

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: +1-212-290-4700  
Fax: +1-212-736-1300; 917-591-3452

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Dear Foreign Minister,

As your government considers the policy and resource commitments it will make at next month's Brussels Conference on Afghanistan, Human Rights Watch urges you to strengthen your support for reforms that promote fundamental human rights and protection for civilians. We are particularly concerned about the right to education, military use of schools, media freedom, and the Afghanistan Independent Human Rights Commission.

Over the last decade, millions of Afghan children have had significantly greater access to education as a result of donor support for education and teacher training, as well as schools and educational materials. However, these impressive but fragile gains are now at serious risk, with girls being hit hardest by recent setbacks. Funding for education is stagnating or slipping even while the United Nations Children's Fund (UNICEF) estimates that 43 percent of Afghan children do not attend primary school. Funding for community-based educational programs is particularly at risk, the number of female teachers is still far from adequate, corruption—particularly the sale of teaching positions—has undermined the quality of teachers, and deteriorating security is making it hard and in some areas impossible for children, particularly girls, to attend government schools.

While the Taliban and other insurgent groups have been responsible for the vast majority of attacks that have caused significant civilian casualties, including many on educational facilities like the recent attack on the American University of Afghanistan, the Afghan National Security Forces (ANSF) are increasingly putting civilians in harm's way by occupying schools, often using them as military bases during offensives into Taliban-held areas. This turns these school buildings into possible targets for attack, vulnerable to damage and destruction. Even if the buildings remain unscathed, military occupation interrupts children's education. Because families are especially unlikely to allow girls to attend school if the school is being used by soldiers or is believed to be at risk of attack, this misuse of schools disproportionately harms girls' access to education.

This use of schools is also contrary to the Safe Schools Declaration, which Afghanistan endorsed in 2015. Not only do these actions imperil the very development goals Afghanistan's donors and NATO have long pledged to uphold, they tarnish the Afghan government's reputation while fueling support for the insurgents.

Afghanistan's donors "noted the importance of protecting and strengthening free media" at the London Conference in 2014. President Ashraf Ghani and Chief Executive Abdullah Abdullah have on numerous occasions expressed their support for a free media, and in February 2016 the president signed a decree affirming the safety of journalists and his government's commitment to a free media. However, as recently as August 29, Afghan security forces assaulted journalists in Bamiyan as they attempted to cover a protest. These abuses continue in large part because perpetrators are not held to account.

Impunity has long been identified by the Afghan government, donors, and domestic and international nongovernmental organizations as a key problem in the country's development and a continued impediment to the protection of civilians. At this crucial moment in the international community's commitment to Afghanistan, it is clear that a genuine change of course is needed. Taking necessary measures to ensure better protection of civilians and genuine respect for a free and open media is a crucial starting point.

Lastly, we remain concerned that the work of the crucially important Afghanistan Independent Human Rights Commission (AIHRC) may be undermined by the appointment of commissioners who are not fully committed to core human rights principles. We urge President Ghani to review these appointments to ensure that all commissioners actively contribute to the achievement of the AIHRC's mandate.

At the London Conference, Afghanistan's donors pledged to "support Afghanistan to become a secure and stable nation," and reaffirmed their commitment to aid which would "enable the Afghan state to play its role as a public service provider, strengthening good governance and promoting rule of law, and ensuring human rights equally for all citizens."

In this regard we wish to make specific recommendations—measures we hope your government and other international donors can commit to at the Brussels Conference—related to four key issues: military use of schools, right to education, media freedom, and the Afghanistan Independent Human Rights Commission.

### **Military Use of Schools**

- Work with the Afghan government to discourage the military use of schools, encourage occupying forces to vacate schools, and promote security force policies and practices that better protect schools.
- Make funding for schools contingent on Afghan government commitments that donor-supported schools will not be used by Afghan security forces. Monitor schools built or reconstructed by donor funds through regular check-ins with school officials and report military use of schools to the relevant authorities for their prompt action.
- Work with the Afghan government to address and remedy the disproportionate harm to girls' access to education as a result of hostilities and military use of schools. The Ministry of Education should adopt measures to assist girls who have been denied or risk losing access to education.
- Work with the Afghan government to ensure the implementation of its commitments under the Safe Schools Declaration, including through joint military training programs.

### **Support for Education**

- Press the Afghan government to address corruption in the education sector, particularly the sale of teaching positions, which compromises the quality of education and the recruitment of female teachers.
- Urge the Afghan government to move toward making primary school compulsory, develop mechanisms to ensure that all children attend school, and consider extending the school day to include more teaching hours.
- Provide support for expanding community-based education programs and making them sustainable.
- Work with the government to support school-related infrastructure, including water and sanitation facilities, especially for girls, and transportation for girls who live far from the nearest schools.
- Work with the government to insure that school-related costs, such as supplies, uniforms, and books, do not prevent poor students from attending school.
- Design and implement strategies by local government to reach out to communities with low school attendance rates, especially by girls, to assess barriers to education in those communities and develop remedial plans.
- Work with the government to enforce laws banning harmful child labor, and to increase working children's access to schools including through flexible education services for working children who cannot access the formal schooling system.

### **Media Freedom**

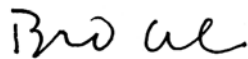
- Urge the Afghan government to take immediate action to protect journalists and media organizations, including by rigorously investigating and prosecuting threats and attacks on journalists.
- Continue to provide long-term institutional support to assist independent news media organizations to become self-sustaining.

### **Afghanistan Independent Human Rights Commission (AIHRC)**

- Press President Ghani to review commissioner appointments to ensure that commissioners are actively contributing to the achievement of the AIHRC's mandate, and to remove the commissioners who have failed to do so. Urge him to move swiftly to fill the two existing vacancies and ensure these appointments happen after meaningful consultation with civil society.

Thank you for your consideration of these issues. We would welcome the opportunity to discuss them with you or your staff in advance of the Brussels Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Adams".

Brad Adams  
Asia Director  
Human Rights Watch