

AFGHANISTAN

Issue: Human rights violations in Afghanistan.

Background:

Developments in Afghanistan in 1988 and early 1989 offered some hope for a resolution to the conflict there and a consequent improvement in the human rights situation. UN sponsored discussions led to the April 14, 1988 signing of the Geneva Accords on Afghanistan which came into effect on May 15. The Soviet Union withdrew its forces by February 15, 1989, as required. However, the Accords did not include a political settlement to the dispute between the Soviet backed regime and the Mujahideen who oppose it, nor did they include a ceasefire or an agreement that the USSR and the USA would halt arms supplies to the combatants. Thus the fighting has continued and Afghanistan is condemned to a bloody civil war to which there is no end in sight. The Mujahideen (who did not sign the accords and are not party to them) continue to seek to overthrow the Kabul regime. The Soviet Union supports the Kabul (Najibullah) regime through the supply of enormous quantities of weapons while the US lends some support to the Mujahideen who have elected an interim government but remain unable to take Kabul.

In such a civil war situation, human rights violations become endemic, and this has certainly been the case in Afghanistan, with all sides at times acting with a lamentable lack of restraint. With the Mujahideen and the Kabul government forces continuing their efforts to resolve the situation by military means, it could be some time before a national representative government emerges in Kabul. Until then, there is unlikely to be a significant improvement in the human rights situation, and the more than five million Afghan refugees in Pakistan and Iran are unlikely to return home.

During the forty-fourth UNGA, the Commission on Human Rights extended the mandate of the Special Rapporteur for a year. In September and October of 1989, the Special Rapporteur made three visits to the area (to Pakistan, Afghanistan and Iran) to obtain the most broadly based information possible. The report of the Economic and Social Council, produced October 30, 1989, on the basis of these visits, confirms the deplorable human rights situation, the only positive factor being the strength of international aid, especially from the United Nations and non-governmental organizations. The Kabul regime was very cooperative with the efforts and investigations of the Special Rapporteur, however this can be viewed as a propaganda tool used by the Afghan government to seek international recognition and legitimacy, as it is clear that the human rights situation in Afghanistan remains grim.

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