

# UNAMA

## United Nations Assistance Mission in Afghanistan

Strategic Communication and Spokespersons Unit, Kabul, Afghanistan

### Press Conference

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#### **PRESS CONFERENCE (near verbatim transcript)**

**Ivan Simonovic, UN Assistant Secretary-General for Human Rights**

**Dr Sima Samar, Chairperson of Afghan Independent Human Rights Commission (AIHRC)**

**Staffan de Mistura, Special Representative of the Secretary-General for Afghanistan, and**

**Georgette Gagnon, Director of UNAMA Human Rights**

**Kabul – 9 March 2011**

**Ivan Simonovic, Assistant Secretary-General for Human Rights:** This report was prepared jointly by UNAMA and the Afghanistan Independent Human Rights Commission. I am glad to be able to fully support UNAMA in its implementation of its human rights mandate and in its cooperation with the Afghanistan Independent Human Rights Commission, especially in their joint efforts to protect civilians. I know that all forces on the ground are sometimes irritated by our speaking about civilian victims and by our advocacy for restraint and accountability. But in our view there is no doubt that the rights of civilians are better protected if and when we report the facts and call for restraint and responsibility.

Of course there is a great difference between deliberately targeting civilians and civilians as collateral victims, but every loss of civilian life calls for transparent and thorough investigation.

Civilians are the main victims in over 30 years of armed conflict in Afghanistan. Up to now millions have been killed and there are new victims every day. War has robbed a generation of Afghans of their human rights, stunting social and economic development, shutting off access to education and healthcare and increasing poverty. As a result life expectancy is 45 years, one of the lowest in the world. UNAMA through its human rights mandate from the Security Council monitors, investigates and reports on the situation of civilians affected by the ongoing conflict, advocates for improved protection, and promotes accountability.

The report I am releasing today highlights how the conflict has affected Afghan civilians in 2010. It goes beyond the pure registration of facts. It recommends steps all parties should take to improve protection. Over the last four years between 2007 and 2010 nearly 9,000 civilians have been killed in the conflict. The increase in number of civilians killed year after year is deeply disturbing. Protecting civilians in armed conflict is at its core about the protection of basic human rights such as the right to life, to security, to freedom of movement, and about ensuring respect of international humanitarian law by all the parties to the conflict.

Humanitarian law and in particular Article Three of the Geneva Convention apply to all parties on the ground. I am joining UNAMA and the Afghanistan Independent Human Rights Commission in their continuing call for prompt impartial and transparent investigation into all incidents of civilian casualties. Accountability for violation of law is the only effective way to prevent civilians from being killed and injured in the future.

The United Nations and the Afghanistan Independent Human Rights Commission urge the parties to take immediate steps to reduce civilians casualties and to make 2011 the year of increased protection of Afghan civilians and not yet another of increased civilian deaths and injuries.

Thank you and I hope the next conference in 2011 will be with better news.

**Dr Sima Samar, Chairperson of AIHRC [translated from the Dari]:** I am just starting this press conference in remembrance of one of my colleagues who was also killed as a civilian in an area, and I hope we are working together to stop or to reduce the number of civilian casualties every year. In 2010, 2,777 civilians have been killed which shows a 15 per cent increase compared to 2009. 2,080 of these civilians were killed by the armed opposition process, 440 were killed by NATO forces, 257 civilians deaths could not be attribute to any of the warring parties.

In 2010 the number of injuries which have been inflicted on civilians was 4,440. Totally there are around 7,720 people, out of those 5,444 have been shot by armed opposition forces; 480 by the NATO and Afghan forces and 358 by unknown forces. In the year 2010 of the number of casualties which have been inflicted, 940 people have been affected by IEDs [improvised explosive devices], 257 by suicide bombings, 462 people have been killed by assassinations and 477 by armed oppositions.

462 in 2010 have been assassinated or abducted then assassinated, a 104 percent increase from the year before. The casualties that have been inflicted by NATO and Afghan forces is a total of 440, and this shows a 26 per cent reduction compared to our previous report.

The number of injuries in 2010 have been a total of 400, 171 by air bomber planes, aerial attacks, 80 by night searches, 45 being increased activities in provinces such as Kandahar and Hilmand, and 144 injuries by unknown actors.

