

AFGHANISTAN

Date of admission to UN: 19 November 1946.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Afghanistan has not submitted a core document for use by the treaty bodies.

Economic, Social and Cultural Rights

Acceded: 24 January 1983.

Afghanistan's second periodic report was due 30 June 1995.

Reservations and Declarations: Paragraphs 1 and 3 of article 26.

Civil and Political Rights

Acceded: 24 January 1983.

Afghanistan's third periodic report was due 23 April 1994.

Reservations and Declarations: Paragraphs 1 and 3 of article 48.

Racial Discrimination

Acceded: 6 July 1983.

Afghanistan's second through eighth periodic reports were due 5 August 1986, 1988, 1990, 1992, 1994, 1996 and 1998 respectively.

Reservations and Declarations: Articles 17, 18 and 22.

Discrimination against Women

Signed: 14 August 1980.

Torture

Signed: 4 February 1985; ratified: 1 April 1987.

Afghanistan's second and third periodic reports were due 25 June 1992 and 1996 respectively.

Reservations and Declarations: Articles 20 and 30.

Rights of the Child

Signed: 27 September 1990; ratified: 28 March 1994.

Afghanistan's initial report was due 26 April 1996.

Reservations and Declarations: General reservation.

COMMISSION ON HUMAN RIGHTS

Special Rapporteur on the situation of human rights in Afghanistan

A special rapporteur was first appointed to examine the human rights situation in Afghanistan in 1984. The Special Rapporteur (SR) for 1998 was Choong-Hyun Paik.

The report to the 1998 session of the Commission (E/CN.4/1998/71) is centred around two broad themes — political and military developments and the human rights situation — and is based, in part, on information gathered during visits to Afghanistan and Pakistan in July/August 1997 and November/December 1997.

The report states that the conflict continued unabated throughout 1997 and that armed hostilities occurred on a number of fronts resulting in a massive loss of life. Information indicated that both the Taliban and the Northern Alliance, a loose coalition of five parties — the National Islamic Movement of Afghanistan (NIMA), the Hezbe Wahadat party as well as a breakaway faction, the Jamiat Islami party, and the Harakat Islami party — have received large quantities of military equipment as well as other types of assistance from abroad. The point is made that 95 per cent of the population rejects the war and is being held hostage by the five per cent who are armed and profit from it.

Consideration of the political situation is set within a general context fanned by external political and military support, in which the ethnic and religious divide in Afghanistan became deeper during the period under review, with rifts taking place within a single party or grouping, especially the Northern Alliance. The report notes that international UN staff withdrew from the north, resulting in a virtual cessation of the UN's activities, due to threats, chaos and looting on a massive scale.

The context for the review of the human rights situation is established in the report by noting the further deterioration since the submission of the SR's report to the 1997 General Assembly.

With regard to Kabul, the report notes, *inter alia*, that: the city has become a virtual "ghost town"; both men and women prefer to stay home out of fear of being stopped or harassed by the religious police; the drastic reduction in purchasing power as a result of the disastrous economic situation has left the city streets practically deserted in the middle of the day; shopkeepers who are found in their stores at prayer time have been beaten by religious police; some persons are said to have been beaten successively at several religious police checkpoints; and information suggests that gatherings of more than five persons are illegal. The report also notes that: it has also been alleged that the local radio station had broadcast a statement to the effect that no one is allowed to criticize the government; human rights abuses have become more institutionalized, more systematic and more insidious, with some Taliban policies characterized as being intentionally inconsistent; persons may be arrested arbitrarily, at times on a whim, without the Ministry of Justice or the Ministry of the Interior being informed; a direct correlation is reported to exist between arbitrary arrest and Taliban military failure; and persons are reportedly also taken as hostages, at times in connection with their place of origin, and can be released against payment of large sums of money. It is estimated in the report that in Kabul alone, 40 per cent of the requirements for international humanitarian assistance were generated by the policy of the Taliban movement towards women; sexual harassment had increased since the Taliban had declared the wearing of the burqa veil mandatory for women, in part because the burqa is perceived by some to be provocative, leading to women being increasingly subjected to indecent proposals while waiting for transport at bus stops.