



TORTURE OF DETAINEES IN AFGHANISTAN PERSISTS – UN REPORT

GENEVA/KABUL, 24 April 2017 - Conflict-related detainees in Afghanistan continue to face torture and ill-treatment in government detention facilities, a UN report released today has found. The report also says that the Afghan Government has committed to fully eliminating the practice.

“The continuing torture and ill-treatment of detainees is a matter of serious concern, but we acknowledge the genuine commitment and the efforts of the Government to deal with this issue,” said Tadamichi Yamamoto, the Secretary-General’s Special Representative for Afghanistan.

The report by the UN Assistance Mission in Afghanistan (UNAMA) and the UN Human Rights Office (OHCHR) is based on interviews with 469 conflict-related detainees conducted from 1 January 2015 to 31 December 2016 in 62 detention facilities administered by the National Directorate of Security (NDS), Afghan National Police (ANP) and other Afghan National Defence and Security Forces (ANDSF) across the country.

More than a third of the interviewees gave credible accounts of being subjected to torture or ill-treatment. Among other findings, 45 per cent of those interviewed who had been detained by police said they had been tortured or ill-treated - the highest level documented since UNAMA began its current monitoring programme in 2010. The report notes that 26 per cent of those interviewed by UNAMA who had been held in NDS custody reported being subjected to torture or ill-treatment. Of 85 child detainees interviewed, 38 gave credible accounts of being subjected to torture or ill-treatment while in the custody of the Afghan security forces.

Overall, the majority of detainees said they had been tortured to force them to confess and that the torture and ill-treatment stopped once they did so. “Many of those interviewed stated that they did not understand or could not read what was written on the ‘confession’ which they signed or thumb-printed,” the report notes.

“As this important report makes clear, torture does not enhance security. Confessions produced as a result of torture are totally unreliable. People will say anything to stop the pain,” said UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein. “It is essential that there is proper monitoring of detention facilities in Afghanistan and meaningful investigations to ensure that those accused of torture are brought to trial and held accountable for this abhorrent crime. Ensuring accountability for such acts sends a strong message and helps to prevent future violations,” he added.

The report welcomes the Government’s efforts to implement its National Plan on the Elimination of Torture that was promulgated in February 2015, particularly with regard to enacting legislation, issuing policies, and establishing and developing mechanisms for human rights oversight within its law enforcement and security institutions.

If proposed legislative changes are adopted, the report says, Afghanistan would, among other things, formally recognise the authority of the UN Committee against Torture to conduct in-country visits to places of detention, and also undertake to establish an independent monitoring body to visit places of detention with the support of the UN Subcommittee on the Prevention of Torture.



The report contains several key recommendations from UNAMA to the Government of Afghanistan:

- **Compliance:** The prohibition of torture should be strictly enforced and the torture and ill-treatment of detainees should cease immediately.
- **Accountability:** There should be prompt impartial, independent and thorough investigations of all reports of torture or ill-treatment in Afghan detention facilities. All those responsible for committing torture should be prosecuted and convicted in accordance with domestic and international law.
- **Effective Remedy:** Victims of torture should have access to an effective domestic legal remedy and reparation for harm suffered.
- **Prevention:** The Government should establish the National Preventive Mechanism foreseen under the *Optional Protocol on the Prevention of Torture*.
- **Training and Capacity Building:** Law enforcement and justice officials should be trained in the necessary technical skills to carry out the detection, investigation and prosecution of conflict-related crimes in accordance with international human rights standards.

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The full report, *Treatment of Conflict-Related Detainees in Afghan Custody*, is available at: <https://unama.unmissions.org/treatment-conflict-related-detainees-afghan-custody>

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