Activity Report 1396
Persons with Disability Rights Unit
Based on the Strategic Plan and the Action Plan of the AIHRC
Report introduction

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Office address: Faiz Mohammad Kateeb Road, Afghanistan Independent Human
Rights Commission's Office aihrc@aihrc.org.af www.aihrc.org.af

E-mail:

Web page:
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Contents
Introduction ................................................................................................................1
Introduction of the AIHRC and the Rights of Persons with Disabilities Unit .........................2
The general situation of persons with disabilities ......................................................................2
Training and promotion of human rights of persons with disabilities ........................................4
Educational Program: ........................................................................................................5
Celebration of the World Day of Persons with Disabilities: ....................................................7
Results obtained from awareness raising and celebration programs ........................................10
The most important outcomes and achievements of awareness raising programs: ..................10
Advocacy and coordination of the protection of persons with disabilities .................................11
Monitoring and protecting the human rights situation of persons with disabilities, hospitals and treatment centers for addicts .................................................................13
Results achieved ............................................................................................................17
Participation in programs, meetings and seminars of other offices .........................................17
Challenges and Opportunities: ...........................................................................................17
Recommendations: ..........................................................................................................18
Additional information: ....................................................................................................19
As we know, according to the World Health Organization and the World Bank reports, there are about one billion people living with some form of disability worldwide, which make up 15% of the world’s population, who are also recognized as the world’s largest minority.\(^1\)

In our country, according to a National Disability Survey conducted by the Handicap International in 2005, there are about 840,000 people with severe disabilities that makes up 2.7% of the country’s population\(^2\) (although this survey is from twelve years ago, and unfortunately, the continuation of war and insecurity has increased the number of people with disabilities.) According to this survey, one in every five families has a disabled person.

For the legal protection of persons with disability, a law entitled “The Law of Rights and Privileges of Persons with Disabilities”, dated 28/09/1388, was approved and published in the Official Gazette No. 1037 of the Ministry of Justice, and has been used by the Ministry of Labor and Social Affairs Martyrs and Disabled, and other sectoral departments.\(^3\)

Amendments to this law was approved by the parliament on 28/12/1391, and was published in the Official Gazette No. 1099 of the Ministry of Justice of the Islamic Republic of Afghanistan. The amendments in Article 4 (1) and Article 8 (2); Article 11 and Article 31 of this Law are deleted.

Despite these modifications, which raised the financial privileges of persons affected by the war to 5,000 Afs, but those with natural disabilities or disabilities due to incidents are still deprived of such privilege, which causes dissatisfaction of other persons with some disabilities. They consider it a kind of discrimination against themselves. Of course, other amendments based on the Convention on the Rights of Persons with Disabilities was also drafted last year, which includes changes in the definition of disability and other issues, and maybe by approving this amendment the said legal problem would be solved to some extent.

Another document that supports the rights of persons with disabilities at the international level is the Convention on the Rights of Persons with Disabilities, to which the Islamic Republic of Afghanistan acceded after its adoption on 12 September 2012. The Convention introduced disability as a human variety. The Convention considers special rights for the various persons with disabilities and obliges Member States to provide services for persons with disabilities in specific areas. According to this Convention, the provisions of the laws of the countries should be revised and prepared based on this Convention.

Last year, Deputy Minister of Martyrs and Disabled Office in cooperation with other institutions active in the area of people with disabilities rights, including the people with disabilities rights unit of the AIHRC, revised the law on the rights and privileges of persons with disabilities and a series of changes were considered to the benefit of all persons with disabilities, but these adjustments have not yet passed the legal proceeding for ratification. On the other hand, under Article 35 of the Convention on the Rights of Persons with Disabilities, States Parties are required to present their first report on the implementation of the provisions of the Convention after two years, and then after every four years to the UN Committee for Persons with Disabilities, unfortunately, this report has not been prepared and submitted to this committee by the Ministry of Foreign Affairs, therefore we attract the attention of the relevant organs in this regard.\(^4\)

The Moroccan Convention is another important human rights document on the facilitation of the access of visually impaired persons and other persons with disabilities to printed works and publications, which was translated by

\(^3\) - This law, which is based on Article 53 of the Constitution of the country, has three chapters and forty articles.
the AIHRC and was put on the website of the AIHRC on 13/01/2016, as well as on the Monthly magazine of the AIHRC, and subsequently the Persons with Disabilities Rights Unit of the AIHRC and Advocacy Committee on the Rights of Persons with Disabilities held advocacy meetings with the authorities of the Ministry of Foreign Affairs, the Ministry of Martyrs and Disabled and the Commission for Disabled of the Meshrano Jirga, and asked them to take necessary actions regarding the approval of this Convention. Fortunately, based on the available documents in our hand, this Convention was approved on 10/09/1395 by the Wolesi Jirga and was passed to the Meshrano Jirga for further steps. It is worth mentioning that the present report is the result of a one-year effort and activity of the Coordinator and the Heads of the of the Persons with Disabilities Rights Unit of Regional Offices of the AIHRC in the fiscal year 1396, which is worthy of expressing my thanks and appreciation of their work.

Key words: Moroccan Convention, Advocacy Committee of the Rights of Persons with Disabilities, Convention on the Rights of Persons with Disabilities.

