

## In this issue:

- Amnesty International: Investigate and prosecute Bush for ordering torture, p 1
- Impact of UNSC Resolution 1325 on peace processes and agreements, p 1
- A voice for justice - Week of Human Rights and Victims, p 2
- Statement of 50% Women's Campaign on Human Rights Day, p 2
- Amnesty International: NATO Summit must protect basic human rights in - Afghanistan, p 2
- Women and political leadership, problems of women leaders, p 2
- Statement of TJCG on Human Rights Day, p 3
- UN report on women, peace and security, p 3
- Revisiting collective memory – 65th Goftegu , p 3
- Resolution 1325, conditions of women in Afghanistan and exigencies, p 3
- Reforming Afghanistan's broken judiciary – International Crisis Group, p 4
- Simorgh's Feather: From collective endeavour to collective memory, p 4
- UNIFEM Resources on Women, Peace and Security , p 4
- An evaluation of the Conference on Justice and Reconciliation, p 4
- An introduction to the Institute of History – Interview, p 5
- ICTJ Report on the Concept and Challenges of Collective Reparations, p 5
- Statement of the Conference on Justice and Reconciliation, p 5
- Criminal groups pose significant risk to NGOs, p 5
- Book Reviews: Secularism, Taliban, Method in History, p 6
- Mass grave cover-ups undermine justice, p 7
- FIDH: Trial of Bemba; Reward for courage of victims in Central Africa, p 7
- "Nights of Kabul" light up with Rahnavard Zaryab , p 7
- A Review of Geneva Conventions I - III, p 8
- Newly published by Armanshahr, p 8
- Animal Farm for the first time in Afghanistan, p 9



Armanshahr Foundation

Armanshahr Foundation is an independent, not for profit citizen organisation based in Kabul and is not affiliated with any economic, political, religious, ethnic, groups or governments. The Foundation's mission is to create proper forums to ensure citizen social demand for democracy, human rights, justice and rule of law and to create through cultural manifestations and publications a broad constituency of well-informed citizens. Armanshahr Foundation also actively promotes reflection and debate both inside Afghanistan, trans-regionally and internationally with the goal of ensuring solidarity, progress and safeguarding peace.

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US must begin criminal investigation of torture following Bush admission

In his memoirs, former President Bush admits to having authorized the use of torture

### Amnesty International

Amnesty International today urged a criminal investigation into the role of former US President George W Bush and other officials in the use of "enhanced interrogation techniques" against detainees held in secret US custody after the former president admitted authorizing their use.

In his memoirs, published yesterday, and in an interview on NBC News broadcast on 8 November 2010, the former President confirmed his personal involvement in authorizing "water-boarding" and other techniques against "high value detainees".

"Under international law, the former President's admission to having authorized acts that amount to torture are enough to trigger the USA's obligations to investigate his admissions and if substantiated, to prosecute him," said Claudio Cordone, Senior Director at Amnesty International.

"His admissions also highlight once again the absence of accountability for the crimes under international law of torture and enforced disappearance committed by the USA."

In his memoirs, former President Bush focused on the cases of two detainees held in the secret programme.

Abu Zubaydah was held at various undisclosed locations from April 2002 to September 2006. ... *Continued on page 9*



## PEACE AGREEMENTS OR PIECES OF PAPER?

THE IMPACT OF UNSC RESOLUTION 1325 ON PEACE PROCESSES AND THEIR AGREEMENTS

Christine Bell and Catherine O'Rourke

Professors of Public International Law and Lecturers, Transitional Justice Institute, University of Ulster.

**Abstract:** On the 31 October 2000 UNSC Resolution 1325 was adopted. The resolution provided for a range of measures aimed at the inclusion of women in the prevention, management and resolution of conflict. In particular, several of the resolution's provisions addressed the role of women and gender in peace negotiations and agreements. This article examines whether and how Resolution 1325 has impacted on the drafting of peace agreements.

We analyse explicit references to women and gender in peace agreements from 1990 to 2010, providing a quantitative and qualitative assessment of the extent to which women and gender are addressed. We conclude by using our findings and analysis to address the relationship of feminist intervention to international law, and debates around the strategies and trade-offs which underlie feminist promotion and use of UN Security Council Resolutions in particular.

We thought the TJ network might be interested in our analysis of peace agreement references to women, and whether they have increased or changed since the passing of UNSC 1325. The data also provides a comparison of agreements in which the UN was a third party role, and agreements in which they were not in a third party role.

The findings show that

- Only 16 percent of peace agreements since 1990 have any explicit reference to women or gender
- There is a rise from 11% to 27% in peace agreement references to women after the passing of UNSC Resolution 1325
- There is a slightly higher rise from 4% to 12% after 1325 in agreements in which the United Nations had a third party role, than when they did not (rise from 7% to 14%)
- However, peace agreements both before and after 1325 were more likely to mention women if the agreement was localised and did not involve the United Nations as a third party to the agreement
- Only 4% of agreements (26) address sexual or gender based violence (under 3% address sexual violence explicitly)
- Not all mentions of women in peace agreements are positive - some limit the participation of women, rather than extend it
- There is some evidence that National Action Plans may be making a difference, particularly in Africa...

*Continued on page 9*

A voice for justice  
Week of Human Rights and Victims



The week of Human Rights and Victims was celebrated by meetings, theatre pieces, gatherings of victims, peaceful demonstrations, and photo exhibitions in Kabul.

The Transitional Justice Coordination Group, a group of 26 human rights civil institutions, took the initiative to name a week after Human Rights and Victims. The week started on 9 December 2010 with a gathering of the victims organised by the Social Association of Afghan Justice Seekers at Khorassan Estate located of Khodaydad village of Kabul that aimed to raise the voice of victims and make officials hear it. The participating victims demanded justice and trial of war criminals. This has been a demand that human rights activists in Afghanistan and some of the international institutions have voiced many times at various forums, but the government and the international community have not provided a clear answer.

On the second day, 10 December, hundreds of victims staged a peaceful demonstration, also organised by the Social Association of Afghan Justice Seekers, from Park Shahr-e Naw in Kabul to somewhere near the United Nations gate with slogans such as "Hear the voice of victims: Try the criminals!" On the same day, a number of victims organised by the Afghanistan Independent Human Rights Commission went to mass graves at Puli Charkhi polygon, where a number of them made speeches, condemned crimes against humanity and called for justice.

On 11 December, the third day of the Victims Week, the Open Society Institute had organised a photo exhibition at the French Cultural Centre. The pictures represented the unpleasant events that are still going on in this country. They highlighted violation of human rights against women, children and men.

On 12 December, the Afghanistan Human Rights and Democracy Organisation staged a play entitled "Incomplete Infinitum" at the French Cultural Centre. The ...

*Continued on page 9*



Statement of 50% Campaign of Women of Afghanistan

Statement No. 10

On International Human Rights Day & National Day of Victims  
10 December 2010



The government of Afghanistan has confused the people with its ambiguous policies in the past nine years. We are of the opinion that the lack of a united strategy between the government of Afghanistan and the international community has turned the country into a scene of rivalry between the domestic forces and other countries. Women of Afghanistan have always warned the government that it is not possible to move toward democracy, moderation and conciliation among all the people without taking into consideration the demands of women and taking practical steps to fulfil them. We have always been concerned that the rights of women – half the population of Afghanistan – and their achievements may be sacrificed for political deals.

We are celebrating the Human Rights Day against the backdrop of government's failure to respond to violations of human rights in the past, the demands for justice of the victims, and the continued gross violations of human rights in Afghanistan. The killing of the civilians, bombing of houses, use of chemical weapons in southern parts of Afghanistan, enforced displacements, migrations, death of children and women as a result of attacks by the international forces, the Taliban and their companions, the homelessness and captivity of innocent people under the pretexts of terrorism, poverty, unemployment and other problems continue to occur and are on the increase.

Celebration of the Human Rights Day brings up the question of how far the government has adhered to the Universal Declaration of Human Rights and implemented it in practice. Freedom and equality are values that have to be experienced in practice. The inequalities in the society, inefficient expending of the huge funds donated by the international community, persistence of the problems, perpetuation of the war, planning of war strategies and the ensuing changes to them raise worries of women for the future of Afghanistan and...

*Continued on page 9*

NATO summit must protect basic human rights  
in Afghanistan

18 November 2010

Amnesty International has urged NATO leaders to protect human rights and ensure security for the people of Afghanistan as they prepare for the 2010 NATO Lisbon Summit.

The organization has sent letters to NATO leaders urging them to improve accountability for Afghan and international military forces, tackle arbitrary detention and torture and ensure human rights guarantees during any talks with the Taliban.

"As NATO begins to discuss its withdrawal from Afghanistan, it's crucial to explain to the Afghan people exactly how the international community will follow through on its promise to protect and promote their human rights," said Sam Zarifi, Amnesty International's Asia-Pacific Programme Director.

"These promises seem about to be discarded without fanfare, but the need for improving the human rights situation in Afghanistan is even more urgent now."

NATO Secretary General Anders Fogh Rasmussen has said that the 2010 Summit will mark a fundamentally new phase in NATO's operation in Afghanistan, as Allies will launch the process by which the Afghan government will take the lead for security throughout the country.

In letters to NATO leaders, Amnesty International has identified three concrete steps to improve governance, uphold the rule of law and human rights that would enhance security and stability for the Afghan people.



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1. Improve the accountability of international and Afghan military and security forces

The Taliban and other insurgent groups are responsible for the vast majority of civilian casualties in Afghanistan, but

*Continued on page 10*

Women and political leadership in Afghanistan

The Human Rights Research and Advocacy Consortium (HRRAC) published a report entitled "Women and political leadership: Problems of women leaders in Afghanistan" in September 2010. The report examined the basic factors that have influenced the hindering of women's endeavours to take part in decision making and political policy in Afghanistan.

The study was conducted in 2009 through interviews with three groups of women: at management level, religious opinion holders and experts. Seventeen women were interviewed, and most were renowned women. According to the survey, despite the efforts and activities to enhance leadership of women and protect their rights in the past few years, the fundamental restrictions on their leadership are on the increase as a result of religious and political pressures. Most leading women face threats from religious and political figures to stop their political and social activities. While conservative religious scholars and local religious political figures have threatened women and accused them of blasphemy, the government has not made any efforts to prosecute them, but has even given them concessions.

Despite the commitments made by the government of Afghanistan to establish gender balance, including through its ratification of the CEDAW and passing of policies to encourage women's political participation in the government, e.g. the National Action Plan for Women of Afghanistan, Afghanistan Millennium Development Goals and the National Development Strategy, all of which have emphasised gender equality, women's participation in positions of major decision making is negligible. The condition of women has not improved and even deteriorated despite the government's commitment and declaration that "It is the goal of the government of Afghanistan to eliminate discrimination against women in Afghanistan, support a growth in their leadership for the purpose of full and equal participation at all levels of life."

Women's participation rate has been growing since the Bonn negotiations to the parliamentary election. Many critics however attribute it to the quota or positive discrimination system not to real participation of women. In the first general election, notwithstanding the quota system, women won only 7.6% of the parliament seats in open contest.

Most interviewees were of the opinion that the laws and policies are formal; women working for the government ...

*Continued on page 10*



Statement of Transitional Justice Coordination Group  
On Human Rights Day and National Day of Victims in Afghanistan

**“Do not sacrifice justice”**  
10 December 2010

The National Day of Victims in Afghanistan which coincides with the Human Rights Day prompted the Transitional Justice Coordination Group (TJCG) to be once more the voice of a large group of people who have been harmed and fallen victim to unwanted horrendous events, and to remind that celebration of the Human Rights Day by the national authorities and the international community will be only a show and symbolic action without giving consideration to demands of the victims and taking practical action to respond to their demands. The TJCG stands for fulfilment of justice and its implementation to achieve the rights of victims and a sustainable peace. The question is: why have the government of Afghanistan and its international supporters ignored the demands of millions of victims and omitted them practically from the process of peace and reintegration? That will not bring a just peace for the society but sacrifice justice and lead to an increase in people's distrust for the statesmen and their supporters.

On the eve of the National Day of Victims, the TJCG once again reminds the government and the international community of the demands of victims and justice seekers. The government of Afghanistan is obliged to stand by the commitment it has given to the victims and the people to fulfil justice, an enduring peace and national security, and to respond positively to demands of a large group of people by taking practice and clear measures. The government must assure the people of Afghanistan that justice will form the foundation of any move toward peace in Afghanistan and shall not assign the livelihood of this nation to perpetrators of gross violations of human rights.

The TJCG reminds that the Constitution is the highest law of the country and the mechanisms of achieving peace must be compatible with the spirit and text of the Constitution. Thus with its understanding of the conditions of the victims and the country and based on the experience of peace-building worldwide, the TJCG calls on the government of Afghanistan to:

- Respect its obligations under the Constitution... *Continued on page 10*

**Humans cannot forget atrocities**

**Report**

The 65th Goftegu public debate of Armanshahr Foundation was held at the French Cultural Centre on 14 December 2010, during the Human Rights Week for Victims, under the heading, “Revisiting our collective memory and the public presentation of Simorgh’s Feather anthology.” More than 130 academics, civil society, social and human rights activists took part at the meeting that was addressed by Messrs Kazem Yazdani (historian), Assad Booda (professor of sociology and social scientist) and Shiva Shargh (journalist and MA student of Literature).

