

Acceptance Speech by Dr. Sima Samar
2008 Asia Democracy and Human Rights Award Ceremony
December 10, 2008
Taipei, Taiwan

Excellencies, Ladies and Gentleman:

It is an honor and pleasure to be here to speak and receive this prestigious award on this important day when we celebrate the 60th anniversary of the most important document in the human history. The Universal Declaration of Human Rights establishes a clear line between barbarous and inhuman acts and respect for human dignity. The recognition of the human dignity is the foundation of freedom, justice and peace in the world.

Respect of this document is the responsibility and obligation of every person. Everyone can claim the rights despite being women or men, having different skin color, speaking different language, thinking different things, and believing in another religion, being born in another country or social group. It does not matter what country you live in. You have the rights to live with freedom and safety.

Unfortunately, I am coming from a country where my people do not have the possibility to enjoy the values and rights that are guaranteed in this important and perfect document. As we know, security is the pre-requisite to the freedom, yet peace is not present in Afghanistan. Afghanistan is suffering from 30 years of war and violations of human rights in all aspects of life. From the first article of the Universal Declaration of Human Rights that provides the right to equality to the last article that provides freedom from interference from the state, this document is not respected in our country.

The right to life is violated by anti-government elements and also by government and the ISAF forces in our country almost every day. The right to liberty is restricted because of insecurity. In short, all the basic human rights of the people in Afghanistan have been violated and the violations unfortunately continue today.

Although there are reports about the progress Afghanistan is making towards democracy, stability and respect for human rights, I have to tell you that this year we have had more violence than in the past six years. This violence is the result of the lack of law enforcement, lack of accountability, and continuation of the culture of

impunity.

We should not forget that Afghanistan has long been a pawn in a strategic game played by the world's super powers. At the same time, because of the internal conflict, we could not make progress toward peace, democracy and respect for human rights.

Durable peace and democracy in any country must be built on strong foundations. Among the essential ingredients are respect for human rights, justice, accountability, transparency, representative government freely elected by the people, and a functioning system of government that can be trusted by the people. However, in Afghanistan, only a few of the ingredients are in place.

I would just like to talk a little about the work of the AIHRC for promotion and protection of human rights in Afghanistan. The Afghanistan Independent Human Rights Commission (AIHRC) was established in June 2002, with myself as the chair. We won permanent, constitutional status for the AIHRC in the new Afghan constitution that was adopted in January 2004.

Since that time, we have had two elections in the country: the presidential election in October 2004 and parliamentary election in September 2005. The AIHRC and UNAMA were responsible for the political verification process during the elections. Both elections had many problems, to which we alerted the public and government in reports throughout both elections. The Commission faced some violent reprisal and our office was burnt.

The months of voter registration that led up to the presidential election included the killing of election workers and newly registered voters. Female election workers, and new voters of minority ethnicities were especially targeted. During the parliamentary election, 7 candidates and some other civic educators were killed. Many well known human rights violators stood for election and many won seats in parliament.

The AIHRC also has led a National Consultation on Transitional Justice and released the report with recommendations for a national strategy to stop the culture of impunity in Afghanistan. The report, "A Call for Justice," was welcomed by President Karzai and fully supported by the High Commissioner for Human Rights, Louise Arbour, who traveled to Afghanistan for the purpose, as well as by the UNAMA. The Action plan for transitional justice is a three year plan for peace, justice and reconciliation. The plan was based on the recommendation of the report, "A Call for Justice", but most parts of the plan have not been implemented due to the lack of

political will.

For the National Consultation, AIHRC's researchers conducted 4151 interviews with individuals using random sample selection criteria. We also carried out more than 230 focus groups discussion, involving more than 3200 people. These are some of the results:

- 69% of people we spoke with identified themselves as direct victims of serious violations of human rights that occurred during conflict in Afghanistan;
- 76.4% believe bringing war criminals to justice will increase stability and bring security;
- 41% people believe the international community has supported war criminals and 40% believe it has limited them; and
- 61% reject amnesty for the violator of human rights.

The people have a good understanding of and a strong desire for justice for both past and current crimes. People don't necessarily mean justice as only trials of perpetrators. People also want vetting, removal of violators from public office, and other ways to achieve justice with accountability. We believe that reconciliation should not trade for justice and the victims of human rights violations should not again be victims of political gain.

Other elements of democracy that were promoted during the elections are being disregarded afterwards. For example, much was made of high levels of women's voter registration and voting. Women are now more than 25% of the parliament, but at the cabinet level the situation is worse than it was in 2002. In the first interim cabinet, there were two women in the cabinet. Three women were appointed to the cabinet after the presidential election. The cabinet that was appointed after the parliamentary election has only one woman.

It is clear that elections alone do not guarantee democracy. First, the elections are flawed. Second, there is not enough commitment and follow through after the elections to bring about democracy, equality and justice.

In terms of policy prescriptions, I first want to ask for improvements in security, not only physical security but human security that could give hope to the people to survive.

Second, there is a need to concentrate on the absolute need to tackle impunity if

Afghanistan is to be successful in making the transition to stability and peace based on democracy, justice and respect for human rights. The AIHRC has determined that this must take the highest priority in our work because unless impunity is addressed, our other efforts to protect and promote human rights will be useless. We must follow the desires of the Afghan people who oppose amnesty for human rights violators and want to see violators prevented from obtaining government posts and brought to justice.

Third, promoting good governance and the reform of the judiciary system is important to the promotion of democracy and building of confidence between the government, the international community as a partner to the government, and the people.

Fourth, the chronic situation in Afghanistan requires long term commitment, and the strategy should be comprehensive and multidimensional, to be able to win the war in Afghanistan. Most importantly we have to reduce poverty and create job opportunities for young Afghan men and women.

Fifth, human rights principles are standard for all human beings irrespective of their nationality, color, sex, and geographical location. Negotiations should not be done in any price. The leading countries on defending human rights should not be the violators of human rights.

Finally, I accept the Taiwan Foundation for Democracy's Asia Democracy and Human Rights Award at a moment when most of the people in my country cannot exercise their basic human rights, simply the rights to food, to clean water, to education, shelter, to health care and most importantly the right to justice.

I accept this award on behalf of Afghan women who were witness and survived the destruction of their shelter, killing of their husband, sons and other family members, and who cannot raise their voice for justice.

I accept this award on behalf of those unknown heroes who lost their lives to protect human rights and human dignity and fought for justice and equality.

I will conclude that we all have a long way to go. If we join our hands together, we will be able to achieve the goals of justice, equality and dignity for all sooner rather than later.