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Kabul's Stealth Attack on Human Rights

By Patricia Gossman

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Watershed moments in Afghanistan happen by stealth. Last weekend - the anniversary of the Soviet invasion 32 years ago - President Hamid Karzai rid himself of his most outspoken critic, a prominent official with one of the few government institutions in Afghanistan that actually performs well - the Afghanistan Independent Human Rights Commission. The move, announced Thursday, seems intended not only to silence a critic but bury the truth about the crimes of the past.

Why now? Ahmad Nader Nadery had anticipated losing his job - he, together with his colleague Ahmad Fahim Hakim, also dismissed, has been a thorn in Karzai's side for many years. Both had campaigned tirelessly against human rights abuses and electoral fraud. But this sudden move, scheduled while most of the West is on holiday, has a more ominous intent.

For the past several years, Nadery has been heading an effort to document war crimes going back to the time of the Soviet invasion. That effort is nearly done, and the long-anticipated report was scheduled to be released soon. Karzai's move seems designed to smother the report before it sees the light of day.

Talking about the past has never been popular with the Afghan government or its U.S. ally. Karzai's cabinet includes Vice Presidents Marshal Muhammad Qasim Fahim and Karim Khalili. Both men have been accused of war crimes in international human rights reports. U.S. State Department officials also have been nervous about the coming report, concerned that the release of details of Taliban atrocities in the late 1990s could upset delicate negotiations to get peace

talks underway. "Now is not the right time," one U.S. official recently told me. The Americans fear rocking the boat just at the moment they are trying to hammer down a deal - and leave.

Sadly, not rocking the boat has been the American mantra for the past decade, and has only worsened insecurity. From the outset, the military campaign in Afghanistan reflected the narrow U.S. objective of defeating the Taliban and Al Qaeda and creating a government able to maintain stability following a troop withdrawal. Washington chose its allies among anti-Taliban forces, mostly comprising Northern Alliance warlords and their militias. The Pentagon consistently rebuffed concerns that these commanders, most with long records of war crimes, might prove to be a destabilizing factor. Ten years later, stability in Afghanistan is still an elusive goal.

But the past is not just the past in Afghanistan. In October, the United Nations published a report on rampant torture in Afghan government detention facilities. As a Western official who investigated torture under the Communist regime told me, just "replace 2011 with 1979 and guess what?" Things have barely changed. It is no surprise that the National Directorate of Security is known today by its acronym from Soviet times, Khad. The practice of torture is the same, though it is not yet as pervasive.

That the past is repeating itself is no surprise to Afghans: When I was in Kabul in the late 1990s, people told me time and again that the only thing they feared more than the Taliban was that the warlords of the Northern Alliance might return to power.

The U.S. promise to build a democratic Afghanistan with respect for human rights seems all but forgotten, but it is still possible to salvage some measure of human rights protection. To start, the Obama administration and its European allies should raise concerns immediately with the Karzai government about the termination of the Human Rights Commissioners' appointments, and express strong support for the work Nadery and his colleagues have done.

Washington should urge that their replacements be people with strong track records in human rights. And the U.S. should encourage and welcome human rights documentation that seeks to bring to light the truth about the past, including via the commission's yet-to-be-published report. To paraphrase Martin Luther King, the great tragedy of this period in Afghanistan is the appalling silence of those who do not speak out for what is right.

Patricia Gossman is working with the Afghan Human Rights Commission on its forthcoming report.