Introduction of the AIHRC and the Rights of Persons with Disabilities Unit

The Afghan Independent Human Rights Commission (AIHRC) is a national human rights institution that was established based on the Bonn Agreement and the Decree of the President of Afghanistan on 16 of Jawza 1381, and afterwards, in 1382, with the adoption of the Constitution of the Islamic Republic of Afghanistan, and pursuant to Article 58 of the Constitution it found a legal base to monitor the observance of human rights as well as to protect and promote human rights in the country.

Article 58 of the Constitution provides as such: “Every individual shall complain to this Commission about the violation of personal human rights. The Commission shall refer human rights violations of individuals to legal authorities and assist them in defense of their rights.”

The Law on the Structure, Duties and Mandate of the AIHRC was approved by the President of the Islamic Republic of Afghanistan in 1384 in four chapters and 35 articles. With regard to the situation noted above, the AIHRC established the Persons with Disabilities Rights Unit in accordance with Articles 53 and 58 of the Constitution of the country and Article 21, and 26 of the Law on the Structure, Duties and Mandate of the AIHRC in 2005, and then in 2006, this unit was created in seven other regional offices of the AIHRC that cover the provincial offices as well.

This Unit is working in line with the Strategic and Action Plan of the AIHRC to fulfil the four strategic goals of the AIHRC.

The general situation of persons with disabilities

As we know, 80% of people with disabilities are living in the villages and districts of different provinces that their access to social services is difficult and even in some cases impossible. For example, providing of prothesis/prosthesis service and artificial limbs is not possible in all provinces of Afghanistan and the roads and transportation is not easy or inaccessible. Therefore, a child who needs wheelchairs or artificial limbs, such as legs and feet, needs to change his limbs and prosthesis every six months, as he is in a state of growth, and it will be expensive for the parents to afford transportation. Therefore, the child lives with the same prosthesis and thus suffers from problems.

Persons with intellectual disabilities, mental health problems, in addition to being deprived of government social services, they are also deprived of the kindness of their family and community, but it is the duty of governments
to provide equal opportunities for all persons with disabilities in accordance with the Convention on the Rights of Persons with Disabilities.

Now, in this report, we will discuss the activities, achievements and challenges faced by persons with disabilities
in order to know what the AIHRC has done in the fiscal year 1396, in line with the AIHRC’s Action Plan in the area of the rights of persons with disabilities. And in the meantime, there are recommendations for the Ministry and Sectoral Institutions that we expect them to implement these recommendations in order to address the challenges and problems of people with disabilities.

The role of AIHRC in the implementation of the provisions of the Convention on the Rights of Persons with Disabilities

Based on Article 28 of the Constitution and Article 21 of the Law on the Structure, Duties and Mandates of the AIHRC, the AIHRC is obliged to monitor the human rights situation in the country. According to the AIHRC’s Action Plan, the People with Disability Rights Unit monitors human rights situation of persons with disability in the country, prepares reports and puts forward its recommendations in order to resolve the problems of People with disabilities.

According to Article 19 of the Convention on the Rights of Persons with Disability regarding independent presence of people with disabilities in the society, the State parties are obliged to officially recognize the rights of persons with disability to live independently and equally with others in the society, and to take necessary and effective measure to facilitate the full enjoyment of their rights. The AIHRC has carried out activities to pave the ground for equal rights of persons with disabilities in various fields, including activities to create employment opportunities for persons with disability. For example, as a result of the advocacy made by Kundoz Regional Office of the AIHRC, 25 eligible persons with disability were employed in Khenjan and Doshi districts of Baghlan province, and now they are working as official staff and earn a sustainable income.

Another example is that 17 students with disabilities who graduated from 12th grade in 1396 in different parts of the country were enrolled in private universities and institutes free of charge or with 50% discount. Two sisters with hearing disability named Samana and Khadeja who graduated from Ustad Kamaluddin Behzad High School in Herat province wanted to be enrolled in Fine Arts Faculty in Herat, but due to some disability challenges they faced some problems to attend the faculty. After serious endeavors made by the AIHRC, these two girls attended the said faculty and continued with their education. They expressed their thanks and gratitude to the AIHRC.

Similarly, as a result of the advocacy made by Mazar-e-Sharif Regional Office, the salaries of 380 persons with disability that were postponed by the Operation Department of the Security Police in Mazar-e-Sharif were paid. The salaries of the aforementioned persons with disability amounted to 60,000 Afs. After receiving their salaries, they continued their small businesses and it helped them to have an active participation in the society.

According to Article 31 of the Convention on the Rights of Persons with Disabilities, the State parties are obliged to collect the statistic of persons with disabilities to design a plan for better implementation of the Convention. In this regard, it is worth mentioning that only one national survey was made by the Handicap International in 2005 which estimated that almost 2.7 percent of the population in this country, (840,000 people) suffer from serious disability. According to the statistic received by the AIHRC from the Ministry of Labor, Social Affairs, Martyrs and Disables, this figure amounted to 110,560 people who are registered by that Ministry and receive their salaries and privileges. Of course, the number is so low here, because, it only covers the persons who were disabled by the war. Their number would be very high, if different categories of persons with disability are considered.