The number of women casualties has been 233 in total, 175 of them by the armed opposition, 57 by NATO and Afghan forces, and 31 by unknowns. The number of children casualties in 2010 is 372; 322 by armed opposition forces, 89 by NATO and Afghan forces; and 51 by other unknown forces and the majority of children casualties have been inflicted by IEDs.

The number of kidnapping and abductions increased to 257, and this shows an 87 per cent increase.

As you know war and conflict not only has casualties that we can see in the figures, it also restricts ordinary citizens from freedom of movement, especially women and the population.

As you can see most of the casualties have been inflicted by the armed opposition forces and we recommend urgently that all the forces stop their attacks in civilian areas, including bazaars or shopping centres, where civilian people are present. All of these activities are against Islamic

values and human rights values so we urgently request them to stop such conduct and attacks. Thank you.

**Georgette Gagnon, Director of UNAMA Human Rights:** Good morning, in an effort to make 2011 the year of increased civilian protection UNAMA and the Human Rights Commission have put forward some 25 recommendations to all parties of the conflict, the Afghan Government, the anti-government elements, the international military forces, to reduce civilian casualties. There are very definite ways and means so that all parties can reduce civilian casualties and we've got some suggestions for them.

First, to the anti-government elements, we would simply say - stop attacking civilians: civilians are protected under all kinds of laws, stop attacking them and withdraw all orders to attack them. Also we would say stop attacking schools, mosques and hospitals because these are also civilian places.

To the Afghan Government and Afghan National Security Forces, we are urging them to ensure that the Afghan Local Police that are now being put in various districts, that these police are properly monitored, that there is oversight and that they increase protection for civilians going forward. To the International Military Forces and also the Afghan forces, we would ask them to ensure that they have a standard set of compensation mechanisms for civilians a set of condolences and other things to help civilians recover from attacks, killings, property disruptions and other things. Thank you.

**Special Representative of the United Nations Secretary-General for Afghanistan (SRSG), Staffan de Mistura:** Thank you. I will be conveying two specific messages on this occasion.

First of all, a necessary point: okay, this report is presented jointly between our friends and colleagues from the Independent Human Rights Commission and the UN. No contradictions, no competition. It was done together. This is a message for 2011, based on very sad and difficult statistics for 2010. I will remind you of a few facts and then the two messages.

Since 2007, 9,000 Afghans civilians have died due to conflict. In 2010, 2,777 Afghan civilians have died due to the conflict - 75 per cent caused by the anti-government forces, and 18 per cent by pro-government forces and international forces. But numbers and statistics are useful for criteria, they don't tell the story. They help us to understand the negative trend the situation is going toward, but behind the numbers and statistics are faces, these are human beings, these are Afghan civilians who now for 30 years have paid most of the price of any conflict in this country.

The figures indicate that the international forces have made an effort to reduce civilian casualties. However let's not forget that the whole purpose of the engagement in Afghanistan is the protection of civilians. That's why we understand and we feel all together that while we are sending out one message to the Taliban and to the anti-government forces we are also requesting and reminding the internationals that one victim, one civilian victim, is one too many.

And now the two messages. And I say that because I would like this to be considered as a serious message on behalf of the UN and if you allow me, on behalf of yourselves Sima.

Message number one: we approach and we are seeing that this is the time of a military surge and we are witnessing it. We know and we all know that there is no military solution to this conflict. We also know, and we heard it, that everyone agrees that this is the year where there

should be a political surge. But now we are calling formally, strongly, firmly on behalf of the Afghan people that 2011 should also be a surge for the protection of Afghan citizens. By all sides, errors and horrors still produce civilian victims.

Now our message to the Taliban and the anti-government forces [standing up]: we know very well that you will be complaining bitterly about this report like you did last time. We know that you will be saying that the cases we look at are inaccurate. The facts are facts. We heard last time after this report that you actually wanted to contribute with some corrective information regarding the data affecting your own attacks. We would like to reply to you today. Contribute to the next report. Enter into a partnership so that we can hear which facts you consider regarding your attacks to be inaccurate. And have a chance to contribute both with facts and reducing, minimizing, controlling the huge amount of civilian victims that we have with you. And at the same time contributing to the correcting what you consider to be not good information. The Afghan people are tired of being the victims of this conflict and of many other conflicts. This report is a message that we should really make an effort.