Mr. Rooholamin Amini (moderator from Armanshahr) began by presenting Armanshahr’s latest publication, “Simorgh’s Feather” anthology. He said: The anthology before you is a selection of the works collected from all over the world following a call on the occasion of the International Day of Peace. The central thrust of the Simorgh Peace Prize is the revisiting of our collective memory. All the works sent in dealt with abomination of war, rejection of violence, war victims and praise of peace. Writing down the oral history of this land was another goal we aimed to achieve through the Simorgh Peace Prize. The realities of the society have never been reflected in the official history as... *Continued on page 16*



**Women Count for Peace: The 2010 Open Days on Women, Peace and Security**

At the heart of landmark UN Security Council resolution 1325 on women, peace and security (2000) are commitments to enable women’s contributions to all stages of peacebuilding, peacemaking, peacekeeping and conflict prevention.

On the 10th anniversary of resolution 1325, the UN organised Open Days on Women, Peace and Security in conflict-affected areas. These extraordinary meetings were designed to enable direct dialogue between women’s peacebuilding organizations and women community leaders, and senior UN representation at the country level. The purpose was to seek women’s views on means of improving implementation of resolution 1325. These open and inclusive forums for women peacebuilders and activists also provided the opportunity to deepen local ownership of the resolution.

At these meetings, women expressed their expectation that the United Nations will take advantage of the critical opportunity provided by the 10th anniversary of resolution 1325 to act as a partner and lead on women’s rights in conflict and post-conflict settings. At the launch of the Open Day events, UN Secretary-General Ban Ki-moon recalled the core message of the resolution, stating that “sustainable peace is possible only with women’s full participation — their perspectives, their leadership, their daily, equal presence wherever we seek to make and keep the peace.”

This report provides an account of the Open Days. It details women’s perspectives on resolving conflict and building peace more effectively, identifies issues of common concern across different contexts — as well as areas of divergence — and makes proposals for improving international, regional and national efforts to protect women and promote peace.

Publishers: UN Department of Peacekeeping Operations, UN Department of Political Affairs, United Nations Development Programme (UNDP), UNIFEM

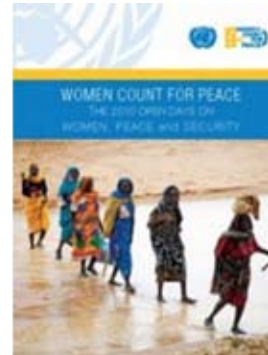
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**Resolution 1325, conditions of women in Afghanistan & exigencies**

Hamid Razzaq, Researcher

To begin with, we have to offer a definition of peace.

Does absence of war mean there is peace? If a country is not directly involved in fighting, should we say its people are in peace? Surely not. That is a definition of peace a few centuries ago. It has to be defined differently now. Peace means calm and humans live in calm when their rights have not been violated and their dignity is protected. It is self-evident that a human who cannot study owing to poverty, or one who is in prison for their opinions, one who does not have a home and is living in the street, is not living in peace. To have a sustainable peace in a society, it has to be based on two fundamental pillars:

1. Democracy: Any society where despotism rules, a country where the people’s ideas and opinions are not respected, any society where the voice of critics are silenced by imprisonment and bullets, will surely lose its calm.

One other point that should be considered is the definition of democracy. It is true that democracy is the rule of the majority, but a majority that assumes power in a free election does not have the right to rule in any way it wishes. Human rights decide the framework of democracy. In other words, a majority in power may only rule within the framework of human rights and not infringe it.

2. Social justice: It is not possible to establish calm in a society where class divisions are too wide. Millions of people live under the poverty line. ...

*Continued on page 13*

INTERNATIONAL CRISIS GROUP - NEW REPORT

Reforming Afghanistan's Broken Judiciary

Kabul/Brussels, 17 November 2010: The Afghan government and the international community must prioritise the rule of law, which should be the primary pillar of a successful counter-insurgency strategy. Reforming Afghanistan's Broken Judiciary, the latest report from the International Crisis Group, warns of the catastrophic lack of justice in Afghanistan. Judicial institutions have shrunk to near non-existence and many courts are inoperable or understaffed. International Crisis Group urges the Afghan government and the international community to implement reforms that will guarantee the fundamental rights of protection and justice for the Afghani population.

"Afghanistan's justice system is in a disastrous state of disrepair", says Candace Rondeaux, Crisis Group's Senior Analyst for Afghanistan. "At the highest level of the judiciary, the Supreme Court has emerged as both a bully pulpit for Islamists and proxy ballot box for President Karzai, supporting him with little regard for the constitution".

The legal institutions have been deeply affected by the political paroxysms of more than three decades of conflict. At the provincial level, the highly centralised system has been unable to answer the demands of the population across difficult and often inaccessible terrain. The weakness of the judiciary has decisively destabilised the country.

The Afghan government and the international community must prioritise the rule of law. It should be the primary pillar of a vigorous counterinsurgency strategy that privileges the protection of rights equally alongside the protection of life. Developing a concrete and dynamic understanding of deficits in the system is the first step toward crafting an effective strategy for reform. Building a human capacity is essential. Providing real security and comprehensive training and education for judges, prosecutors, and other judicial staff is crucial to sustaining the system as a whole.

To restore its legitimacy, the Afghan government will have to work much harder to eliminate corruption, ensure fair trial standards and curtail arbitrary detentions. The international community must recognise that this is not a quick fix, nor is it an issue to be ignored: investing in the rule of law requires long-term commitment. If the U.S. is to have any hope of success in Afghanistan, restoration of judicial ... *Continued on page 10*

Simorgh's Feather

From collective endeavour to collective memory

"Simorgh's Feather" is a collection of poems submitted by poets from Afghanistan, Iran and Tajikistan for the Simorgh Peace Prize. Armanshahr Foundation published it in Persian in 180 pages with a print-run of 3,000 in autumn 2010. A selection of those poems will soon be published in English.

Simorgh Peace Prize is a literary prize the call for which was issued on 15 September 2009 asking Persian-speaking poets and writers to submit their works in refutation of war, violence, militarism and torture. About 1,000 works, verse and prose, were received.

With a view to the oral history in Afghanistan, Armanshahr is of the opinion that this and other books of this kind will help bring together a collective memory. Poems, memories and writings by living poets and writers are reports on their society's conditions in the past and the present. "How can we create a collective memory by collecting individual memories? That is, a common memory that goes around mouth to mouth and



grows to a collective experience and many voices. What should we do to play a role in choosing what we uphold and what is forgotten? In a surrounding where war has created an oral culture, we wished to achieve more than our share of the daily suffering. All those concerns led to the idea of the Simorgh Peace Prize. In the framework of our literature, which has always defended justice, humanity and inherent artistry of humans, and served similar perceptions, Simorgh was a pretext to join voices of the people." - From the Preface to Simorgh's Feather.

UNIFEM Resources on Women, Peace and Security

UNIFEM (part of UN Women) has long been a partner to women in conflict-affected areas: bringing women together across geographic or political lines to agree on common positions in peace negotiations or post-conflict elections; supporting their engagement with security and justice institutions to stop impunity for violence against women; facilitating their inclusion in post-conflict planning processes to ensure their needs are addressed; and strengthening their engagement with peacekeeping forces to encourage creative responses to the considerable security threats women face.



This collection of UNIFEM papers brings together a considerable body of analytical and advocacy work undertaken over the last five years, grounded in programming that has helped advance the women, peace and security agenda in policy and practice.

The collection includes papers on gender issues in early warning, peace processes, peacekeeping, post-conflict planning and financing, and transitional justice. Together, the papers in this collection describe a range of ongoing efforts to strengthen the UN's capacities to promote peace and prevent violence.

- Guidance Note: Identifying Women's Peace and Security Priorities: Building Voice and Influence
  - Policy Briefing Paper: Gender and Conflict Analysis
  - Women Building Peace and Preventing Sexual Violence in Conflict-Affected Contexts
  - Conflict-Related Sexual Violence and Peace Negotiations: Implementing Security Council Resolution 1820 (2008)
  - Women's Participation in Peace Negotiations: Connections between Presence and Influence
  - What Women Want: Planning and Financing for Gender-Responsive Peacebuilding
  - Women Targeted or Affected by Armed Conflict: What Role for Military Peacekeepers?
  - Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice
  - Gender-Sensitive Police Reform in Post-Conflict Societies
  - Case Studies of Gender-Sensitive Police Reform in Rwanda and Timor-Leste
  - A Window of Opportunity? Making Transitional Justice Work for Women
  - Gender and Transitional Justice Programming: A Review of Peru, Sierra Leone and Rwanda
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An evaluation of the Conference on Justice and Reconciliation

A one-day "Conference on Justice and Reconciliation" was held by the Civil Society and Human Rights Network in cooperation with Open Society Afghanistan, UN Mission in Afghanistan and the International Centre for Transitional Justice in Kabul on 10 November 2010. About 70 representatives of international and civil institutions, as well as citizens from different provinces took part at the conference. The main speakers were Messrs Staffan de Mistura, Special Representative of the UN Secretary-General and Head of UNAMA, Mohammad Massum Sanekzai, head of the Secretariat of the High Council of Peace, Mr. Frances Vendrel, former EU permanent representative on Afghanistan, Ahmad Rashid, Pakistani journalist and analyst of regional affairs, Bari Salam, director of Good Morning Afghanistan Radio, Nader Naderi, spokesperson of the Afghanistan Independent Human Rights Commission, Mohammad Esmael Ghassemyar, a member of the High Council of Peace, and Ms. Samira Hamid, president of Afghanistan Women's Network.

The first speaker, Mr. Staffan de Mistura, said: Afghanistan has gone through different wars. We have been witness to civil wars for the past 33 years and its people have always been victims of war. However, now that the international community has concentrated its attention on Afghanistan and has sustained its aid, we need to achieve peace. This is not the time for an accelerated... *Continued on page 11*

## Interview

## An introduction to the Institute of History

J. Darwaziyani

We have interviewed Abdolsaber Jonbesh, director of the Institute of History at the Academy of Sciences. Excerpts:

Q: When and how was the Institute of History established?

A: The Literary Society of Kabul was established in 1931. The Herat Literary Society had already been established and the Kandahar Literary Society followed later. When the History Society was formed, it published a journal called Kabul. Renowned writers such as Mir Gholam Mohammad Gobar, Abdolhay Habibi, Abdolali Mostaghni, Mr. Latifi, Mr. Azizi, and others were members of the Kabul Literary Society. The journal was published in Persian once a month. In 1937, the Kabul Literary Society was merged with the Kandahar Pashtu Literary Society and was called Pashtu Tolana (Pashtu Academy). Since 1941, it was published only in Pashtu.

Under pressure from writers and intellectuals, the then government was persuaded to establish the History Society, headed by Ahmad Ali Kohzad, which published the monthly Aryana in Dari Persian on the history of Afghanistan, but it was published bi-monthly later and then as a quarterly since 1961. In 1978, a number of societies and sections such as the Archaeology Centre, Aryana Encyclopaedia, Kushani International Journal, Pashtu Tolana and the History Society were merged and created the Academy of Sciences, as the highest research authority in the country, by a decree of the then government.

Q: What were the major works of the History Society and the Institute of History?

A: The History Society existed until 1978 and served the history and culture of Afghanistan. Arayana Journal is still credible not only in Afghanistan, but in the neighbouring countries as well. Many leading writers, e.g. Khalili, Eblagh, Habibi, candidate academician Vahedi and Atiqullah Pajvak wrote in it.

The most significant work of the History Society was to compile the history of Afghanistan for the first time. Ahmad Ali Kohzad compiled the "History of Afghanistan," in cooperation with Gobar, Khalili, Pajvak, Na'eemi and others. They wrote, compiled or edited other history books, e.g. Afghanistan in the light of history, Afghanistan at a glance, History of Ghurian, History of Ghaznavids, History of Yaftaly, War History of Gholam Mir, War History of Amir Kashmiri. There was no National Archive at the time and old books were kept in the ... *Continued on page 15*



Abdolsaber Jonbesh

## Statement of the One-Day Conference on Justice and Reconciliation 1 November 10, 2010, Kabul, Afghanistan

Several decades of war, instability, and persistent insecurity in Afghanistan has made the need for sustainable peace urgent and necessary particularly as the level of safety has become progressively deteriorated. Continuation of war and insecurity has not only destroyed the socio-political fabric of society, but has had a drastic psychological impact on the people of Afghanistan...

We, civil society and human rights activists, believe that peace can be achieved only if justice, human rights and human dignity are both respected and protected in the peace and reconciliation process. Only a just peace process can ensure long-term stability. At the same time, peace is and should be treated as a national rather than as an individual/group-centric process, in order to garner public trust and support, particularly in a multi-ethnic society. Peace can be a national process only if equal participation is guaranteed to all members of the society, from all walks of life, through a process that is open, transparent and inclusive. If government or other circles attempt to use peace as a means of achieving illegitimate or short-term political purposes, it is obvious that peace cannot be achieved; rather it would further ... *Continued on page 12*

humanitarian news and analysis

a project of the UN Office for the Coordination of Humanitarian Affairs

## AFGHANISTAN: Criminal groups pose significant risk to NGOs

KABUL, 4 October 2010 (IRIN) - Armed violence has been widespread since the demise of the Taliban regime nine years ago but NGOs are not being deliberately targeted by Taliban insurgents, according to the Afghanistan NGO Safety Office (ANSO).