In relation to cultural life, recreation, and sports, it should be mentioned that there is a Para-Olympic Committee in the structure of the National Olympic consisting of football, wrestling, chess, running, volleyball in setting position, tennis, Ping-Pong, basketball on wheelchairs, wheelchairs competition, swimming, power lifting, aim-shooting, sailing, badminton, and table tennis. These committees are active in level of zones, and the AIHRC encourages the persons with disability to have active participation in the social and cultural lives. For example, as a result of the advocacy made by the Bamyan Regional Office in cooperation with the Disability Union in Bamyan, for the empowerment of the persons with disability and their participation in society, 4 sports teams (two female teams and two male teams) were established, and after further advocacy by the AIRHC, finally, ICRC office in

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9 - ibid
Bamyan province accepted to fully support basketball on wheelchairs team. Similarly, Aqa Khan Institution and the UNHCR provided sport shoes and clothes for the futsal teams of persons with disability.

The aim of establishing these teams by the AIHRC and the Union of Persons with Disability is to protect these people and enable them to live a normal life similar to others, participate in sports, which is one of the objectives of Article 30 of this Convention. This Unit endeavors to make more advocacy for the empowerment of persons with disability during the next year.

Herat and Mazar Regional Offices of the AIHRC also monitor sports teams of persons with disability and invites them to ceremonies held for the persons with disability.

Based on Article 33 of the Convention on the Rights of Persons with Disabilities, the State parties are obliged to coordinate activities of many national sources for implementation of this convention. Similarly, paragraphs two and three, oblige the civil society, especially the institutions representing the persons with disability to participate in the monitoring process, taking into consideration the protection and promotion of human rights. The AIHRC is a member of the inter-ministerial committee under the Deputy Minister of the Labor, Social Affairs, Martyrs and Disabled to address the human rights situation of the persons with disabilities. This Committee assigns duties to different state organs, private sector and independent institutions. This committee holds its sessions in two levels, Deputy Ministers and Heads of the offices, and they present their work reports according to a memorandum of agreement.

Similarly, the AIHRC’s People with Disability Unit is leading the ACPD (composed of civil association of PWD, national and international institutions, and civil activists) and carries out effective activities for the rights of persons with disability. In addition this Unit is a member of DSCG and CBR.

According to article 30 of the Convention on the rights of Persons with Disability, the state members are obliged to recognize the rights of persons with disability to enjoy equal rights with the others and take necessary measures to pave the ground for their access to cultural and sports facilities. The AIHRC has made endeavors for ratification of the Morocco Convention on Facilitating Access of Visually Impaired Persons and other People with Disability to published works and resources. This Convention has been translated and published by the Human Rights Monthly and put on the website of the AIHRC for awareness of the related authorities. Through holding of various meetings with the in charges of the Ministry of Foreign Affairs, Parliament of the country AIHRC has demanded for ratification and accession of our country to this convention. This convention has been ratified by the Wolosi Jirga, but unfortunately the process of adhering and publishing has not been completed at the Ministry of Justice.

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10 - Advocacy Committee for the Rights of Persons with Disabilities.
11 - Disability Stakeholder Coordination Group
12 - Community Based rehabilitation
Now we explain the activities and achievements made by the People with Disability Rights Unit according to the Action Plan of the AIHRC in 1396:

**Training and promotion of human rights of persons with disabilities**

Raising the awareness of 5,427 people (2,215 women and 3,212 men) from different groups of the community about the rights of persons with disabilities through conduction of 180 educational meetings.

**Educational Program:**

The Rights of Persons with Disabilities Unit, during the fiscal year 1396, aiming at achieving the second goal of the AIHRC’s Action Plan raised the level of awareness of 5,427 people (2,215 women and 3,212 men) from different groups of society by conducting awareness-raising programs, on the human rights of persons with disabilities.

It is worth mentioning that the number of women participating in awareness-raising programs in Herat, Balkh, Bamyan, and Kabul provinces was the highest, and the number of women participated in educational programs in
Kandahar and Gardez provinces was the lowest, while the number of women participated in educational programs in Nangarhar and Takhar provinces was higher than last year.

In the half-day training sessions, various topics were discussed with regard to the participants’ categories.

The topics that were discussed in the sessions included the introduction of the Law of Rights and Privileges of Persons with Disabilities, the Convention on the Rights of Persons with Disabilities, international human rights instruments, the introduction of the duties and mandates of the AIHRC, the duties of the State and society in relation to the human rights of persons with disabilities, The way of conduct with children with disabilities, the human rights of persons with disabilities in the national and international human rights instruments, harms of narcotic drugs, and other human rights issues.

This table shows the number of participants in the training sessions conducted by the Rights of Persons with Disabilities Unit, segregated by men and women.

**Media activities:** The second activity of this Unit, that leads to the enhancement of people’s awareness of human rights in the provinces, districts and villages, is the participation of our colleagues in the local radio and television programs that have thousands of viewers and audiences. The staff of this Unit, having participated in audio, video and print media interviews, have discussed various issues related to the rights of persons with disabilities, some of which are as follows: situation of persons with disabilities in the country, social problems of persons with disabilities, mental disability situation, problems of women with disabilities, problems of the visually impaired persons in the country.

The length of these programs was about 450 minutes, likewise, the HQ office in cooperation with the Aryanan TV produced a spot (1:30 minutes) with a 30% discount on the right to participation of people with disabilities, through Ariana TV for three nights on the occasion of the International Day of Persons with Disabilities, that was watched by thousands of viewers.
Preparation and publication of billboards: The third issue in connection with public awareness was the preparation and publication of 15 billboards holding the Law of Rights and Privileges of Persons with Disabilities and the Convention on the Rights of Persons with Disabilities, which was installed on the occasion of the International Day of Persons with Disabilities at Kabul crowded points, so that the people would become aware of the legal rights of persons with disabilities, and these panels, which were designed and prepared by the Human Rights Publication Unit were sent to all AIHRC Offices, so that they could print and publish them for raising awareness of the people in the community covered by the AIHRC. Fortunately, the provincial office of Ghor and Herat managed to do this by making two billboards and installing them free of charge in the city. The free installation of these billboards is a sign of respect for the work of the AIHRC and respect for the rights and dignity of persons with disabilities.

