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Statement on the status of the Afghanistan Independent Human Rights Commission

September 18, 2021

The Afghanistan Independent Human Rights Commission (AIHRC) is a national human rights institution with a mandate to protect and monitor human rights in Afghanistan. It was entrenched in Article 58 of the Constitution of Islamic Republic of Afghanistan. It is an independent institution in line with Resolution 134/48 of the United Nations General Assembly in 1993 and the Paris principles relating to the Status of National Human Rights Institutions.

Since August 15 the AIHRC continues in office but has been unable to fulfil its duties to the Afghan people. All AIHRC buildings have been occupied by Taliban forces, who have also made appointments and used AIHRC assets such as cars and computers. Furthermore, since the Taliban have consistently shown disregard for human rights, including attacks on human rights defenders and flagrant violations of international human rights standards, the leadership of the AIHRC has little confidence in a Taliban government to respect the mandate and independence of the AIHRC. Given the restrictions by the Taliban on women's employment and role in public life, we fear the Taliban would not allow female staff to continue to carry out their duties, including at a leadership level. This is unacceptable: the AIHRC cannot protect the rights of all Afghans if it cannot protect the rights of its female staff.

The leadership of the AIHRC is deeply concerned about the inability of the commission to carry out its functions, particularly given serious allegations of ongoing human rights violations, including to those coming from Panjshir, Kandahar & other places and concerns about the rights of women and girls. The Afghan people need an independent human rights body where they can take concerns about infringements of their rights, with confidence that in doing so they will be safe and their concerns investigated by a rights respecting institution. The inability of the AIHRC to carry out its duties, combined with the legitimate concerns of civil society leaders and journalists about restrictions on freedom of expression, has led to a dramatic reduction in the ability of Afghans to monitor and protect serious violations of human rights. While we appreciate the ongoing work of UNAMA and the OHCHR, in this context it is imperative that the United Nations Human Rights Council establishes an independent mechanism to monitor human rights violations in Afghanistan.

The AIHRC calls upon the Taliban to respect the independence of the AIRHC and its staff and all Afghan human rights defenders, who have worked tirelessly to protect the rights of the Afghan people.