The insurgents were responsible for 483 security incidents on 18 September - voting day in the parliamentary elections which the Taliban opposed - but only two mortars landed near NGO offices, causing no casualties, ANSO said.

"Armed violence has escalated phenomenally - 50-60 percent higher than last year - but incidents involving NGOs have decreased," said Lee. At least 84 security incidents involving NGOs were recorded from 1 January to 15 September by ANSO.

In August, 10 workers of the NGO International Assistance Mission (IAM) and three local employees of Oxfam International were killed in two separate incidents in the northeastern province of Badakhshan. "Oxfam has not yet resumed operations in Badakhshan but a security team is currently engaged in assessing the situation," Louise Hancock, an Oxfam spokeswoman in Kabul, told IRIN on 30 September.

However, in highly insecure and lawless areas, where neither the government nor the Taliban are fully in control, and criminal groups operate freely, aid organizations face serious risks of abduction, theft and other financially-motivated attacks, experts say.

There are no guarantees any more, said Kate Clark, a senior analyst with the Kabul-based think-tank Afghanistan Analyst Network (AAN), who has researched the IAM incident. She said "restriction" was becoming a common approach for foreign journalists and aid workers.

While warring sides, including Taliban insurgents, may not harm aid agencies deliberately, the same cannot be expected of armed criminals who find unarmed aid workers easy targets, particularly when there are no forces to stop them.

Of the 10 IAM employees mentioned above - two Afghans and eight foreigners (six of them health experts) who were shot dead in a remote area of Badakhshan on 5 August - two of the victims, Dan Terry and Tom Little (both US nationals) had worked in Afghanistan since the 1970s and were widely respected for their professional integrity.

The Taliban and another insurgent group, Hezb-e-Islami, claimed responsibility for the killings, accusing the victims of proselytizing. However, many believe these were "opportunistic" claims. IAM and ANSO say the attackers were "non-local fighters".

"It was political murder... more like hate, racist crime. They were killed because they were foreigners," said AAN's Kate Clark. "...If it was a normal Taliban operation they would have been interested in kidnapping," she said.

ad/cb

<http://www.irinnews.org/Report.aspx?Reportid=90662>

## ICTJ Report on the Concept and Challenges of Collective Reparations



[Note that the conference on which the Report is based took place last year - since then, significant developments have taken place regarding

reparations in general in some of those countries.] The Report contains summaries

of the reparations programs being implemented (or which have been recommended) in 7 countries [Colombia, Indonesia, Liberia, Morocco, Peru, Sierra Leone and Timor-Leste], with a focus on the collective or community reparations aspects of those programs.

The Report discusses the reparations experiences of those countries from the perspective of national policymakers and local civil society. It analyses the principal conceptual and practical issues involving collective reparations, including such questions as: what is a 'collective', how do collective reparations programs overlap with and relate to development and humanitarian assistance programs, what are the gender considerations in opting for collective reparations, what issues have arisen in designing symbolic and collective reparations measures, how do 'collective beneficiaries' participate, and then a brief discussion on financing collective reparations.

Arabic: [http://www.ictj.org/static/Publications/ICTJ\\_Reparations\\_RabatReport\\_pb2010\\_ar.pdf](http://www.ictj.org/static/Publications/ICTJ_Reparations_RabatReport_pb2010_ar.pdf)

French: [http://www.ictj.org/static/Publications/ICTJ\\_Reparations\\_RabatReport\\_pb2010\\_fr.pdf](http://www.ictj.org/static/Publications/ICTJ_Reparations_RabatReport_pb2010_fr.pdf)

Spanish: [http://www.ictj.org/static/Publications/ICTJ\\_Reparations\\_RabatReport\\_pb2010\\_sp.pdf](http://www.ictj.org/static/Publications/ICTJ_Reparations_RabatReport_pb2010_sp.pdf)

English: [http://www.ictj.org/static/Publications/ICTJ\\_Reparations\\_RabatReport\\_pb2010\\_en.pdf](http://www.ictj.org/static/Publications/ICTJ_Reparations_RabatReport_pb2010_en.pdf)

pb2010\_en.pdf



Photo: Pascale Zintzen/MSF

A no-weapon sign outside an MSF hospital in Helmand Province

## Book Review

**Secularism, Taliban, Method in History****Tradition's response to secularism in Afghanistan**

Author: Yassin Rassuli

Publisher: Ebrahim Shariati (Erfan), 2006

Print-run: 3,000

Pages: 269

"Tradition's response to secularism in Afghanistan" is one of the few books that have methodologically discussed the issues in Afghanistan in a systematic way. The question of tradition and secularism, despite being a serious and fundamental issue, has received little attention in the domain of theory.

As Rassuli formulates it at the beginning: "Afghanistan had one of the most modern governments in the region at the start of the twentieth century, but it put up with the rule of the most fundamental traditional movement at the end of the century." The principal question is: "How far were the trends of secularisation responsible for the rise of fundamentalism in the contemporary history of Afghanistan?"

His principal premise is: "The failed trend of secularism in the Afghanistan of twentieth century finally led to Islamic fundamentalism. It seems that the reasons for this failure were secularism's inability to establish a meaningful and coherent relationship with the environment's systems (tradition and religion), totalitarianism in modernisation policies and insufficiency concerning the formulation of models of modern legitimacy of the governments."

The book has two parts and ten chapters. The first part, "In quest of theoretical models", has mainly addressed the issue with a theoretical foundation. The second part constitutes the book's main thrust: "Secular politics and tradition's response to it in Afghanistan." The main chapters of the book are: Tradition and components of its discourse, The beginning of a modern state, Decade of democracy, Left secularism in power and confrontation of Islamists, From jihad to fundamentalism, Fundamentalism in two acts.

Most authors who write about the historical issues of Afghanistan frequently offer reports on events rather than historiography. In analytical books like this one, however, we can read about realities.

Rassuli mainly takes a sociological approach: "In Afghanistan, two domains and styles of living have consistently taken shape in separate ways: The urban Afghanistan, which is the centre of the government, the elite, new intellectuals and government bureaucracy, where political restructuring occurs; and the rural Afghanistan, which has been indifferent to what is happening in the cities." (Page 249)

He concludes: "(1)... Experience shows that after each failure, the modernists in Afghanistan have paid less attention to the indigenous tradition. The intellectuals have increasingly come to believe that Afghanistan will be modernised when it has a democratic tradition and a native secularism that can be defined by such features as reference to the native culture, environmental coherence, public participation, less political and more cultural. (2) Formal reforms in the political system and basic laws cannot be considered a sufficient foundation for social change. Social change requires a social and cultural background. (3) The decisive index for success of modernisation depends on the ability of the modernising government to assimilate or suppress the traditional forces more than the contents of the reforms and such issues as prematurity of or delay in modernising plans.

**The Taliban: War, Religion and the New Order in Afghanistan**

Author: Peter Marsden

Translator: Kazem Firoozmand

Publisher: Nashr-e Markaz, Tehran

Second impression: 2009

The book was first published in 227 pages in 2000 when the Taliban were in power. It begins with a brief chronology; it has 12 chapters: Introduction, The nature of Afghanistan, The Mujahidin, The warriors of God, The Taliban creed, Earlier Islamic movements, The Afghan Islamic

tradition, The gender policies of the Taliban, The dialogue with the humanitarian agencies, The Taliban and the international community, The regional picture, Conclusion.

The first page begins with the Taliban's arrival in Kabul in 1996 and the hanging of Najibollah in public. Next comes the ban on work and education of women and the stringent clothing regulations for both men and women. The author attempts to give an objective understanding of the social, economic and legal status of the people under the Taliban, to reflect their beliefs and the manifestation of those beliefs among the people in various parts of the country.

Chapter 8 concerns the gender policies of the Taliban, where the author examines the social conditions of women in Afghanistan before and after the Taliban. The Taliban policies have four main elements:

"Ban on employment of women except in health and medical care sector; temporary closure of women's education until suitable textbooks are prepared; imposing harsh regulations for men's and women's clothing; women must wear the burka; heavy control over women's traffic outside of home, where women must always be away from strange men or in the company of their own men." "The most important impact of the ban on women's employment concerned the education sector."

The author believes that the poor families where women were the bread winners lost their livelihood and the families were marginalised. Many such families were forced to sell their household appliances and their children were pushed to begging. He points out that many poor women could not buy the burka and had to borrow it from their neighbours. Hence, the traffic of women was restricted.

The Conclusion mainly deals with the Taliban at the height of their power in 2000 and the writer attempts to assess the constraints on talks with the Taliban.

Interested readers should consider two other books for further reading, both by Ahmad Rashid: Taliban, Islam, oil and the new great game in Central Asia; The rise of militant Islam in Central Asia.

**Chronology of Historical Events in Afghanistan**

From Establishment of the Republic to Provisional Administration

Author: Jamil ar-Rahman Kamgar

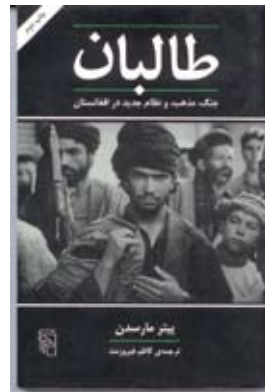
Publisher: Mayvand

Year of publication: 2007

Chronology of events in a country is essential for its citizens and scholars. A country where everything is easily forgotten, is like a patient who has lost his memory in an accident and remembers only the few moments prior to the accident.

We know of several methods of classification of historical data, one of which is based on the chronological order of events. Chronology is a science, calculating the time or periods of time and recording the exact date of events. This is one of the most requirements for work on history.

Mr. Jamil ar-Rahman Kamgar has recorded the political events of 27 years (1973 – 2000). Those are the most sensitive years when we notice various changes in the country, ranging from the establishment of left Marxist-Leninist or Maoist groups and parties and liberal circles, the emergence and rise of the Islamists of the Muslim Brotherhood type, and finally the emergence of the Taliban. Surely it is not a simple task to assess all those groups and their performances. Nevertheless, the chronology paves the way for gaining knowledge about the political changes and developments, even though it is not free of flaws. It seems that more work is needed to be done on that period and the young generation should pay special attention to it. The book is a must read for researchers and scholars, journalists, enthusiasts of politics and others.



humanitarian news and analysis

a project of the UN Office for the Coordination of Humanitarian Affairs



**AFGHANISTAN: Mass grave cover-ups undermine justice**

KABUL, 27 July 2010 (IRIN) - Three years after President Hamid Karzai appointed a commission to investigate a mass grave site in the Chimtala plains, north of Kabul city, the site, the commission and the truth are missing.

Commission chairman Mawlawi Fazel Hadi Shinwari has been in a coma in hospital in India for over eight months, according to government officials.

"I have no knowledge about the commission and its work," said Mawlawi Qiamuddin Kashaf, acting chairman of the Ulema Council which was also headed by Shinwari. Officials in the President's Office were also unable to shed any light on the commission's findings. Dozens of mass graves have been disturbed or destroyed over the past eight years, and with them crucial evidence about atrocities committed and their perpetrators, human rights groups say.

"In some cases, people have deliberately tampered with or destroyed a mass grave in order to hide criminal evidence," Afghanistan Independent Human Rights Commission (AIHRC) official Ahmad Nader Nadery told IRIN.

Numerous human rights violations, including mass killings, have been committed by various warring factions since 1979, but no proper investigations of the graves have been carried out.

Officials estimate some graves contain hundreds of bodies, and one in the eastern province of Kunar has over 1,100 bodies, according to the AIHRC, which said it had registered at least 118 mass grave sites.

A mass grave in the Dasht-e-Lailee desert in Jowzjan Province, where the bodies of thousands of Taliban prisoners were reportedly dumped in 2001-2002, was allegedly tampered with in 2008.

The disturbance of the burial site in Dasht-e-Lailee was widely condemned by human rights groups. Physicians for Human Rights (PHR), a US-based organization, called on the Afghan government and its foreign supporters to preserve the sites.

"Our calls were never heeded and it led to the destruction of an area



Photo: Akmal Dawil/IRIN

Over 118 mass graves have been found in different parts of Afghanistan over the past eight years

where we suspect there are mass graves... and even that has not been investigated," Stefan Schmitt, a PHR forensic expert, told IRIN.

He said a lot of powerful people, some of them in high government posts, were involved in past crimes in Afghanistan and they do not want the truth to come out. "One can attempt to destroy evidence but cannot wash away a crime forever," he said.

A senior UN official said in December 2008 that the UN was committed to helping the Afghan authorities preserve such sites in order to protect evidence of crimes.

Mass graves were considered key elements in the implementation of a transitional justice action plan which, according to AIHRC officials, failed to achieve even 10 percent of its targeted benchmarks

The official deadline for the implementation of the action plan expired over two years ago and Karzai has refused calls to renew it.

An overwhelming majority of the over 4,000 people interviewed by the AIHRC in 2005 said human rights violators and criminals must be brought to justice. However, there is a lack of political commitment to conduct the necessary investigations, experts say.

"Individually people want to find out about their victims and seek justice but officially this has not been possible so far," said PHR's Schmitt.

"Regardless of their importance for the transitional justice process - which is very important - mass graves are an inextricable part of our brutal history and must be protected out of respect for the victims," said AIHRC's Nadery.