Celebration of the World Day of Persons with Disabilities:
The fourth issue, which is very effective in awareness raising and highlighting of the leading role of the AIHRC, is the celebration of the International Day of Persons with Disabilities. In accordance with the AIHRC’s Action
Plan, the International Day of Persons with Disabilities (December 3rd) is celebrated in the Regional and Provincial Offices of the AIHRC with the participation of government officials, persons with disabilities, civil society organizations and the media, urging the government officials to pay attention to the problems and challenges faced by different categories of persons with disabilities.

Celebrating of the International Day of Persons with Disabilities was conducted this year under the international theme of “The transformation towards a sustainable and resilient society for all.”

The theme was translated into the Dari and Pasho languages by the AIHRC after being received from the United Nations site, and subsequently sent to all disability organizations and provincial offices of the AIHRC to celebrate this important day under this global theme. Fortunately, the celebration of the International Day of Persons with Disabilities was attended by 1,217 people with disabilities, including women and men, government officials, the media and civil society in the 13 offices of the AIHRC (Kabul Regional Office, Bamyan Regional Office, Regional Office of Mazar-e-Sharif, Herat Regional Office, Kandahar Regional Office, Gardez Regional Office, Jalal Abad Regional Office, Kunduz Regional Office, and also this day was widely celebrated in the provincial offices like Daikundi, Ghor, Faryab, Badakhshan, Helmand). And the AIHRC’s leading role in awareness raising and advocacy for this vulnerable stratum was prominent.

In the following chart, you see the number of participants by gender.
For the first time, the Governor of Kabul invited a number of people with disabilities to celebrate the International Day of Persons with Disabilities in which the head of the Kabul provincial council and the provincial governors and various categories of persons with disabilities (physical disabilities, visually impaired, hearing impaired people and congenital disability) were present. The Coordinator of the Rights of Persons with Disabilities Unit at the event recalled the following points: “Disability is a human diversity and a universal and social issue, and the handling of problems of these persons is the responsibility of the State and all members of the community. Persons with disabilities are deprived of their basic human rights, including the right to education, the right to health, the right to housing, the right to work, etc., unfortunately, in the society, they are faced with the bad and humiliating names that are contrary to their human dignity; therefore, due to their problems, the officials of Kabul province plans to make public places accessible to all persons with disabilities, and also in the provincial development program the disability issues should be included in the program with regard to sustainable development goals. “ Of course, the governor of Kabul province and the Head of the Provincial Council of Kabul also made some promises.
The sixth activity aiming at raising the awareness of specific categories of persons with disabilities, especially those with sensory disabilities (visually impaired and hearing impaired), is celebrating of international events, although, it was not included in the AIHRC’s Action Plan of 1396, but some offices programed it out of schedule and celebrated them based on the request of relevant institutions. The International White Cane Day, attended by 1,050 people, including 415 women, was celebrated in several offices of the AIHRC with the participation of civil society organizations, unions and associations of visually impaired people.

![Graph showing the number of people involved in White Cane Day activities in different locations.](image)

Results obtained from awareness raising and celebration programs

The most important outcomes and achievements of awareness raising programs:

1- Drawing the attention of government officials and institutions to the issue of disability to win support for their human rights

2- Creating a computer lab at the Kabul Vocational High School for visually impaired persons.

3- Senators visit to the Vocational School of the visually impaired persons and the beginning of the reconstruction and modernization of the school by the World Bank

4- Increasing people's awareness of the human rights of persons with disabilities and making the authorities and society aware of the Law on the Rights and Privileges of Persons with Disabilities and the Convention on the Rights of Persons with Disabilities

5- Increasing the visit of persons with disabilities to the AIHRC and department of labor and social affair, martyrs and the disabled.

6- Increasing the unions and associations of persons with disabilities at the national level

7- Increased level of people’s trust and persons with disabilities in the activities and functions of the AIHRC, including the visits of persons with disabilities to our offices. For example, in Jalalabad, 24 forms of complaint were filed by the persons with disabilities, they have received legal advice, and in Mazar-i-Sharif office 40 persons with disabilities, received legal counsel, and in Herat office 42 cases were referred to the relevant institutions.

8- Reports of this unit on the website of the AIHRC have also been visited by more than a thousand people. A statement issued on the occasion of the World Day for Persons with Disabilities on the website of the AIHRC, in three languages (Dari, Pashto, English) was visited by 725 visitors, the report on the human rights situation
of persons with disabilities (1394 -1395), available in Dari, Pashto and English on the Web site has more than 1,000 visitors.\textsuperscript{17}

9- Increased level of people’s awareness has changed the attitude of people towards people with disabilities, so that many people with disabilities during our interviews acknowledged that they were now less harassed by the people, and instead they were encouraged to benefit from their legal rights by referring to relevant institutions.

10- Receiving appreciation letters from institutions, including the WASSADO and receiving an appreciation letter from the Herat Education Department, addressing the AIHRC as the advocate for the rights of persons with disabilities.

