

Dear Prime Minister,
Eduard Heger
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Slovakia

on behalf of Amnesty International Slovakia, I am writing to share with you a new research report titled 'The fate of thousands hanging in the balance: Afghanistan's fall into the hands of the Taliban' by Amnesty International, International Federation for Human Rights (FIDH) and the World Organisation against Torture (OMCT) published on 21 September 2021, and to reiterate our appeal to Slovakia to ensure the creation of a Fact-Finding Mission or similar independent investigative mechanism on Afghanistan during the ongoing regular session of the United (UN) Human Rights Council (HRC). The report makes clear the need for robust international action as the human rights gains that the Afghan people have built over two decades are at risk of collapse, if not already collapsed.

Since 15 August, the Taliban have been seeking to portray themselves as a reformed group that will protect the rights of women and guarantee freedom of expression. It is becoming increasingly clear, however, that the promises made in this regard have already been shown to be hollow.

The enclosed report includes documented incidents of human rights violations committed by the Taliban across several parts of the country since the takeover, including killings, torture, beatings and intimidation by Taliban as reprisals against journalists, former civil servants and human rights defenders, with some gendered attacks for example on women activists and judges and prosecutors. The report details how journalists are facing significant intimidation and prevented from working through arbitrary arrest, detention and ill-treatment, and their homes are searched. Human rights defenders are in hiding, afraid for their lives and their families, heartbroken as the gains they worked so hard for over the past 20 years look to be destroyed, while some have already faced reprisals. Brutal crackdowns on protestors have left people injured and caused deaths.

Despite initial assurances over the protection of women's rights, women are already being barred from work, have no place in the new caretaker government announced by the Taliban, and have concerns about access even to primary education under the Taliban. The Women's affairs Ministry (which has played an important role on women's rights in recent years) has been discontinued.

The incidents of human rights violations documented in the report are merely a small selection of incidents taking place in Afghanistan, given the fear of reporting, lack of mobile phone connectivity in many provinces, and in recent days, the shutdown of internet connectivity in parts of Kabul.

The gravity of the situation on the ground, together with the difficulty and danger of monitoring, only underscores the need for a robust and well-resourced independent international human rights monitoring and investigative mechanism, as called for by Amnesty International together with over 60 other organisations from around the world, including the Afghanistan Independent Human Rights Commission, as well as UN Special Procedures and the UN High Commissioner for Human Rights.

In this context, we again urge Slovakia to ensure the creation of a Fact-Finding Mission, or similarly robust and well-resourced independent investigative mechanism, is created by the HRC during its current (48th) regular session, with a multi-year mandate to:

Investigate all alleged violations and abuses of international human rights law and international humanitarian law and other serious human rights violations and abuses, including any gendered dimensions of such violations and abuses, by all parties to the conflict in Afghanistan.

Contribute to efforts to bring all those suspected of criminal responsibility for crimes under international law to justice in fair trials before ordinary civilian courts and without recourse to death penalty, including by identifying those suspected of criminal responsibility, collecting and preserving evidence for future prosecutions, and making recommendations on necessary measures to end impunity and ensure accountability for serious crimes.

Make recommendations for concrete action to protect the rights of the people of Afghanistan, to ensure access to justice, truth and reparations for victims and survivors, and to prevent further atrocities.

Report regularly, including inter-sessionally, to the HRC, as well as to the UN General Assembly, the UN Security Council, and other relevant UN organs and bodies.

Such a mechanism would be crucial to ensure UN member states are fully informed of the situation on the ground as they take important decisions on how to respond to the crisis, how to help protect the rights and lives of the people of Afghanistan, and how to prevent further crimes. It is crucial to support the brave activists and human rights defenders, particularly women human rights defenders, who have continued their work at significant personal risk and have requested support and solidarity from the international community. It is also crucial as a means of taking one small step to addressing the accountability gap that fuels grave violations and abuses across the country, and to complement and support international and national work on accountability for crimes under international law.

We hope that in this time of crisis in Afghanistan, your esteemed office will consider this report, and our collective appeal for robust action by the UN HRC without further delay. We will be happy to provide you more information on the issue, should you require it.

Thank you for your kind attention to this matter.

Yours sincerely,