No peace is viable without justice, and over 76 percent of those interviewed by the AIHRC in 2005 said justice would bring stability and security, which has deteriorated since the fall of the Taliban. Many powerful criminals have not been brought to book, undermining peace efforts, experts say.

Complicating any future investigations is the fact that while the motives for tampering with the dead may be criminal, they are not necessarily so: In some instances, local people, searching for lost family members, have taken bones from mass graves and buried them elsewhere. Collective reburials of human remains have also been reported in some areas at the behest of local Islamic leaders.

Source: <http://www.irinnews.org/PrintReport.aspx?ReportID=89975>

**FIDH: Trial of Jean-Pierre Bemba, Reward for courage of victims in Central Africa**

18 November 2010

The International Federation for Human Rights (FIDH) welcomes the opening of the trial of Jean-Pierre Bemba before the International Criminal Court (ICC) on 22 November 2010, first trial addressing the crimes committed in the Central African Republic (CAR). Mr. Bemba is accused of having committed war crimes and crimes against humanity in the CAR in the framework of the 2002-2003 armed conflict in the country.

"The opening of the trial of Jean-Pierre Bemba is an important step forward in ensuring justice for victims of horrendous crimes committed in CAR, especially crimes of sexual violence, systematically used as a weapon of war. The date of the opening is symbolically significant since it takes place three days before the celebration of the international day for the elimination of violence against women, on 25 November", said Souhayr Belhassen, FIDH President. "We welcome in this regard the participation, of hundreds of victims in the proceedings, through their legal representatives, and hope that they will be able to make themselves heard", she added.

Mr. Bemba is the leader of the Mouvement de Libération du Congo (MLC) and former vice-president of the Democratic Republic of Congo (DRC). He is charged with three counts of war crimes (murder, rape and pillage) and two counts of crimes against humanity (murder and rape), in his capacity as military commander. These crimes were allegedly committed during the armed conflict in 2002 and 2003 in CAR, when the MLC supported the armed forces of then President Ange-Felix Patassé in the coup attempt lead by François Bozizé, current CAR President.

Since 2003, FIDH and its member organisations have regularly submitted communications to the ICC Office of the Prosecutor on the crimes committed in CAR, highlighting the serious nature of these crimes and the inability of the national judiciary to investigate and prosecute those allegedly responsible for such crimes. *Continued on page 11*

**"Nights of Kabul" light up with Rahnavard Zaryab**

The ninth "Night of Kabul" was allocated to the works of Master Mohammad A'azam Rahnavard Zaryab. Shakur Nazari, executive director of the House of Literature of Afghanistan, standing in for the secretary of "Nights of Kabul", opened the ninth night at the Conference Hall of Ibn-Sina Higher Education Institute on 22 November 2010, by reading out excerpts from a story by Rahnavard Zaryab. He then said the House of Literature aimed to develop the culture of critique and accepting criticism within the literary and cultural community in Afghanistan: "No doubt, literature is a reflection of the spirit, emotions and collective thoughts of humans, in which humans express themselves without restriction and censorship. Literature is the unique mirror of separate and different identities and reading, reviewing and analysing literary works represent the critical approach of humans to their own experience and manifestations. Literature is the pervasive narration of humans in history and its pervasive review can help this narration. On the eve of new historical developments in our country, there is a serious need for critique and rethinking of culture."

Mohammad Hossein Mohammadi, director of the House of Literature and a professor at Ibn-Sina Higher Education Institute, followed by expressing appreciation for the cooperation rendered by the Institute and other cultural and artistic institutions in the organisation of the "Nights of Kabul." He said the ninth night had been allocated to the works... *Continued on page 14*



### Armanshahr's New publications

Armanshahr Foundation has recently published three titles as follows: "An evaluation of a decade of international presence in Afghanistan"; "From book to freedom expression"; "Market economy in Afghanistan".

#### An evaluation of a decade of international presence in Afghanistan

This was the title of Armanshahr's 64th Goftegu public debate, a bridge between the elite and the citizens, where Dr. Davood Moradian, Mr. Abdolkarim Ranjbar and Dr. Latif Pedram spoke and answered questions from the audience.

This new title is a collection of the speeches, questions and answers as well as an article from Samir Amin, the Egyptian renowned theoretician of development in Africa with the title of "Endless criminal ambition of the US: Military control of the planet."

The booklet has 78 pages and a print-run of 1,000 copies.

#### From book to freedom of expression

This booklet is a compilation of speeches made at the 18th and 26th Goftegu public debates and the concluding questions and answers, as well as an article by Kamran Fani with the title of "Book and book reading" that deals with the pertaining experience in Iran.

Speakers of the 18th Goftegu, entitled "Book, book writing and reading" were Master Rahnavard Zaryab, Ms. Maniejeh Bakhtari and Master Parto Naderi.

The 26th Goftegu was entitled "Freedom of expression and civil responsibility - what separates the two?" Master Rahnavard Zaryab and Master



Ghasim Akhgar addressed the meeting and their speeches and questions and answers are reproduced here.

The booklet has 82 pages and a print-run of 1,000 copies.

#### Market economy in Afghanistan

This booklet is a compilation of the 14th and 20th Goftegu public debates. The first was entitled "Market economy in Afghanistan, its crisis and solutions" and the second "Cooperation and regional unions in Asia and Afghanistan's status". The speakers were Master Seyyed Massoud, economics professor of Kabul University, Dr. Latif Pedram, leader of the National Congress of Afghanistan and Mr. Mohammad Amin Vakili, director of economic studies of the Strategic Studies Centre of Ministry of Foreign Affairs of Afghanistan.

The booklet has 65 pages and a print-run of 1,000 copies.

### A Review of Geneva Conventions I - III

Jawad Darwaziyan

The Geneva Conventions constitute one of the most important treaties of the international humanitarian law, which are based on the experience of different countries in the war. As directed by the Geneva Conventions, the humanitarian laws and principles must be complied with in respect of the enemy.

#### Background

One of the oldest conventions concerning the wounded persons is the Convention of 22 August 1864, under which 12 countries agreed in Geneva to collect the soldiers wounded on the warfront and provide them with medical care. In 1906, the Second Geneva Convention was passed by revising the provisions of the 1864 Conference and the charity and medical relief associations were invited to cooperate. In 1929, at a conference in Geneva some years after World War I, the third Convention on War Prisoners was ratified. The Red Cross was also founded at the same conference.

After World War II, provisions of previous conventions on the fate of the wounded and the military and civilian casualties as well as the war prisoners were reviewed, and the four Geneva Conventions were ratified on 12 August 1949. The International Committee of Red Cross was one of the organisations active in formulating the Law of War and the Geneva Conventions in particular.

All the four Geneva Conventions, based on the experience gained from World War II, have stipulated regulations for improvement of the fate of the wounded and the military and civilian casualties as well as the conditions of war prisoners.

The pressing question is: Is it possible to discuss the development of the International Laws of War and achieve improvements in international and regional wars, now that the UN Charter has banned wars and emphasised the need to avoid the use of force in international relations?

Some people argue that it is not proper to admit the existence of the Laws of War, because that would legitimise the war. There are instances however when the international community takes action to stop wars. Therefore, it is exigent to have restricting regulations to prevent the warring states from destroying their enemy by every possible means, or to allow the people to enjoy humanitarian laws. The Laws of War are a branch of law that examine the general rules concerning people involved in conflict and persons who deserve to receive help and assistance, and offers a suitable remedy for people who have unwittingly got involved in pervasive war. Whereas war is an undeniable reality, there must be protective rules for persons who receive help.

All conventions and regulations on the Laws of War aim to give priority to humanitarian considerations over military exigencies.

#### Restrictions on war operations

Generally speaking, three types of restrictions have been taken into con-

sideration in war operations:

- a) On the battlefield;
- b) On weapons;
- c) On operations and combatants.

Therefore, the Laws of War have banned the following:

1. Attacking persons who are not directly involved in fighting;
2. Attacking armed persons who have laid down their arms;

And they have instructed:

3. Giving humanitarian treatment to all persons who are not capable of fighting owing to sickness, injury, detention or any other reason.

Furthermore, the additional protocols of 1977 concern victims of non-international armed conflicts. The 1980 Convention on Prohibitions and Restrictions on the Use of Certain Conventional Weapons is an annex to the Geneva Conventions of 1949. All those conventions have a common goal: to restrict the attacks on humans involved in fighting. An additional protocol in 2005 banned the use of mines and cluster bombs against humans.

In 2009, there were 194 state parties to the four Geneva Conventions, although not all of them are state parties to all additional protocols.

(For lists of state parties to the four Conventions and the additional protocols, see: <http://www.icrc.org/eng/assets/files/annual-report/icrc-annual-report-2009-states-party.pdf>)

Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field

Under Article 13 of the first Convention, the following persons qualify as the wounded the sick in the field:

- (1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.

(2) Members of other militias and members of other volunteer corps, including those of organised resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organised resistance movements, fulfil the following conditions:

- (a) that of being commanded by a person responsible for his subordinates;
- (b) that of having a fixed distinctive sign recognizable at a distance;
- (c) that of carrying arms openly;
- (d) that of conducting their operations in accordance with the laws and customs of war.

(3) Members of regular armed forces who profess allegiance to a Government or an authority not recognised by the Detaining Power.

(4) Persons who accompany the armed forces without actually being members thereof, such as civil members of military aircraft crews, war correspondents, supply contractors, members ... *Continued on page 16*



**statement of 50% ...** *from page 2*

undermine our belief in the possibility of fulfilment of justice and achievement of a just peace.

The 50% Campaign of Women of Afghanistan, as the representative of a group of women of this land, declares that we have risen to gain our rights and demand justice. The government of Afghanistan must note that its ambiguous policies endanger lives of us women and fail to offer a clear prospect for the people of Afghanistan. The government must be accountable for women who are suffering from illiteracy, unemployment, poverty, domestic and social violence. The latest reports and studies published in the past few months show that domestic violence has increased and political participation of women has decreased. The government and the authorities must realise that marginalising the women in respect to decision making and sufficing to their symbolic and show presence on the macro political and economic stages is an irreparable mistake that will impact the presence of half the population in the public and private domains.

Afghanistan is going through a very important period of time. The international public opinion is increasingly losing its interest in Afghanistan. Civil movements aiming at the withdrawal of foreign forces are on the rise in other countries. Financial assistance is on the ebb. Other countries will no doubt leave Afghanistan in the future and the people of Afghanistan will assume the responsibility for their country's security and administration. It is therefore the responsibility of the government to take a wise and responsible approach to issues that deal with our destiny. The directly elected government of Afghanistan must consult the people in all fateful decisions. The government must listen to women of different walks of life. Lives of women are affected most from peace and war. Therefore, the government must make sure to hear and consider not just the voice of a specific group, but the voices of different representatives of women. Women are still waiting for the authorities to investigate the atrocities. As the first victims of gross violations of human rights in the country, women are opposed to a general amnesty and impunity of human rights violators before implementation of fair proceedings and before taking into consideration the views and rights of the victims.

Contact us at:

Campaign50darsad@gmail.com

Campaign50darsad.blogfa.com

50% Campaign of Women of Afghanistan started operating in May 2009. It comprises women's rights activists and defenders on various levels in the unions, the press, NGOs, political parties and social and political institutions, who have come together to leave impact on the authorities through their unity and joining voices.

**US must begin criminal...** *from page 1*

In August 2002, he was subjected to "water-boarding" in which water is used to begin the process of drowning, more than 80 times.

Khalid Sheikh Mohammed was arrested on 1 March 2003 in Pakistan and transferred to secret CIA custody. That same month he was "water-boarded" 183 times, according to a report by the CIA Inspector General. After three and a half years being held incommunicado in solitary confinement in secret locations, Khalid Sheikh Mohammed was transferred to military custody in Guantánamo, where he and Abu Zubaydah remain held without trial, along with more than 150 others.

Water-boarding was far from the only technique alleged to have been used against Khalid Sheikh Mohammed, Abu Zubaydah and others held in the secret programme that violated the international prohibition of torture and other cruel, inhuman or degrading treatment.

Other techniques included prolonged nudity, threats, exposure to cold temperatures, stress positions, physical assaults, prolonged use of shackles, and sleep deprivation.

"Under international law, anyone involved in torture must be brought to justice, and that does not exclude former President George W Bush," said Claudio Cordone.

"In the absence of a US investigation, other states must step in and carry out such an investigation themselves."

10 November 2010

<http://www.amnesty.org/en/news-and-updates/us-must-begin-criminal-investigation-torture-following-bush-admission-2010-11-10>

**Animal Farm for the first time in Afghanistan**

After the fall of Mr. Jones, Napoleon and Boxer are in Animal Farm. Snowball, who was deemed to be a traitor, has run away and is creating trouble. The Farm has seven rules:

1. All those with two legs are enemies.
2. All those with four legs or wings are friends.
3. Animals do not have clothes.
4. Animals do not sleep on bed.
5. Animals do not drink alcohol.
6. Animals do not kill other animals.
7. All animals are equal.

Only one rule remains at the end: All animals are equal, but some are more equal.

These words are incomprehensible for those who have not read Animal Farm. For those who have read it, there is a lot behind the text that helps us discover the world around us – a world full of injustice, deception and oblivion.

Some people believe Animal Farm to be George Orwell's most important work. Others who are regular readers of novels and books know him by two books: Animal Farm and 1984. He has other books most of which have been translated into Persian.

