facilities?

There is no legal hindrance toward the access and monitoring of prisons by AIHRC, the UN and other humanitarian organizations. In this regard, we will not only cooperate but also provide the necessary facilities. We believe that such evaluations and the results obtained from them help the government to address the issues of prisons and prisoners.

14. As president, what would you do to end compelled “virginity examinations,” a form of cruel, inhumane and degrading treatment that is carried out on all women and girls accused of “moral crimes” for use in legal proceedings, despite being medically invalid?

Anything that is considered degrading under the law and human ethics does not have our approval. We will endeavor that in regards with upholding the human dignity of citizens, especially Afghan girls, civic culture and ethics are held dear. In our view, in encountering the signs of crime, the ethics of human rights should be considered fundamental and be promoted.

E. Children’s Rights

15. Only about half of Afghan girls currently go to school, and many boys are also deprived of education. As president, what steps would you take to increase access to and quality of education for Afghan children, especially girls?

Supporting the rights of children is among the important priorities of our national program in relation to human rights, one of whose salient indicators is devoting resources toward education, health and welfare. In order to attain the abovementioned indicators we have, in our action plans, accounted for general security, attention toward the qualitative and quantitative aspects of education, attention toward the need for a balanced national development, optimizing welfare programs, and social protection.

We know that a large number of children in Afghanistan not only lack access to education and social services, but are also forced to do hard labor, even exposed to the risks of sexual assault, being drawn to the world of crime and becoming victims to human traffickers.

In our government, the responsible institutions, including Ministry of Education and Ministry of Labor and Social Affairs, will be obligated to plan and execute specific programs so that Afghan children can get rid of the problems that they currently face.

16. Child labor, including in mining and in the carpet industry, remains a very serious problem in Afghanistan. As president, what steps would you take to reduce child labor?

We oppose child labor, especially hard [physical] labor. In order to address their social and economic problems, we will invest in social welfare programs in conjunction with the empowerment of children so that on the one hand they don't have to do hard physical work and, on the other, they can play a role as a positive element in the process of social and economic development of the country, particularly in the future.

F. Afghan Refugee Children

17. Several European countries have requested that the Afghan government agree to the return of unaccompanied Afghan children from Europe, even if the children's families cannot be located. As president, what would your response be to this proposal?

We feel a sense of duty for the citizens of the country, especially migrant children, and consider their protection an important part of our foreign policy. In relation to migrant Afghanistani [sic] children, we will make every effort so that in the light of global fraternity, the Universal Declaration of Human Rights and international covenants, [these children] can enjoy tranquility, welfare and fundamental human rights. In order to realize this aim, we will also use every specialized legal resource as well as our diplomatic potential.