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Afghanistan

AFG/05 - Fawzia Koofi

***Decision adopted by the Committee on the Human Rights of Parliamentarians
at its 146th session (Geneva, 24-27 January 2015)***

The Committee,

Referring to the case of Ms. Fawzia Koofi, a member of the Wolesi Jirga (House of the People) of Afghanistan, and to the decision it adopted at its 141st session (March 2013),

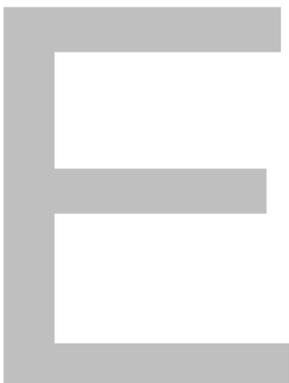
Referring also to the information provided by members of the Afghan delegation to the 128th IPU Assembly (Quito, March 2013) and by the complainant,

Recalling that Ms. Koofi has been the target of death threats and assassination attempts since her election to parliament,

Considering that according to the complainant, no progress has been made towards holding the perpetrators of any of the death threats and attempted assassinations accountable,

Aware of the following instances of threats and attacks against Ms. Koofi:

- March 2010 assassination attempt:
- On 8 March 2010, Ms. Koofi's convoy was attacked while she was on her way back from a celebration in the eastern city of Nangarhar (Jalalabad); two of Ms. Koofi's security guards were wounded during the attack, but she escaped unhurt;
- According to the parliamentary authorities, the attack took place on a dangerous road where security incidents occur every day, a fact well known to Ms. Koofi, who had nonetheless not informed the security services of her travel itinerary; it was not established that Ms. Koofi undertook this trip to conduct parliamentary activities; when the Afghan parliament was informed about the attack, it sent a helicopter to the scene of the incident to bring her back to Kabul;
- According to the complainant, the police – and only the police – had been informed of Ms. Koofi's travel itinerary; when she arrived at the road, the Taliban were lying in wait to ambush her; the complainant believes that the police leaked the information to the Taliban; Ms. Koofi has sought information from the Minister of the Interior on the matter but has received no response,



- Threats and attacks during the 2010 parliamentary elections:
 - According to the complainant, in 2010 Ms. Koofi was informed by the Department of Security that a former warlord running in the elections wanted to kill her and that the attack would be planned by his brother; two of the attackers were arrested, but subsequently released as a result of a bribe, and the confession of one of the attackers disappeared from the file; Ms. Koofi was, however, able to retrieve it with the help of the security department in her province; the former warlord himself was never arrested, despite being known to the authorities, allegedly due to his political influence;
 - According to the complainant, in early November 2010 four individuals involved in Ms. Koofi's campaign were killed; the assassination reportedly took place in front of a police station in Badakhshan, with the perpetrator having had sufficient time to carry out the killing and drive off in his car to an area controlled by the Taliban; the police allegedly took no action to arrest the killer, who was reportedly able to move about freely in the area where he lived because his brother, a police officer, allegedly prevented his colleagues from taking any action; the police officer was arrested and subsequently released; despite Ms. Koofi having raised the matter in parliament and with its Internal Security Committee, no parliamentary action ensued, nor was any progress made in the investigation into the murder; the complainant indicated in July 2014 that Ms. Koofi had stopped pursuing the case for fear that further efforts to push for the assailant's arrest would lead to reprisals;
 - The leader of the Afghan delegation to the 123rd IPU Assembly (Geneva, October 2010) spoke of the insecurity reigning in Afghanistan and said that the identities of the masterminds and perpetrators of the attempts to assassinate Ms. Koofi were known; however, he did not know that a suspect had been arrested and then subsequently released in the case of the attempted murder of Ms. Koofi, nor was he aware that members of Ms. Koofi's campaign had been killed; he considered that those cases fell within the competence of the police and the Attorney General, but acknowledged that parliament was entitled to question them; a similar response was provided by the delegation to the 124th IPU Assembly (Panama City, April 2011),
- October 2013 death threats:
 - The complainant alleges that government authorities notified Ms. Koofi in October 2013 of an imminent threat of a terrorist attack against her by approximately 30 Taliban militants; despite having provided this information, the authorities allegedly took no action to provide Ms. Koofi with additional security; although ultimately no attack was carried out, the complainant alleges that the lack of response by the authorities to her request for additional security may have been due to Ms. Koofi's gender, especially considering that men members of parliament were often afforded such protection when it was warranted,

Recalling that the Afghan delegation to the 128th IPU Assembly (Quito, March 2013) provided the following information: Ms. Koofi's case was considered critical by the parliament and Government of Afghanistan; security measures had been put in place to ensure her protection, and the Wolesi Jirga had provided her with two additional security guards; full security for all members of parliament, including Ms. Koofi, could not be completely guaranteed due to the unpredictable nature of attacks in Afghanistan; the delegation would raise Ms. Koofi's security situation with the Speaker to gauge whether additional protective measures were needed,

Taking into account the following considerations: Ms. Koofi is a women's rights advocate and, according to the complainant, many political and religious leaders in Afghanistan object to her rise to prominence; very few members of parliament receive threats as frequently as and as serious as those targeting Ms. Koofi because of her gender, activism, international network, and ties to a province that has traditionally resisted the Taliban; the situation of Afghan parliamentarians has recently become more difficult because of the deteriorating security situation, with women parliamentarians being targeted more frequently than men parliamentarians; political opponents have also become more aggressive; Ms. Koofi was also the victim of verbal assaults in parliament in 2013, and no one offered her support at the time,

Bearing in mind that Article 23 of the Constitution of Afghanistan guarantees the rights to life and to security, which are also enshrined in the International Covenant on Civil and Political Rights, to which Afghanistan is a party, and that Afghanistan is party to the Convention on the Elimination of All Forms of Discrimination against Women,

1. *Remains preoccupied* by Ms. Koofi's security situation, particularly in light of the continuing threats against her and her entourage; *is alarmed* not only that Ms. Koofi may be targeted because she is a woman and a prominent women's rights advocate, but also at the claims that she has been denied equal protection because of this; *calls on* the authorities to take the necessary steps to ensure her continued protection, and *wishes* to receive updated information on the current arrangements for her security;
2. *Fears*, however, that any security arrangement is bound to fail if the perpetrators of threats and attacks are not punished and if they believe that they can act with impunity; *remains deeply concerned*, therefore, that the attempt to have Ms. Koofi assassinated in 2010 remains unpunished, along with more recent threats directed at her; *remains particularly concerned* by the allegations that law enforcement and judicial officials may have assisted those directly responsible for the events that occurred in 2010 and may have thwarted the course of justice; *calls on* the authorities to give renewed impetus to the investigations into these crimes and to ensure that the possible complicity of State officials is also investigated;
3. *Regrets* that it has received no response from the Afghan parliament since March 2013, despite the seriousness of the threats faced by Ms. Koofi; *remains convinced* that monitoring by parliament could be decisive in ensuring that justice prevails and in deterring future criminal acts;
4. *Acknowledges* the difficult security situation of all members of parliament in Afghanistan but *reaffirms* that threats to the life and security of members of parliament, if left unpunished, not only violate their rights to life, security and freedom of expression, but also undermine their ability to exercise their parliamentary mandate, affecting the ability of parliament as an institution to fulfil its role, and that parliament consequently has a vested interest in creating a safer environment for members of parliament, and hence for all citizens;
5. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant, and any third party likely to be in a position to supply relevant information;
6. *Decides* to continue examining this case.