George Orwell, the British writer, was born in 1903 and died in 1950 at the age of 46. He experienced work for the police, dish washing in hotels and life in an unjust world and turned all that experience into well written books.

Armanshahr has recently published Animal Farm for the first time in Afghanistan, with a print-run of 1,000 copies in 111 pages. The translator is Ali Akbar Akhundi. Armanshahr will soon publish 1984.

**PEACE AGREEMENTS...** *from page 1*

- The issues which 1325 requires to be specifically addressed in peace agreements are touched on, but unsystematically so
- Including a 'gender perspective' in peace agreements is also about much more than mentioning women, it affects a whole range of issues, including how civilian combatant distinctions are dealt with, the role of international peacekeeping, socio-economic rights, and the form of elections chosen

The article is found at: 'Peace Agreements or 'Pieces of Paper'? The Impact of UNSC Resolution 1325 on Peace Processes and their Agreements', International & Comparative Law Quarterly (2010), 59: 941-980.

Abstract: <http://www.foreignpolicybulletinmonitor.com/action/displayAbstract?fromPage=online&aid=7923398&fulltextType=RA&fileId=S002058931000062X>

Full Article: <http://www.foreignpolicybulletinmonitor.com/action/displayFulltext?type=1&fid=7923400&jid=ILQ&volumeId=59&issueId=04&aid=7923398&bodyId=&membershipNumber=&societyETOCSession=>

**A voice for justice...** *from page 2*

play told the real stories of the victims.

Finally, on 14 December, Armanshahr Foundation held its 65th Goftegu public debate, a bridge between the elite and the citizens, with the title of "Revisiting Collective Memory", which was concerned with the victims and violation of human rights in the contemporary history of Afghanistan. Several experts addressed the meeting and the audience asked questions. One other objective of the public debate was the collecting and documenting of the truth about events that have been in progress in the country for many years, finding ways to pass the memory to the future generations, and significance of documenting the events.

The participation of a large number of civil institutions, human rights activists, educators, students and victims in the Week's events was a warning to the government and the international community that justice and an end to war are indeed two wings of peace and no peace will be sustainable without justice. They had one demand to the government: Fulfil justice in a country with a history inundated with injustice.

*Women and political...* from page 2

have been employed symbolically and do not enjoy the required qualifications. Ms. Uzra Jaffary, mayor of Nili in Daikundi province and the only female mayor in Afghanistan, has been quoted as saying: "When a woman works alongside a man in an agency, it does not mean that the man considers her equal to him. The presence of women in the government agencies is symbolic."

Even though Gender and Human Rights Affairs Departments have been established in many ministries to ensure equal access of men and women to employment, in practice women do not benefit from justice and equality. Women are working in government agencies only as lower ranking staff and managers and at best as low ranking directors.

Lack of political will and a strategy directed at justice and gender equality and weak governance, in particular in the provinces, the strong and active presence of fundamentalist misogynists within the government, who are influential in discriminatory legislation and policies, government's limited planning and its attention to urban women only as well as the lack of solidarity among female parliamentarians, are factors mentioned in the study as serious obstacles and problems facing the implementation of plans to eliminate discrimination against women and achieve their active and real leadership.

The study has pointed out that the passive presence and sectarian performance of women in parliament and at important opportunities, e.g. the Peace Jirga and the Kabul Conference, are signs that women accept an inferior position to men.

Chapter IV, "Women's leadership and politicised Islam" indicates that historically whenever "political Islam" has overcome "civil Islam", conditions have grown harder for women. The study shows how fundamentalist approaches, based mostly on political demands, function as one of the biggest obstacles facing women's political and social presence.

The concluding chapter illustrates that the problems lie not only in the government's policies, plans and performance, but the gender projects of international agencies and civil institutions are also political and have not much to do with the basic problems of women. Therefore, it appears necessary that all plans concerning women, at the government, non-government and international levels, should undergo serious and fundamental revision.

The study notes that education of women is the prerequisite to justice and development. Women must be given equal educational opportunities. Without promotion of education, women will not gain the needed skills to occupy higher management positions.

*FIDH: Trial of Jean-Pierre Bemba...* from page 7

The inability of the CAR judicial system to deal with these crimes was confirmed by the Central African Cour de cassation on 11 April 2006. In its judgement, the Cour de cassation called for the ICC's intervention to try those responsible for international crimes perpetrated on Central African soil...

Furthermore, it is to be noted that the FIDH Legal Action Group (GAL) has assisted Congolese victims of crimes allegedly committed by Jean-Pierre Bemba at the time he was at the head of the MLC forces in the DRC, to submit a filing at the end of June 2010...

Full text at: <http://www.fidh.org/Opening-of-the-Trial-of-Jean-Pierre-Bemba-The>

*Reforming Afghanistan's...* from page 4

institutions must be at the front and centre of the strategy aimed at stabilising the country.

Further, U.S. and NATO actions must conform to national and international laws, including an end to arbitrary detentions. Extrajudicial actions by the U.S. and its coalition partners against Afghan citizens have distorted the justice system and are fuelling the insurgency. The international community needs to ensure that the transition from U.S. to Afghan control of detention facilities is smooth, transparent and adheres to international law.

"The only way forward is to protect and advance the rule of law", says Robert Templer, Crisis Group's Asia Program Director. "But if President Karzai's government continues to drag its feet on judicial reform, it is very likely that it will become a victim of its own failure to act and the country will be plunged deeper into violent conflict".

Executive summary & recommendations:

<http://www.crisisgroup.org/en/regions/asia/south-asia/afghanistan/195-reforming-afghanistans-broken-judiciary.aspx>

Full report:

[http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary.ashx](http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary.ashx)

*NATO summit must...* from page 2

that does not excuse the continuing lack of accountability and compensation for casualties caused by NATO and Afghan forces.

The current lack of accountability fuels and fosters resentment among Afghans that international forces are above the law and unaccountable for their actions, particularly when it comes to civilian casualties.

NATO continues to lack a coherent, credible mechanism for investigating civilian casualties. Non-binding guidelines adopted in June 2010 by NATO regarding civilian compensation need to be implemented as part of the existing rules of engagement.

2. Ensure no arbitrary detention or transfers to torture

The United States continues to arrest and detain hundreds of Afghans without proper judicial process. NATO countries continue to hand over detainees to the Afghan intelligence agency, National Directorate for Security (NDS), which has record of perpetrating human rights violations, with impunity.

The increase in the scope of fighting in Afghanistan as a result of the troop surge earlier this year is likely to lead to a rise in the number of people detained. The US government should immediately grant all detainees held by US, whether in Bagram, Guantánamo Bay or any other US detention facility, access to legal counsel, relatives, doctors, and to consular representatives, without delay and regularly thereafter.

The Afghan government and its international partners should seek mechanisms to ensure fair trials for those in detention, including the option of mixed tribunals to try those apprehended in counter-insurgency operations by either Afghan or international forces.

3. Guarantee human rights protections during reconciliation talks with the Taliban

Amnesty International calls on delegates to the NATO Summit to ensure that human rights, including women's rights, are not traded away or compromised during any political process, including reconciliation talks with the Taliban in Afghanistan and that, in line with the demands of UN Security Council Resolution 1325 on Women, Peace and Security, Afghan women are meaningfully represented in the planning stages and during the reconciliation talks.

"The implementation of these three steps would help signal that the interests of the Afghan people are the focus of the NATO governments and the international community," said Sam Zarifi.

The NATO Summit will convene in Lisbon on 18-19 November 2010.

<http://amnesty.org/en/news-and-updates/nato-summit-must-protect-basic-human-rights-afghanistan-2010-11-18>

*"Do not sacrifice justice"...* from page 3

and the international treaties and take action to fulfil them;

- Investigate and prosecute suspects of war crimes and gross violations of human rights;
- Respond to people's complaints in the past decade and provide for rights of the victims by creating the ground through truth commissions;
- Involve representatives of various groups of women, as half the population and principal victims of wars, in all stages of consultation, decision making and peace building;
- Avoid awarding impunity to war criminals and human rights violators before providing for the rights of victims and take note that only the victims have the right to pardon them;
- Review and amend all the laws in compatibility with the international human rights law. Whereas all governments have a responsibility to prosecute war crimes, crimes against humanity, genocide, and torture, the Amnesty Law is in contravention of Afghanistan's obligations under the Geneva Conventions, Convention on the Prevention and Punishment of the Crime of Genocide, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Rome Statute of International Criminal Court, and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity;
- Offer a pervasive and practical plan for restoration of rights of victims, their rehabilitation and compensation, in consultation with representatives of the victims and human rights organisations and based on successful international experience of peace building and justice enforcement.

The TJCG has taken regular action in relation to human rights, transitional justice and rights of victims in the past one year. The group, in company with a large number of victims, has adopted just stands on specific occasions, e.g. the London Conference, the Kabul Conference, the Peace Jirga, and the High Council of Peace. Our goal in accompanying the victims has been to make their voices heard by government officials and their international supporters and to take a step to consolidate and complement the government's Peace, Reconciliation and Justice Plan.

*An evaluation of the Conference... from page 4*

moment on justice; Reconciliation is very important and there is no other alternative. Attention should however be paid to the voice of the civil society and the war victims and their wishes should not be ignored.

The second speaker, Mr. Stanekzai, said:

The question is how we should achieve peace in Afghanistan. The war is still going on; injustice and violation of human rights are still under way. We have to end the war and fulfil social justice. If we looked back a year ago, there were concerns regarding the peace process on the part of the people and the civil society. People thought the peace process would damage the rights of victims or the Constitution would not be complied with. There were other questions, too.

We were indeed victims of regional issues and conflicts. The regional conflicts deprived us of security and peace. It is a general concept that peace cannot be achieved without justice. The people should unite to work for one goal; in that case we shall have a stable and secure country. Many people in this land are trying to lead the country toward stability, but the civil society institutions are frequently influenced by short-sighted views.

If the people do not cooperate with the government, the country would move toward Talibanism. The president had promised five years ago to give priority to security and peace, governance and anti-corruption fight. We need the support of the people in that process. Peace does not mean a government trade-off with the Taliban.

Three aspects are under consideration to achieve peace in the country:

1. Development of the national security capacity;
2. Responding to the people and the opposition: The opposition is not a homogenous block; there are a collection of ideas within it;
3. Regional cooperation.

One aspect of peace is the assistance of neighbours and regional countries. We do not interfere in other countries; likewise, our neighbours should not interfere in our country. We have borders with other countries on four sides and have common issues:

1. The regional states have grown vulnerable to crisis of insecurity;
2. They must control drug smuggling;
3. They must control arms smuggling;
4. Attention should be paid to raising literacy in tribal areas.

The High Council of Peace has its instructions, which it abides by. It has established committees to expedite the trend: Committee for Contacting and Mobilising the People; Committee for Public Information; Committee for Resolving Conflicts concerning ethnic communities; National and International Relations Committee; Committee for Supporting Provinces. The government and the international community are working to prove that the country has not been occupied by foreign powers. It is with that purpose that the government shall assume all the responsibilities by next year. These include: capacity building, long-term commitment of the international community to Afghanistan, winning people's confidence.

The next speaker, Mr. Frances Vendrel, said:

After wars, efforts are made toward reintegration and including the opposition to help with the peace process. We need a sustainable peace, but that cannot be achieved without justice. The UN has an obligation to fulfil the reintegration process and peace. The government of Afghanistan must remain committed to the Rome Statute, which it ratified in 2003. If the local courts do not perform their tasks, the government must ask the International Criminal Court for help. There are many experiences of this type in the Sudan and some other African states. We believe in working to achieve peace and implement transitional justice and human rights in Afghanistan.

Administrative corruption is rampant in Afghanistan and all international organisations are grappling with the problem. The government had been advised not to protect the warlords. The disarmament process failed, because the armed forces were not strengthened as much as they should have been.

The purpose of implementing the transitional justice plan in Afghanistan was not only to bring to trial the war criminals, but mainly to take care of the war victims. Under the present circumstances, it has become difficult to implement the transitional justice plan in Afghanistan. The parliament has approved the Amnesty Law. Even though the United Nations and other institutions objected and demanded its repeal, things did not change. The next parliament must be able to repeal that law or amend it.

Ahmad Rashid, who was questioned on the reason for his support of the peace process, even though he knows the Taliban well and has written books about them, answered: "War must be brought to an end. War cannot be a solution to state building." He went on:

Foreign forces will most probably leave Afghanistan, but they should not do so without precise planning and an exit strategy. Afghanistan must

not plunge in another crisis. Several issues need to be addressed:

1. The Afghanistan army must function, and be equipped. It must be a completely civil army, not a political one.
2. Social services should be provided; the civil society should play a major role in this respect;
3. The government must pay attention to people's grievances and fulfil their demands; there remains only one solution: To pay attention to people's demands;
4. Administrative corruption must be combated on an extensive level.

Prior to the departure of foreign forces from Afghanistan, which is expected, the government is aiming to create militias; the people of Afghanistan can talk to the Taliban independently both within the country and abroad.