Advocacy and coordination of the protection of persons with disabilities

The Rights of Persons with Disabilities Unit, in accordance with the Strategic Plan and the Action Plan of the AIHRC and in order to help Persons with Disabilities get access to their human rights, is working with counterpart institutions to make effective advocacy. Here we will briefly describe the issue of litigation, the results and coordination made during the fiscal year 1396:

During the fiscal year 1396, there were 45 advocacy meetings made to protect the rights of persons with disabilities in different offices of the AIRHC. The advocacy meetings included different issues, a number of which are mentioned as follows:

\textsuperscript{17} - http://www.aihrc.org.af/home/research_report/6634
• Investigating the problems of persons with intellectual disabilities
• Physical access to public places
• Solving the problem of paying wages for women with disabilities
• Advocacy to create equal educational opportunities for children with visual and hearing impairment
• Advocacy for the distribution of land and land plots in accordance with the law of rights and privileges of persons with disabilities
• Advocating for the free inclusion of students and university students with disabilities into vocational and educational centers in accordance with the law of rights and privileges of persons with disabilities
• Advocating for the creation of sports teams and gymnasiums for the persons with disabilities
• Persuade media and authorities about the use of the right terminology of disability and respect for their human dignity and non-usage of bad words.
• Make ballot papers accessible for the visually impaired people

• Problems of hearing impaired children in Khost province

• Advocacy for the employment of persons with disabilities in government departments

• Introduction and support of students with disabilities in educational and academic centers and universities to continue their education for free, in accordance with the amendment to Article 19 of the Law on Rights and Privileges of Persons with Disabilities, the implementation of the activities has led to some results that we will list them as follows:

1- Three students with disabilities were enrolled at the Law, Religion and Journalism faculties of the Rumi University in Balkh province as bachelor’s degree student. Also, two students, including a girl with disabilities received free full higher education scholarship at Loqman Hakim University in Kapisa province, and 12 students with disabilities were accepted in universities and institutes in Kunduz, Takhar and Baghlan province with a 50% discount to continue their studies. Two students with disabilities were introduced by the Rights of Persons with Disabilities Unit of Kabul Regional Office to an institute in the Kapisa province and Institute of Health Sciences. One of them was called Forozan who is now studying midwifery and another was Ahmad Shaber whose economic situation was not good and was unable to continue his education, but now he is studying at the Loqman Hakim Institute in Kapisa province for free.

2- In Bamyan province, in cooperation with the provincial Association of people with disability, four sports teams (two teams for women and two teams for men) were created, and as a result of the advocacy made by the Rights of Persons with Disabilities Unit of the AIHRC in that Province, the ICRC assisted the people with disabilities with 50 wheelchairs and clothes, and finally the wheelchair basketball team received ICRC’s permanent support. Likewise, UNHCR and Aqa Khan also provided Futsal team with clothing and footwear, and this was the result of the joint advocacy made by the AIHRC and the Association of people with disability in Bamyan.

It should be noted that of these four teams, two teams are composed of 12 women and 12 men, as well as Futsal team is composed of 11 women and 11 men. Studies show that the psychological state of the players is very good after the creation of these sports teams and they participate in the majority of activities, while previously they were not in a good spiritual mood, and even two of them had requested the AIHRC, if

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14 Ministry of Social Work, Martyrs and Disabled, Ministry of Education and Higher Education and Private Educational Institutions provide education opportunities for persons with a disability (7%) of all new students for the purpose of providing free education in these institutions.
possible, the AIHRC could send them to a shelter for handicapped persons, but now after having gained the membership of these teams, they are very happy and are going to Kabul to take part in the tournament.

3- In the province of Khost, the mayor of that province has promised to allocate a plot of land for the visually impaired and hearing impaired persons’ school in that province.

4- Making ramps and special stairs for people with disability, creating job opportunities, installing free billboards in Herat, Ghor and Mazar-e-Sharif is another result of advocacy activities made by this Unit.

5- As a result of the advocacy, 380 disability booklets that were delayed by the Balkh Provincial Police Headquarters, following their approval, 380 eligible people with disabilities received salary and material privileges.

6- The Advocacy Committee in Kabul has had an important role in drafting amendments to the Law on the Rights and Privileges of Persons with Disabilities, and by approving these amendments, the rights and privileges of persons with disabilities would become better and further opportunities would be provided, under the law, for the rehabilitation and protection of the rights of persons with disabilities. Also in coordination with the Counterpart International, the working trips of the members of the Advocacy Committee in five zones (Herat, Mazar-e-Sharif, Bamiyan, Jalalabad, and Kandahar) was provided, the members of the Advocacy Committee of those zones were trained on the activities of the Advocacy Committee of the Rights of Persons with Disabilities and Effective Advocacy Techniques, and eventually a Capacity Building workshop for a number of representatives of these committees was held for two days in Kabul by the CPI Office on how to improve and develop the Strategic Plan.

7- Provincial mayor of Khost province promised to distribute land plot for the school for the visually impaired and hearing impaired persons in that province, and in Khost province, residential plots would be considered and distributed according to the law of rights and privileges of persons with disabilities.

8- In Bamiyan, 40 residential plots were distributed to persons with disabilities during this year.

9- According to an official document received, the Moroccan Convention approved on 10/09/1395 by the Wolesi Jirga by a majority of votes is submitted to the Meshrano Jirga for finalization and processing.

Monitoring and protecting the human rights situation of persons with disabilities, hospitals and treatment centers for addicts

One of the effective programs in this section is continuous monitoring of the human rights situation of persons with disabilities. As in 1396, the Unit of the Rights of Persons with Disabilities interviewed 1,795 people in different provinces of the country that the findings of the interviews will be prepared and published in a report

A report on the human rights situation of persons with disabilities 1394 -1395 was prepared and published in three languages (Dari, Pashto and English), and was uploaded to the AIHRC’s Website that attracted 1,000 visitors in the AIHRC’s Website.

It is worth mentioning that, unfortunately, to date, little work is done regarding the improvement of the human rights situation of persons with disabilities. Our findings also show that the main problems of persons with disabilities as also mentioned in the report of the human rights situation of people with disabilities (1394-1395),
are lack of employment, lack of children with disabilities’ access to education, lack rehabilitation and restoration centers and lack of access to political rights, and so on.

In the monitoring made to the mental health and mental disability care center in Herat, it was found out that there were 250 men with mental disabilities and 47 women with intellectual disabilities in that center. Their living situation was good, and a woman who was under treatment was transferred to her family in Bamyan after being treated, as a result of the advocacy made by the women’s rights Unit of the Herat Regional Office. In another case where a person was kept in a chain, is now kept in a separate room, as a result of the legal intervention of the AIHRC, so as not to harm others. Similarly, during the monitoring of Meraston in Herat Province, where 7 unaccompanied and mentally disabled children were kept, received a sleeping bed, based on the recommendation of the Rights of Persons with disabilities Unit;

Here we are discussing some of the recommendations that are included in this report:

1- The Government, in particular, the Ministry of Education has made all round efforts to attract children with disabilities and provide school environment and higher and semi-higher educational centers for them.

2- The recruitment of professors to train Braille, sign language and special textbooks for visually impaired people is provided and made available to eligible students.

3- The Ministry of Labor and Social Affairs, Martyrs and Disabled, the Ministry of Public Health and the Ministry of Women’s Affairs should take necessary measures for the rehabilitation and restoration of persons with intellectual disabilities and create such centers at least at the level of the zones.

4- The National Disability Survey, in accordance with the Convention on the Rights of Persons with Disabilities, is a basic requirement for planning for persons with disabilities, and it should be implemented as soon as possible by the relevant sectors.

5- The Government, especially, the Ministry of Economic should consider the issue of disability in all its development plans.

6- The Ministry of Labor and Social Affairs, Martyrs and Disable should prepare and implement appropriate procedures for the distribution of land plots; apartments and scholarships and other privileges of persons with disabilities.

-7 The government should make all government and non-governmental agencies (especially schools and universities) suitable for the use of persons with disabilities in terms of physical accessibility and provide training for all categories of persons with disabilities.
8- The Ministry of Economics is encouraged to consider the issue of disability as one of the priorities of its development programs in line with the objectives of SDGs.

The People with Disability Rights Unit also visited the departments of labor and social affairs, martyrs and disabled in the provinces and discussed the problems of persons with disabilities with them. They also monitored the treatment centers of the addicts, Marastoons, centers for persons with mental disabilities, etc. For example, the Herat Regional Office made 68 monitoring missions to different centers in different provinces, including 20 times to departments of labor and social affairs, martyrs and disabled in Ghor, Badghis, Farah and Nemroz provinces, 10 times to Meraston in Herat province, and 10 times to the treatment centers of the addicts in provinces covered by the AIHRC. And the Mazar-e-Sharif Regional Office monitored drug addicts’ hospitals (41 times) in the provinces of Balkh, Samangan, Jawzjan and Sar-i-Pul. Kunduz’s office also monitored treatment centers of the addicts in Pul-e-Khumri City, Kunduz 50 bed hospital, 20 bed hospital in Takhar province, and 20 bed hospital in Dawan of Badakhshan, a 70-bed hospital in the district of Baharak and 20-bed state hospital in Badakhshan province, and asked a number of addicts about how doctors and nurses treated them and how they were treated by other people. They were pleased with the treatment of health personnel and their suggestions were that the government should prevent the cultivation, processing and distribution of narcotic substances, and punish the perpetrators. They mentioned unemployment, migration, inappropriate environment, poverty, physical discomfort as the reasons and causes for their addiction. They asked peoples and fellow citizens to avoid insulting them, and recognize them as a sick person, and they called on the government to increase the number of treatment centers for drug addicts and collect them from under the bridges and roadside, and create job opportunities and vocational training programs for them.

Our monitoring indicates that there are no medical centers for children and women in the majority of provinces, or that the number of beds is not proportional to the number of patients, and on the other hand, the treatment of an addict takes at least 40 to 45 days. Therefore, many of them are infected with contaminated syringes and contaminated foods, and get infected with an incurable disease before they get to therapeutic centers for treatment, and it is possible to spread their diseases to other people.

Based on the report prepared by the Rights of Persons with Disabilities Unit, there are more than 10 thousand drug addicts in Takhar province, there are a 40- bed hospital for their treatment with 20 staff, established in 2007, every addict undergoes a treatment of 45 days in this hospital.

In this center there is 130 Af as daily budget for every drug addict, and this money will be spent in 24 hours for food and heating purposes. The center has sport ground, a hot bathroom and a music instruments and a pharmacy. The center is a rented house; therefore, addicted patients do not have adequate facilities.