The role of civil institutions should be increased. They must create a national consensus and bring together the various nationalities. However, if it is going to be a peace between the Pashtuns, it will have an adverse result. When the High Council of Peace talks to the Taliban, it must invite everybody to take part. Women must be present during the talks. The Taliban must know that Afghanistan has changed and it is not the same as previous years. There must be a guarantee that the education quota will not change. The media must also play a part in the negotiations. Most negotiations cannot be transparent, but their outcome should be reported to the people through the media. The government must clarify the goals and plans of the High Council of Peace for the people to avoid any ambiguity in the process. There must be a working framework for the government to know what it is doing.

It is not yet clear what the Taliban want, but some aspects are clear: the Taliban are tired of fighting, they have borne great damages, and they wish to return to their homes. That is why they are interested in the peace process. Even the Taliban leaders know they have been defeated in the war and have failed. There is one way open to them: Negotiation with the government of Afghanistan.

Bari Salam emphasised that peace was a universal necessity. "We are living under conditions, where it is not possible to predict anything. Things will deteriorate." Emphasising that achieving peace was the most important issue, he argued that the following questions required answers:

1. What are the prerequisites for peace?
2. Are the criteria of the government for achieving peace in place? A peace process has to be pervasive. Everybody has a right to have a say on the future of their country. Afghanistan has experienced despotic and tyrannical regimes, but it is now time for tolerance. Peace building has to be a completely national process and have national legitimacy.
3. What is the goal of the peace plan? Are there guarantees for human rights and protection of law in the process?

Mr. Salam classified the approaches to the peace process into three categories: proponents of reconciliation, opponents of the peace process, puritans.

1. Proponents of reconciliation include the government and its international supporters, groups close to the Taliban, the people who claim that the Taliban should be a part of the government, because former insurgents are in the government and the regime;
2. Opponents of the peace process include the government critics, rivals of the Taliban who feel the latter's inclusion would mean their omission, theoreticians with invincible ideology, the people who believe perpetrators of human rights violations cannot bring peace, and the people who consider the peace process to be a governmental process.
3. The puritans are the ones with a combination of the ideas of the above two. They maintain:

- a) The government has taken a good initiative, but it should pay more attention to the roots of the war;
- b) The peace process does not enjoy the support of all the people;
- c) The High Council of Peace includes former Taliban member or like-minded people;
- d) The people are dissatisfied with the system of reporting on the process.

He asked several questions in conclusion: Who would guarantee that negotiations with the Taliban will be transparent? Will the rights of women not be traded in the process? Will the Constitution not change after the Taliban accept the government conditions and come to power?

Nader Naderi of the AIHRC emphasised that the main goal of negotiations with an insurgent group must be clear and the following points be clarified before entering the peace process:

- Are the negotiations conducted from a position of strength?
- Does the government enjoy the people's vote and did it have the legitimacy to take such decisions? Those decisions would be well placed if the government's legitimacy had been proved. ... *Continued on page 12*

*An evaluation of the Conference... from page 11*

The government must report to the people on its performance. The government is unable to say that its departments are free from corruption. Can it engage in negotiations from a position of strength under those circumstances?

Naderi added: The important point is that peace will not be sustainable unless it takes into consideration the people's past and not remain indifferent to it.

Mr. Esmael Ghassemyar said: The people of Afghanistan are atoning for sins they have not committed. National reconciliation should include actions and activities that people on two levels, both high and low, should take. What are obvious are the challenges on the national and regional levels, which include:

- Distrust between the government and the armed groups;
- People's discontent with the government for failing to abolish unemployment, poverty and other problems;
- Reactions and threats from those who join the peace process;
- Complaints of tortures conducted in prison.

There is also the belief that other countries would benefit from the destruction of Afghanistan. Those issues undermine the peace process and increase the people's distrust of the process. The ambiguity in the peace process is as follows: Is it possible to win the trust of the opposition?

Ms. Samira Hamid from the AWN said:

Even though reconciliation is necessary, there are many problems in this area. The London Conference, the Kabul Conference and the Peace Jirga illustrated that the government is not pursuing a transparent process in regard to the current affairs.

The High Council of Peace must operate in coordination with the people and note their demands. The women of Afghanistan are deprived. Many people do not accept women as their colleagues. The women of Afghanistan are concerned with the fate of the Constitution. Will they be present at the negotiations table? They were the main victims of the war and suffered deprivation under the Taliban for six years. The same trend is in force now and they are not involved in decision making.

A brief assessment of the conference discussions

Even though most speakers expressed doubts about negotiations with the Taliban and other armed insurgents in regard to some issues and the women's issues in particular, there were many contradictory remarks. On the one hand, the United Nations, that used to advocate human rights for Afghanistan and promote the implementation of transitional justice, is now assuming a double-standard policy, when the Secretary-General's representative says there is no hurry for justice in Afghanistan and the important thing is reconciliation.

The difference of opinion between Staffan de Mistura, the Secretary-General's representative, and Frances Vendrel, the former EU representative is nevertheless worthy of note. Vendrel, unlike de Mistura, argued in favour of peace and implementation of transitional justice and human rights at the same time, and even encouraged Afghanistan to make use of the ICC.

The UN has to be accountable to the people of Afghanistan for its plans. Many people believe that the various crises in Afghanistan since 1991 are in part due to the unwise policies of the UN. They say:

The UN had assured the people at the time that there will be a smooth transition upon the surrender of Dr. Najibollah's government to the mujahidin. Subsequently, however, the civil wars broke out and Afghanistan was forgotten until the Taliban established their rule. Then the UN issued a few statements. That record increases the UN's responsibility to exert more pressure on the government of Afghanistan to implement the transitional justice plan and adhere to its international obligations.

On the other hand, it is undeniable that the Taliban enjoy Pakistan's political and financial backing. Pakistan is one of the states that interferes in the peace process and does not support it. The international community and the UN have however failed to take any action in that regard. The international community entered Afghanistan with the proclaimed aim of eliminating terrorism. The question is why it has failed after nine years.

On the domestic level, the Amnesty Law is still in force despite the demand of civil society institutions and the international community for its repeal; the government institutions have failed to take any measures to do so. The important point is that the civil institutions should employ their power and make more efforts to achieve peace combined with justice. Otherwise, there is a danger of Afghanistan plunging back in a regression similar to the 1990s and there is no guarantee that the world

will notice it this time. The road to peace passes through the implementation of transitional justice and human rights. Combating drug smuggling and poppy cultivation, growth of education, combating illiteracy and corruption are other components of a programme of growth and progress. It is only then that the people will be assured that they are not facing any threats. Implementation of justice and addressing the past are important aspects of the peace process. Any peace lacking a justice component will be fragile and fleeting.

*Statement of the One-Day Conference... from page 5*

weaken public support and trust of the process, resulting in the Government of Afghanistan's loss of further legitimacy. Therefore, if it genuinely wants to bring long-term peace in the country, the Government must not use the 'reconciliation' process as a political tool intended solely for the political gains of particular ideological, ethnic, tribal or religious groups and circles.

We would like to declare that:

For any reconciliation process to be successful it should be reflective of society in general. In other words, the current reconciliation process should be more representative and inclusive. We further emphasize that the Afghan government and the international community should take the recommendations and concerns of Afghan civil society, especially women's representatives, into consideration in any reconciliation process.

Unfortunately, the comments and speeches of the representatives of the High Peace Council show that it does not have a clear vision and strategy for the reconciliation process...It will only be successful when the people of Afghanistan are fully informed and involved.

We believe that Parliament, as the representative of the people, should have more say in this important process, as it has the right to make binding decisions on behalf of the Afghan people. We recommend that the High Peace Council consult with both the Parliament and civil society -- with parliamentary consent being necessary to continue its work.

Most importantly, as the representatives of civil society and conference participants today, we are concerned after listening to the speeches of High Peace Council representatives that the privileges/concessions promised to the Taliban should by no means undermine or compromise the achievements of the past nine years in terms of civic values and human rights, especially women's rights, enshrined in the Constitution. The people of Afghanistan have a right to know whether the current reconciliation process would compromise these constitutional rights and values, as well as other achievements of the last nine years. Will the concessions promised to the Taliban affect those rights? How will the reconciliation process affect human rights, particularly the rights of women?

Specifically, today's conference participants make the following recommendations to the Government of Afghanistan:

- 1- Establish a truth-seeking commission as a first step towards incorporating justice in the peace process; to carry out a national consultation to make the process more inclusive;
- 2- Listen to victims, provide them with reparations, and establish a viable mechanism to heal their wounds;
- 3- Change the structure of the High Peace Council so to make it more inclusive and more representative; more specifically civil society should be given more space in the council, in Kabul and in the provinces;
- 4- Ensure that the peace talks are transparent and that the rights of minorities and women rights will be protected and that civic values, and other Constitutional rights and values will not be compromised. More importantly, the process should by no means sacrifice justice for peace;
- 5- Establish a mechanism within the peace process so that the Afghan people, and Afghan civil society remains engaged and informed throughout the process; and
- 6- Ensure that the authority and power of the High Peace Council remains within the framework of the Constitution and that it is well-defined and clarified.

To the International Community, we make the following recommendations:

- 7- Commit long-term to continued engagement in Afghanistan, to support Afghan civil society in its struggle for a just peace, and also to ensure that any peace deals with the Taliban that compromise or sacrifice the achievements of the past nine years are not supported.

Excerpts of the Statement have been taken from the website of CHSRN. For unclear reasons, the English and Dari versions have notable differences. See: [http://cshrn.af/CSHRN\\_English/Documents%20of%20CSHRN/Statements%20and%20Messages/Statements24.htm](http://cshrn.af/CSHRN_English/Documents%20of%20CSHRN/Statements%20and%20Messages/Statements24.htm)

*Resolution 1325... from page 3*

Therefore, one may define peace as: Cooperation, partnership and establishment of a society based on human dignity were humans live freely. Based on that definition, we endeavour to answer questions on Resolution 1325 concerning the role of women in creation of peace.

Why are women better suited for peace talks than men?

Women have developed unique experiences as a result of their responsibility to sustain the tempo of daily life during the war; they know what is necessary to build an active society. During the conflict, women usually try to establish contact with women of the other side. They are also mostly the first people to contact the women on the other side after ceasefire. They seek better alternative solutions to resolve the conflicts and have a vision of living in peace, because their understanding of various phenomena is different than men in power. Leaders who started the war are not suitable people to establish peace.

Why are women harmed more in wars?

The unwanted consequences of armed conflicts have unequal impact on men and women. The majority of victims in conflicts are women and children. They constitute the greatest number of refugees and displaced people in the world. Women experience a different type of violence and cruelty in the war. They are killed, made homeless and exposed to destructive weapons. However, they suffer much more: sexual violence and exploitation, torture, rape, forced pregnancy, sexual slavery, forced prostitution and trafficking. They are occasionally abused and ill treated as a means of aggression on a culture and dignity of a nation.

Loss of husbands and sons in the conflicts imposes the heavy responsibility of meeting the livelihood of the family and its protection on them. The injury and invalidity of their husbands forces them to a lifetime of nursing and care. Insufficient access to resources and absence of social protection in these areas exposes women to all kinds of hardships, illegal actions and deviations.

What is to be done to meet the special requirements of women in war and afterwards?

Women are vulnerable in refugee camps and rape is frequent. It is important to protect women and children. Women have specific health requirements and need separate cleaning facilities and bath to avoid diseases. During ethnic cleansing operations, rape is employed as a war tactic or to give birth to children of a specific ethnic community or to prove to enemy's men that they are incapable of protecting their women. Rape is a grave crime against humanity that has been banned in international law. Nevertheless, such crimes are committed. Women victims of rape and other atrocities during the war need help to recover. Rape is a cause of shame in many cultures including in Afghanistan and victims are deprived of their social rights.

What is Resolution 1325?

Resolution 1325 is an agreement among member states of the United Nations. A resolution of the UN Security Council such as Resolution 1325 is binding on all member states. This resolution has provided a comprehensive political framework to protect women and their role in peace processes. It is the first time that an international instrument is independently specific on women, peace and international security in the form of the resolution of the most powerful body of the pervasive universal political authority. The Security Council has for the first time called for a pervasive assessment of the impact of armed conflict on women and their role in peace building processes and the gender dimensions of those processes, and conflict resolution; and has specifically emphasised the role of women in preventing hostilities. The main advantage of Resolution 1325 is the link it has established between peace and human rights.

Role of women in consolidating peace

Consolidation of peace under the present circumstances means a ceasefire agreement from one point of view, and resolution of conflict without resorting to armed confrontation from another point of view. In the current year, the peace processes faced more problems than the preceding year in various parts of the world, e.g. East Timor, Solomon Islands and Iraq. By creating a Peace Commission, the UN has been trying to enhance peace structures and get close to the goal of expanding peace worldwide. It is time to find out how the UN Resolution 1325 can be enforced to achieve justice and lasting peace in the world. There are three requirements for achieving that goal:

1. Peace building processes must ensure the physical and economic security of women:

In peace processes, attention to pressing and immediate issues frequently leads to the forgetting of many key issues. Halt to the war to reconcile the two sides and attending to their complaints during peace agreements is regarded to be a pressing and immediate matter. It is however forgotten that the parties to the conflict are not exactly identical with the

parties involved in consolidation of peace. Peace building and its consolidation requires all forces to desire peace.

Women are vital source of peace consolidation processes. Whenever women are present in those processes, peace agreements, preliminary activities to remove the effects of war, control of post-war conflicts and tensions are achieved more smoothly. They play a different role in peace building processes, owing to their clear approach to peace and security and attention to social and economic issues as the foundations of a sustainable peace. Those issues are frequently ignored in the absence of women. It is not a question of what share women have in peace consolidation processes. The significant issue is how peace consolidation processes can help transform social structures by elevating the rights of women and gender equality and prevent the reproduction of deprivation and marginalisation as the foundations of all wars and conflicts.

Women know the costs of war. They know what sexual violence means. They know what displacement is; what fleeing home means; they know the taste of deprivation from social life and being considered second class citizens. The peace consolidation processes should end the impunity perpetrators of sexual violence during wars and raise the political and economic costs of such behaviour. The peace agreements must ensure that perpetrators of those crimes will never get the chance to assume political power and high positions.

The pressing needs of women are their physical and economic security. If women face threats or violence in social life, efforts to get them involved in decision making and policy making fields would be futile. On the other hand, so long as they do not have access to sources of wealth and production, they cannot be expected to operate as active and effective actors in the society.

According to the information provided by UNIFEM, the public domain for the participation of women has been drastically reduced in Afghanistan. Women who defend rights of women in the fields of social and public decision making are the main targets of attacks and killings. There is always evidence of increased sexual and gender violence at home after the conclusion of conflicts and return of the combatants, while social norms protecting women during wars and conflicts have been eliminated in practice.

The inclination of women to cross the borders, to organise moves in support of talks and negotiations and to challenge the threats to their security have been witnessed in all conflict areas. However, it is not possible to rely on women's courage alone. The international community must ensure women's security by reforming the security forces in particular in areas where the armed or police forces have acted as sources of violence. When the Rwandan police announced that they were unable to protect women, because they did not have adequate vehicles, UNIFEM organised a specific unit within the police force to provide them with training and adequate vehicles to offer service to women in remote areas. That kind of assistance can rarely be seen in this country.

2. Achievement of a sustainable peace requires fulfilment of real justice for women

Achievement of a sustainable peace requires fulfilment of real justice for women in line with international human rights standards. That means all discriminatory laws against women must be abolished, new laws be legislated based on gender equality, regulations of judicial bodies to enforce those laws be propped up, and women should have access to those institutions and their rights.

In most countries, laws for payment of war compensation hold rape to be a minor offence; thus the pertaining reparation has unfortunately been withdrawn from the list of reparations. If we demand guaranteed justice and consolidated peace, we have to endeavour to provide the required training to judges and lawyers, protection to witnesses and provide health services and compensation.

In some countries, dealing with family and personal issues has been assigned to traditional customary judicial systems. One of the reasons is the low cost of that method of arbitration. On the other hand, by assigning the fate of family and personal issues to tribal and traditional leaders, their cooperation with the central government is ensured. The ongoing honour crimes, exchange of women to resolve ethnic conflicts, denial of inheritance rights of women and violation of other rights of women are the consequences of that approach.

Justice for women is not achieved easily and their rights cannot be traded for political interests. Justice for women must be emphasised and underlined as an integral part of all strategic plans of the UN.

3. Peace processes require fundamental changes and accountable systems

Women's participation in consolidation of peace requires ongoing and solid investment in policies that emphasise ...*Continued on page 14*

*Resolution 1325... from page 12*

the capacities of government institutions providing for needs of women and enable women to influence those trends by giving them leadership positions. A proper approach to security and peace should entail the following five principles:

1. Involving women at the peace negotiations table;
2. Protecting and supporting women to shape the new legal and judicial frameworks;
3. Enhancing women's leadership in development of new institutions, e.g. gender-sensitive judicial centres and law enforcement organisations;
4. Supporting gender-based justice movements on the national level and linking them to peace, security, development and human rights plans;
5. Protecting and supporting women's participation in elections and trends of political decision making.

Experience shows that women have more possibilities to work in peace processes through mediation, participation in negotiations, peace talks and fundamental reforms in areas where they operate as lawful actors and, in practice, they are recognised as peace agents in those areas. The employing of positive discrimination systems in Afghanistan and many other areas has led to increase in the number of women in national parliaments and other bodies. However, that quota system is not alone to ensure effective participation of women. A social grouping that has been kept away from the domain of public decision making for a long time, should enjoy necessary support to gain the required knowledge and skills to impact policy making, legislating and law enforcement.

This does not concern only women's capacities. It includes problems on the course to gender equality in agencies making policy, allocating resources and enforcing policies. Major organisations such as the armed forces, ministries of finance and economy do not automatically ratify gender equality goals even when those goals are expressly stated in peace agreements. To empower public institutions and agencies to take note of gender equality at levels of leadership, staff and activities related to consolidation of peace, three fundamental measures are needed:

- Issuing high level orders to pay attention to rights of women as a major factor for advancement of all activities of the agencies;
- Employing incentive systems for attention to demands and requirements of women and efforts to fulfil their rights;
- Evaluating gender equality in individual plans and reviewing the implementation stages of those programmes.

Unlike the inclusion of women in armed forces, police and civilian staffs of peace delegations, women are still a minority in the peace delegations. They are rarely seen at high levels of mediation teams and peace delegations. UNIFEM and other supporters of women's rights have to renew their efforts every time to have women at the peace negotiations table and include their priorities on the post-war requirements lists. In many cases, after achieving success in those efforts, it is revealed that the necessary resources have not been allocated to priorities of women.

Finally, if we wish to achieve peace, we must put an end to processes of rewarding destructive social forces and employ constructive peaceful methods. Michael de Montaigne, the French philosopher of the 16th Century, once wrote: "When women disobey the laws concerning them they are not wrong, because men have written those laws for them without consulting them." One of the ways of understanding and consolidating peace is collective effort to legislate again the laws of government, justice, security and economic activities with the goal of eradicating causes of war and conflict, distrust and inequality. Women in all social groups cannot lose the opportunity to participate in rewriting the laws. Peace can be achieved only if justice is fulfilled.

*"Nights of Kabul"... from page 7*

of Rahnavard Zaryab, "to mark the second edition of a selection of his stories under the title of 'The beauty sleeping under the earth' and to honour his five decades on the scene of literary creation and writing in Afghanistan."

The third speaker, Dr. Mohammad Amin Ahmadi, rector of Ibn-Sina Higher Education Institute, started by asking a question: "How did Zaryab become Zaryab?" His answer was: "As a reader of his works, I can say that the cultured mind and language of Zaryab are the fruits of many years of persistent endeavours and a true application of the verse: 'Many a year must go by before a stone develops to a garnet in Badakhshan or an agate in Yemen.' His works illustrate his extensive and variegated studies including in history as well as skills."

Dr. Ahmadi raised another question: "How does story mirror humans and what characteristics of humans are revealed in story?" In his opinion: "The following characteristics come to the fore in stories: love of aesthetics and enchantment from aestheticism, inclination to entertainment, ethical and social ideals, pain and suffering, freedom..."

The next speaker, literary critic and writer, Hossein Fakhri, delivered his presentation under the title of "Likenesses and differences in the works of Rahnavard Zaryab and Spojmai Zaryab", saying: "Despite close association, almost identical positions, marital relationship, and possible literary cooperation, Rahnavard Zaryab and Spojmai Zaryab both have different and specific literary styles and tastes."

In his opinion: "Rahnavard Zaryab is not seeking to express himself explicitly. He is neither indulgent in his work nor does he expect others to be indulgent. He carefully examines his words, sentences and turns in his story and is untiringly scrupulous. His language takes after his predecessors and classics."

Another writer and researcher, Ali Amiri, said: "There are writings in the modern world that narrate the transition from the old to the new world, as in the works of Cervantes and Dostoyevsky. Apart from the works of the transitional period, there have been two serious tendencies in literature: Existentialism and romanticism. Realism, surrealism and classicism etc were styles, schools and fashion. New literature is either inundated with beauty and free from poverty or full of pain and horror. Kafka's works are full of the horror that took place after his death. If we were to view Zaryab's works from this viewpoint, they are either not related to those two or have very little relationship to them. There are neither nightmares nor dreams in his work. His themes are influenced by myths rather than reality."

"In his stories, articles, studies and translations, he has always been watchful of the word. His clean prose and his concern for the language have made him the only protector and supporter of the Persian language in our land. In his work, all the joy is reduced to tangible visual joy, i.e. joy of the prose."

Literary critic and writer, Abbas Arman, was the final speaker, who concentrated on Zaryab's works in the 1960s and argued that most critiques of his work were concerned with form rather than content. He said the writer's main preoccupations were loneliness, hopelessness, death and nostalgia. "Those concepts intermingle to offer a unified meaning: conflict between the past and the present, between the urban and rural areas, old rural values and new urban ones, the good conditions of the past and the bad conditions of the present, between mother and father."

"Zaryab's story has problems with change and transformation. Memories of the past are sweet and the present make conditions are extremely uncertain."

Subsequently, a short documentary of Rahnavard Zaryab's life, made by Javad Khadem, was screened and then Master Zaryab took the podium. Appreciating the efforts of the organisers, he said: "Unfortunately, writers have brought the local languages and dialects into the stories and caused confusion and dispersion in the language. Whereas we do not have a standard language in Afghanistan yet, we must write in pure and standard Persian in order to reach a standard language gradually." Concerning the influence of various writers on one another, he said: "We cannot find any writer free from the influence of the predecessors or contemporaries. That is not a weakness. It is only natural."

Nazari, executive director of the House of Literature, said the 10th Night of Kabul would be concerned with the poetry of young poems of Kabul and asked them to send it their works.

For the original report, see:

<http://www.dailyafghanistan.com/archive/1251-11-23-2010/large/entertainment.jpg>

*An introduction... from page 5*

National Museum. They took them out of the Museum, edited and published them.

Q: How many books has the History Department published and how many are still available?

A: More than 150 titles were published by the History Society and Institute of History. There are about 150 titles ready to be published. The Academy of Sciences publishes 50 titles per year.

Q: Why do you not have a public sales outlet?

A: We did have one from 1978 – 1991, when titles published by the Academy of Sciences were sold. When the civil wars started, the mafia used the opportunity and the City Council gave away the Academy's kiosk to one person. That was in 1992. We are looking to find another outlet.

Q: Why does the government pay attention to this issue?

A: The Academy of Sciences and other government institutions are consumers. They do not have income. The Academy is an institution involved in writing, research and sciences. Our City Council should pay attention to it.

Q: Which topics have you concentrated on?

A: Most people working for the History Department have other jobs. We have several departments. Department of Ancient History, which works on Afghanistan before Islam, Department of Middle Ages, and Department of Contemporary History of Afghanistan. The 19th and 20th centuries, the Middle Ages, ancient history (the Aryans, Kushanis, Yaftalys and others) are being studied.

Q: How much contact do you have with other countries?

Our journal was sent to India and other countries in the old days. Specialists came from the Soviet Union until 1992 and we were sent there for training. One of our centres established relations with Iran in the current year. We do not have any relations with the European states and the US.

Q: There are two types of historiography, one based on government documents and the other 'history of the people.' Which one do you concentrate on?

A: We have events narrators and historians. A narrator records what happens and does not have an opinion and analysis. A historian may record and analyse it, deduct conclusions and perhaps make a forecast. Among the historians in Afghanistan, the only person who established a school was Mr. Ghoobar. He called his book "Afghanistan in the course of history." He paid careful attention to the social, economic, political and cultural conditions. Nobody did that before or at his time. All historians follow that style now. Mr. Farhang is also influenced by that book. We write our books with that style. These historians are of the opinion that we should identify the medicine when we identify the disease.

Q: There are people like Walter Benjamin who believe that many factors influence one event. How far did people like Ghoobar deal with that?

A: We shouldn't compare the year 2010 or 2000 with 1943 for example, when Ghoobar and his contemporaries lived and worked with a lack of facilities we have today; there were no libraries, only the high ranking people enjoyed the facilities, all the books for Afghanistan were prepared and printed in Bombay, occasionally in Bukhara and very few in Iran. Ghoobar wrote his book with very limited facilities even in prison. The monarchial despotism was at its peak. There was a saying among the people, which showed the extent of repression at the time: "There are mice in the wall; mice have ears; thus walls have ears." Writers would not say things that the government might have heard. Our scholars are paying attention to these issues now. Mr. Yassin Rassuli, for instance, has been dealing with those issues in his book "Tradition's response to secularism." The challenge in Ghoobar's historiography is that complicated words have been used under the influence of ancient literature and his-

That is a basic issue. The Academy of Sciences as well as other institutions such as the Ministry of Information and Culture must have the pertaining departments to deal with that issue. There were many traditions 50 years ago, which are on the brink of extinction now. At home, I know things that my children and nephews don't know, even though they are familiar with computer and other technological innovations.

toriography.

Q: What questions should a historiographer answer today?

A: The best historiographer is one who follows the people's interests. History is not a record of kings and leaders. Today, the people's history should be written. A leader leads, but the people give blood and make sacrifices.

Q: Why does then the Academy not deal with the people's conditions during the civil wars and under the Taliban?

A: Our problem in the Academy is that history may deal only with periods older than 50 years. However, we have written on despotism of Nader Khan, his good and bad points. On other issues, we work personally.

I have written more than 150 articles. The government has restricted us to periods older than 50 years.

Q: What are your most important problems?