According to the head of the hospital in this center, from the beginning of 1396 to the present day, 240 people have been treated in the hospital and 121 people outside the hospital. Dr. Mahboobullah Mirzaee, the doctor of
the hospital, complained in an interview of the lack of laboratory equipment, hairdressing salon, laundry, caretaker, advanced equipment, shortage of beds, tables, chairs, strong generator. He called on the Ministry of Public Health that given the increasing number of drug addicts, the Ministry should take action toward improvement of the facilities of this hospital.

One of the drug addicts in the center who has been involved with this devastating and lethal phenomenon for 10 years, said: “Given the significant increase in drug addiction, the purchase and sale of drugs, the number of beds and rooms in this center is inadequate and the government should pay more attention to the treatment of this vulnerable group. He who had been addicted in Iran and Pakistan asked the government to build a standard building with all facilities and equipment for addicted people in the country.

An addicted patient of 43, who was addicted in Pakistan, urges young people to avoid this phenomenon; he says “Addiction is a social and psychological illness, so they should be dealt with as a sick person and they should not be bothered, and people should not use bad words against them)

The head of the hospital says: “From the health point of view, narcotics have a very bad and negative impact on the individuals who use it, it ultimately causes them their death or push them out of the human society. Therefore, we should endeavor to fight this phenomenon and not let it leave negative effects on the families and society. “

It should be noted that the authorities responsible for the treatment centers for the addicts also expressed their concern about the lack of employment opportunities for young people and the increase of poverty in that province. According to them the action and activities of past and present governments to reduce and prevent drug sale and drug trafficking, and establish treatment centers for the addicts are considered unsuccessful.

The situation of the addicted patients in the treatment centers is good, but their situation outside of the treatment centers is very bad and they do not have any health facilities. Lack of dormitories, beds, service personnel, quality medicines, qualified doctors and professional services, free sale and purchase of narcotics, and other issues are the challenges that are still not addressed by the government and related organizations, and if this is not addressed, in the near future we may be witness of a major disaster in the country.

Monitoring of the mental health care center in Herat shows that there are 250 men with mental disabilities and 47 women with mental disabilities.15 Their livelihood was good and a woman who was under treatment in the center was transferred to her family in Bamyan after treatment, as a result of the advocacy made by the women’s rights unit of the Herat Regional Office. In another case a person who was locked in a chain was unchained due to AIHRC intervention, and now he is kept in a separate room so as not to harm others. Similarly, during the monitoring of a Maraston in Herat Province, in which seven unaccompanied and mentally disabled children were kept, the children were prepared with beds for rest based on the recommendation of the Persons with Disabilities Unit.

Another center that we monitored was the sanatorium of the people with disability of Piri Herat Charity Foundation, in which 30 mentally handicapped children, including 6 girls and 24 boys are trained by two teachers in two classes, 3 days a week, funded by a migrant woman from the Holland country, and transport is also available for them, and the need for having such centers in all parts of the country is very essential. The center also has a boarding sanatorium with 43 children (including 14 girls and 25 boys and 4 nurses), the majority of them are children with intellectual disabilities who have no guardian. There are sports programs like chess and basketball, and some products such as pickles, cucumber and jam are produced in this sanatorium, all these programs run by Mr. Abdul Ali Barakzai, a person with a disability.

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15 It is noteworthy that in 1392, as a result of the advocacy made by the PWDs Unit of the Herat Office and other institutions, a Unit for women with mental disabilities, was created by the PRT team, and the name of the center is changed from Darulmajeen to the Care Center for people with mental disability. This center belongs to the Red Crescent Department of Herat Province.
The second monitoring program is the monitoring of drug addiction treatment centers covered by regional and provincial offices. The findings of the monitoring report indicate that the disparity between drug addicts and treatment centers, cessation of drug addiction and drug availability are very alarming. And even in most provinces there are no centers for the treatment and addiction cessation of children and women, as we know, they are being treated in their homes, which is not effective enough. As a result of the continuous monitoring of the Rights of Persons with Disabilities Unit, there has been some improvement in the living situation and treatment of addicted patients, and hospitals hygiene, and their medication is given to patients and the addicted are under treatment. Patients are currently not complaining of misconduct and inappropriate behavior. It should be noted that the construction work of the hospital for the treatment of addicts in Laghman province has begun.

As noted earlier, in most provinces, there are no treatment centers for the treatment of women and children, for example, in Bamyan Province, where there is a clinic for male, which has 20 beds that is not enough for the patients, but, in a visit that the Ministry of Counter Narcotics made to the province, he promised to upgrade the hospital to 100 beds and transfer the hospital from the previous location to a more suitable location.

**Results achieved**

Good works are done in the area of protection, for instance legal counseling was rendered to 40 persons with disabilities in Mazar-i-Sharif; 30 visitors who needed wheelchairs, artificial limbs and professional training were introduced to the relevant authorities in Jalalabad to solve their problems. 14 persons with disabilities were introduced to the ICRC in Bamiyan for treatment, and 3 people were introduced to the Ministry of Labor and Social Affairs, Martyrs and the Disabled for a scholarship. 15 people were introduced and accepted in private training centers in Bamyan, free of charge, and this series is ongoing. Persons with a disability have registered 24 complaints in the Jalalabad Regional Office this year that was referred to relevant organs for resolution or given legal advice. Four persons with disabilities (2 women and 2 men) were introduced to red crescent who received a small financial assistance as a result, and they were promised to receive more such assistance. Kabul Regional Office prepared the report on the level of physical accessibility of persons with disabilities.
Participation in programs, meetings and seminars of other offices

The Heads of the Rights of People with Disabilities Unit participated in a series of capacity building programs organized by other institutions, as during the year 1396, the Head of the Rights of Persons with Disabilities Unit of the Bamyan and Jalalabad Regional Office were invited to Kabul by the Counterpart International and participated in effective advocacy and strategic planning programs. Other offices also reported that they had participated in the programs of the other offices at the provincial level. For example, Mazar-e-Sharif regional office participated in 10 programs of different offices, the Herat Office Participated in 43 programs, meetings and seminars, the Kandahar Regional Office participated in 10 meetings, the Bamyan Regional Office has been present in 5 programs on behalf of the AIHRC.

Challenges and Opportunities:

One of the main problems in the working areas of the Rights of Persons with Disabilities Unit is the lack of awareness of people and government officials of the rights of persons with disabilities who often humiliate and insult people with disabilities by using bad and disgusting words against them. Their offensive attitude towards persons with disabilities is due to a superstitious, pessimistic and pitiful view of people about persons with disabilities. They want people with disabilities to be in their homes not to participate in social affairs, and even their parents think that their girls with disabilities don’t have the ability to study and work, and they do not have any plan for them in this regard. Therefore, work and efforts to provide legal protection for persons with disabilities are essential, and this vision must be changed into a positive and rights-based vision, and there is several legal basis for the support of the rights of persons with disabilities in the constitution, the law of rights and privileges of persons with disabilities, the Universal Declaration of Human Rights and Human rights Conventions, including the Convention on the Rights of Persons with Disabilities that all of them centered on Prevention of Discrimination and Protection of vulnerable persons such as persons with disabilities.

Another challenge is the lack of attention of the international community (foreign institutions) operating in our country to protect the rights of persons with disabilities through the establishment of programs for the inclusion of various categories of persons with disabilities.

Recommendations:

However, we have many recommendations to improve the human rights situation of persons with disabilities, but here we describe some key recommendations as follows:

- The government should consider the amendments proposed by the committee for the reviewing the rights and privileges of persons with disabilities as soon as possible and make it enforcing after the ratification and signing procedure is over.16

- The Ministry of Labor and Social Affairs, Martyrs of the Disabled, should take the necessary measures as soon as possible, to solve the problems of persons with disabilities, including children and women with intellectual disabilities, and protect their human rights in coordination with other sectoral ministries, by the establishment of sanatoriums and rehabilitation centers.

- International donor institutions are expected to provide funding for NGOs serving in the area of disability.

- The Government should prepare as soon as possible its report on the implementation of the provisions of the Convention on the Rights of Persons with Disabilities and submit it to the International Committee of the Convention.

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16 In this proposed amendments, the definition of disability is considered to be based on the Convention on the Rights of Persons with Disabilities, which should benefit all categories of persons with disabilities of legal protection.
• Donor countries should cooperate with the government on the implementation of the National Program of National Disability Survey.

• The Ministry of Labor and Social Affairs, Martyrs and Disabled should develop and implement a mid-term strategy for the protection and improvement of the situation of persons with disabilities.

• Government and non-governmental media, with due regard to the dignity of persons with disabilities, should avoid using bad and abusive names, and consider promotional programs for the public awareness of the rights of people with disabilities.

Additional information:
Head of Kabul Regional Office, based on the monitoring visits made in 1396, found out that out of 100 public places monitored, only 50 of such places had (ramps), 19 offices were equipped with lift and 43 offices were equipped with toilets accessible to people with disabilities. There were no guiding signs for people with disabilities in any of these departments.

The Bamyan Regional Office produced a report on the number of children with disabilities in one of the Bamyan districts, which, unfortunately, the causes of their disability were said to be close relative marriages and the lack of attention of mothers to a timely protection and treatment of their children during their illness. The Head of Bamyan Regional Office travelled to Daikundi province to conduct awareness and advocacy programs and fill out the relevant monitoring forms.

The Kunduz Regional Office has always provided a report on the situation of drug addicts, and on the human rights situation of persons with disabilities in the areas covered by the AIHRC, which is worthy of appreciation. The staff of this office travelled to Badakhshan office in order to carry out awareness raising and advocacy programs.

Herat Regional Office also carried out useful activities by traveling to areas covered by the AIHRC and even to Ghor province for the promotion of the human rights situation of persons with disabilities, and recently this Office reviewed the issue of access to the right to education of persons with disabilities in a conference.

The coordinator and the Heads of the PWD Units, in coordination with the Ombudsman Unit, contributed to the issue of the rights of persons with disabilities; it also continued its cooperation with the other units of the AIHRC throughout the year in holding of conferences organized by the AIHRC in various occasions at national level.
According to Article 19 of the Convention on the Rights of Persons with Disability regarding independent presence of people with disabilities in the society, the State parties are obliged to officially recognize the rights of persons with disability to live independently and equally with others in the society, and to take necessary and effective measure to facilitate the full enjoyment of their rights. The AIHRC has carried out activities to pave the ground for equal rights of persons with disabilities in various fields, including activities to create employment opportunities for persons with disability. For example, as a result of the advocacy made by Kundoz Regional Office of the AIHRC, 25 eligible persons with disability were employed in Khenjan and Doshi districts of Baghlan province, and now they are working as official staff and earn a sustainable income.