A: We have very limited number of researchers in the History Department. There must be at least 100 people working on a land with 5,000 years of history. We cannot do much with a few people. We do not have regular contacts and visits to other countries. Even now, our researchers do not have access to internet. There are 11 researchers in a room of 5x3 metres. Our average salary is good, but we do not have a budget for our department, for research. We are allocated 150 sheets of paper, two pens, one pencil, and one eraser per quarter. We do not have computers. Researchers write by hand, a professor checks it and then the researcher pays from their salary for it to be typed.

Q: What is your opinion about the saying, "Governments do not like history"?

A: Reality stands above our willpower. We do not tolerate criticism. Most of our poets would not be remembered now, if they had not written for the royal courts. We have two groups of writers now. One group that writes to please the rulers is well received and taken care of. Others who serve the people cannot publish their work.

Q: Have the research centres in Afghanistan done anything about "oral history"?

A: That is a basic issue. The Academy of Sciences as well as other institutions such as the Ministry of Information and Culture must have the pertaining departments to deal with that issue. There were many traditions 50 years ago, which are on the brink of extinction now. At home, I know things that my children and nephews don't know, even though they are familiar with computer and other technological innovations.

I read somewhere that every 15 days one dialect becomes extinct. I know about Darwah and Badakhshan - where you come from - that there are only 15 families that speak one dialect; some dialects more some less. Migration has led to the extinction of dialects and accents, traditional culture and customs. I propose that the Academy establishes a department to deal with it. I am prepared to cooperate fully.

On the other hand, the people have stories about the wars of the previous years and the historiographers and researchers do not know them.

Q: What is your advice to researchers and the government?

A: I believe the government should deploy budget and employ young and energetic researchers to rewrite the history of Afghanistan. That is essential. There are people whom we have described as thieves one day, then as heroes and then as criminals. It is still not clear what they were. Second, new staff should be trained. We must all accept that there has been a vacuum in Afghanistan from 1992-2001. We lost the previous staffs and did not train new ones, in particular under the Taliban. They dealt the heaviest blow at the Academy of Sciences when, upon taking power, they appointed non-academics, who knew nothing about the university, as its director, deputy director or secretary. They also expelled the female employees. They expelled the award receiving staffs, who were not even members of parties. Some of these people migrated to Canada and Europe.

### *A Review of Geneva Conventions... from page 8*

of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorisation from the armed forces which they accompany.

(5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions in international law.

(6) Inhabitants of a non-occupied territory, who on the approach of the enemy, spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea

The second Convention was considered and agreed upon to revise the Hague Agreement of 18 October 1907 on war at sea. It has eight chapters and 63 articles. Article 13 defines the wounded, sick and shipwrecked members of armed forces at sea, who must be respected and protected under any conditions. The states in conflict must respectfully treat and nurse all those persons without discrimination in regard to colour, sex and race, political opinion, religion and nationality.

Article 19 requires the parties to the conflict to record the particulars of the wounded. Article 16 stipulates that the detainees are war prisoners and the detaining state may hold or send them where they wish, even to a port in their home country. In that case, they may not serve for the duration of the war.

Article 3 has prohibited the following acts:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment;

Articles 45 and 46 require the state parties to legislate the necessary laws if their domestic laws are insufficient.

Chapter IV concerns Personnel. The religious, medical and hospital personnel of hospital ships and their crews shall be respected and protected. Chapter V is on Medical Transports.

Convention (III) relative to the Treatment of Prisoners of War

This Convention has 143 Articles and two annexes. Articles 1 to 11 are general provisions. Articles 12 to 16 deal with protection of prisoners of war, housing, food, clothing, health etc. Regarding transfer of POWs, Article 46 emphasises: "The Detaining Power... shall take into account the interests of the prisoners themselves, more especially so as not to increase the difficulty of their repatriation. Article 49 stipulates that the detaining power may assign POWs to work, but officers may only do supervision work. Article 79 allows POWs to elect their representatives by secret ballot.

Article 109 requires the parties to the conflict to return the sick or wounded prisoners to their home country when they are capable of being transported, but no POW shall be returned against their wish.

The detaining power must provide sufficient free food and clothing to the POWs, housing similar to its own forces and medical care facilities to ensure their health. All work done shall be paid for and POWs shall not be assigned to hazardous work that would endanger their health or degrade them.

We shall examine Convention IV in the next issue of Armanshahr.

For further reading and sources see:

[http://en.wikipedia.org/wiki/Geneva\\_Conventions](http://en.wikipedia.org/wiki/Geneva_Conventions)

Geneva Conventions:

<http://www.icrc.org/eng/war-and-law/treaties-customary-law/geneva-conventions/index.jsp>

### *Humans cannot forget ... from page 3*

a result of the rule of despotic and dictatorial governments. Official history has kept silent on the suffering and pain of the people throughout successive decades of despotism, war and migration. Thus, we set out to compile a part of people's inner narrations as spoken by poets and writers who live among them and know their suffering first hand. Simorgh's Feather contains some of those poems; it has been published and made available to you. Another elegant edition containing English and Dari Persian versions of some of the poems will soon appear. We have decided to tell the international community in English what our people think; how much they detest the war and we understand a lot if we get the opportunity to express ourselves.

The first speaker to address the meeting was Mr. Kazem Yazdani who offered different definitions of history:

Knowledge of history is very significant. No matter how intelligent a human, history accounts for half of their achievements. History of every nation is its memory. A people who are not informed of the ups and downs in their past resemble a person who has forgotten everything as a result of an accident and must start everything anew. We shall learn great lessons if we looked back at the history of Afghanistan in the past 50 years. The most important question is why the people in Afghanistan show little interest in history. There may be different reasons for that, including general poverty and lack of financial power to purchase books, illiteracy and lack of awareness, disregard and lack of interest of political leaders, and negligence of the media. The most important reason for lack of interest in history, however, lies at the heart of history of Afghanistan: distortion, forgery, deformity and one-sided approach to history.

We may critique our official history from different angles, for example:

1. Archaeological excavations show that this land was inhabited since 5,000 years ago, but the history of Afghanistan has kept silent on the pre-Aryan indigenous inhabitants of the land.

2. The written history is inundated with discrimination and one-sidedness, where only the history of ruling people has been reported and even that has not been a proper and comprehensive one. This country is a multi-ethnic country where all groups have played roles, made sacrifices and showed heroism; there is, however, no mention of them. For instance, all ethnic groups of Afghanistan were present at the Battle of Maiwand (1880), where the British forces suffered a heavy defeat and showed heroism, but all the glory is assigned to Miss Malalai, who is known as a national heroine now. Her name, however, gained reputation under the regime of House of Yahya and there has been no mention of her in historical reference works, for example in Al-Waghaya or in Bahr ul-Ghawa'ed of Yosuf Riazi or in Saraj ut-Tawarikh, which are the original sources on the Battle of Maiwand. On the other hand, there were other heroes such as Colonel Shir Mohammad Khan Hazara, whose name is not mentioned in official history and there are no centres named after him. Furthermore, the Pot Khazaneh, which is a forged book, has created several imaginary heroes such as Amir Korour, Sheikh Paymand, Assad Soury and others none of whom ever existed.

3. On the other hand, monarchical dynasties such as the Ludian and Sourian of India, which have nothing to do with the history of this land, had occupied some chapters in the history of Afghanistan. The Shaybani, Jami Beig, Uzbek kings who ruled in Balkh or the Hazara kings have been ignored and there is no mention of them in the official history of Afghanistan. Therefore, when history is full of distortion and forgery, it will not interest anybody.

The second speaker, Mr. Assad Booda, referring to the Victims Week, said the title of his speech was Atrocity, Forgetting and Forgiving:

I have chosen this title on purpose to point out the superficial views of Afghanistan that speak of cliché, mouth-filling concepts such as democracy and human rights in very bad ways rather than seeking to find the roots of issues in Afghanistan. My second reason for choosing that title is to address the relationship of thought and morals; not abstract and heavenly morals, but morals that recognise human suffering and pain, e.g. Theodor Adorno's thought that addresses victims.

We all know the concept and definition of atrocity. The history of Afghanistan is a history of blood and atrocity. From the burnt lands policy of the Hutakian to the horrendous massacres under Abdulrahman Khani, when the cultural and historical foundations of the country were destroyed, to the dark period under the Communists, the Mujahidin and the Taliban to the present day of Kabul's ruins, they all represent the catastrophic history of Afghanistan. The most important topic of thought must be this: Should we forget the past? Should we accept the theory of the ruling power that we should not remember the past because we are seeking national unity? Is it possible to forget? Is that optional? What are the ethical and social consequences of forgiving the atrocities? Even if we forget, which is impossible, can we forgive? ...Continued on page 17



*Humans cannot forget ... from page 16*

Who has the right to forgive? The people who have suffered the atrocities or the political leaders and statesmen?

Humans cannot forget atrocities and this is where issues such as collective memory, forgetting or forgiving come up. A forgetting society is an animal society. Forgetting is not a personal but a societal matter. It is a human action to remember or to forget.

There are three levels of memory or forgetting. First, there is pathological forgetting that concerns the psychological consequences of the atrocities. Can we forget the victims? Second, there is enforced or political forgetting imposed by the powerful and the statesmen; this is the type we face in Afghanistan. For example the History Society or the History Tolana has published about 1,700 history titles, but there has been no mention of atrocities in them. Then there is enforced memory in the history of Afghanistan, i.e. history of Afghanistan has been enforced history making, and forgetting has also been enforced.

The last concept, i.e. forgiving, concerns a topic called "guilt". Karl Jaspers has identified four types of guilt in his book "Die Schuldfrage": 1. Criminal guilt, when somebody has directly perpetrated a crime, e.g. has killed a victim; 2. Political guilt, when leaders and decision makers have ordered a crime; 3. Ethical guilt, when some people forget the victims for example; 4. Metaphysical guilt, which destroys the foundations of humanity or human solidarity. We have a verse in the Koran, too: "Anybody who kills a person has killed a society." The various thinkers believe that the fourth category of guilt is unforgettable.

These ideas will show us what we should remember and what to forget. Can we forget the victims? Can we forgive the wrong done to the principle of humanity? What will be the consequence of forgiving? Certainly, a repetition of atrocity.

Dr. Mohieddin Mahdi (MP in the second parliament) was expected as the third speaker, but he failed to appear, even though he had confirmed half an hour before the meeting, that he would attend. The meeting organisers chose Mr. Shiva Shargh to speak instead. Mr. Shargh emphasised the concept of identity to argue that the history of Afghanistan is a 'superseded history':

In superseded history, there is not a pluralist view. One feature of superseded history is that it cannot express all historical, cultural, human and social realities of the society with consideration for ethnic groups and their lineages. A glance at the history of Afghanistan, in the History of Bayhaqi, Saraj ut-Tawarikh, Katib-e Hazara, books by Mir Mohammad Sadiq and Mr. Ghoobar, writers of different periods, would indicate that they do not contain a historical experience approach. An extensive part of the society, encompassing various nationalities, cultures and civilisations, is not present there. That has to do with historical determinism which we have been facing in our history. We have suffered from historical censorship as a result of the rule of totalitarian, dictatorial and fascist powers. The origin of historical censorship and determinism in Afghanistan has been ethnic supremacy. Many ethnic groups and nationalities are absent from our history of the past 300 years.

We are suffering from lack of identity in Afghanistan today and that problem cannot be resolved by superseded and distorted history. One consequence of superseded history is historical depression that does not allow inquisitiveness. But the most important consequence is the absence of a court of history. Thus, the self-appointed ethnic leaders, political leaders and others in power have become pioneers of justice and equality and there are efforts to make historical catastrophe forgotten.

What is to be done? We have to collect and compile historical documents and evidence and rewrite history.

In Question-Answer time, Mr. Jawad Darwaziyani asked one question to each speaker. His question to Mr. Booda was: Women are not present in this history. How do you explain this control on history? Booda answered: I call that policy making for memory, which politicians do and that has happened in the case of Afghanistan.

The second question, to Mr. Yazdani, was: "Why do we not have a social history in Afghanistan?" Mr. Yazdani answered: The history of historiography is short in Afghanistan. The more ideas and thoughts grow, the more will history grow. History has a value when it reflects the realities. However, history of Afghanistan has concentrated mainly on persons and rulers and the general public, e.g. the women, is not present there.

The third question, to Mr. Shiva Shargh, was: "You are emphasising tribalism in the past 300 years, but that phenomenon has existed longer." Shiva Shargh said: Prior to those 300 years, our history was not censored as much. Since then, there has been ethnic hegemonism and supremacy. Our history is patriarchal in spirit and so is our literature. That is why we do not see any sign of women throughout the history.

In conclusion, two participants from the audience criticised the dishonest attitude of the speakers. Mojib Mehrdad said: Even though you spoke of the dishonesty in the official history, all your examples represented

oppression by the superior ethnic group and you failed to make any mention of the suffering of that group. The same ethnic group has suffered the highest number of victims in the war. Women of that ethnic group are the most deprived women in this country. As you mentioned the massacre at the hand of Abdulrahman Khan, similarly you should mention the incident at Dasht-e Lailee.

Drs. Alema also criticised Mr. Yazdani's mention of women's heroism during the jihad as persons who cooked for the mujahidin, saying: You always refer to the role of women during the jihad as cooks waiting at the pots etc., while women are the first opponents and the first losers of the war in Afghanistan. Whenever you want to remember the women, you mention their sacrifices during the jihad, but you forget them at decisive moments. Mujahidin founded the atrocities committed against the women under the Taliban.

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