### **Questions and Answers:**

**BBC Farsi TV [translated from the Dari]:** Many of the suicide bombers who are arrested are either released or manage to escape. In many cases no one knows if they are put on a trial or not. Do you plan to put pressure on the Afghan Government in this respect? Because every year you are launching several reports and calling on all parties to stop killing civilians, but they are not taking you seriously?

**Ivan Simonovic:** Now you've raised the issue of the arrests by, detentions by police and security forces. One of my aims here is to go and to see what is the situation of the protection of civilians, but also I'm paying particular attention to the detention issues. In New York, there is a group called the Counter Terrorism Implementation Task Force. Within that group I am chairing a group on protecting human rights while countering terrorism. I did visit a couple of detention places here during the course of this stay, and today I will also be visiting Bagram. It is my firm belief that the only efficient way to fight terrorism is to do it through legal means without violating human rights. Otherwise it backfires and it fuels, it fuels conflict and it brings volunteers to join the opposition armed groups.

Experience teaches us that to end every conflict we have to have two components. One of them is goodwill and the other one is respect of law. In order to facilitate reconciliation in many countries there were amnesties. But international law prohibits amnesties for war crimes and crimes against humanity. So what I think that is essential for the future of Afghanistan is goodwill but at the same time respect of law.

**Dr Sima Samar [translated from the Dari]:** In response to your question, we have published the reports, but it has not been the case that we they did not bring any fruits. For example the civilian casualties attributed to the pro-government forces were high; in 2010 we have seen a 26 per cent reduction in it. In relations to individuals who are arrested by the Government and then released, unfortunately it helps create the culture of impunity. I think in this regard we as citizens have to speak out loud against it.

**BBC:** My question goes to Mr de Mistura. Looking at the figures, the anti-government armed forces are responsible for brunt of these casualties. Do you think that the Taliban are becoming more brutal?

**Staffan de Mistura:** The short answer is yes. And we regret that, because if you look at the latest incident, during a Buzkashi game [ed: an Afghan traditional sport], at a bank, where a person was seen happily killing, openly, civilians. When this happens in a bazaar you start having the feeling that the trend is actually more on horror attacks in order to produce a counterweight to the perception that the surge is working. That may be a military decision but it is affecting in a rather brutal way Afghan civilians.

**Saba TV [translated from the Dari]:** My question is that this year we have seen according to the report a high number of suicide attacks and injuries in the operations of forces. The only issue in these reports is to get into a discussion with these people in this conflict in practical regard to the number of civilian casualties.

**Staffan de Mistura:** Of course the best way to reduce these civilian victims is first of all to end this conflict. In the meanwhile, since this does not seem to be happening immediately, one way in every problem is to raise the issue, show the facts, and the second one is make it appear to everyone to actually take that into account. And of course, on the third, it is to try to solve it with dialogue and launch the message to the Taliban: you want to contribute to this report, you want to correct these facts, you want to say that some are not there - there are two ways. Let's talk and see if these facts are correct. Second, let's announce that you don't want to do this, you don't want to have a bomb exploding in a street where civilians are, you don't want to hit near to a mosque, you don't want to destroy the civilian life in a Buzkashi game [ed: an Afghan traditional sport]. Or that it wasn't you, say so and let's address it.

**Al Jazeera:** Mr de Mistura, my question is to you. [inaudible] Civilians killed by airstrikes...President Karzai has already this year that ISAF are conducting unjustifiable operations. What is your message to ISAF?

**Staffan de Mistura:** The message to ISAF is that these statistics are unfortunately indicating exactly what you say. And that one civilian death is too many. And that while we recognize and acknowledge a clear determination of avoiding these errors, we are still asking them that this should be coming to zero. Zero tolerance. Because every civilian victim by airstrike, by a force which is meant to actually protect civilians, can be, as Secretary Gates said recently, a setback. So we are appealing to them. I think our discussions with them have been constructive. They intend to increase their attention, their accuracy in their own mandate. They have actually been making efforts, but one victim is too many.

**Al Jazeera:** Quick follow up [inaudible]...on the Taliban, have you made any outreach, any efforts so far? [inaudible]

**Staffan de Mistura:** We have indicated that, but this is the first time that we are officially, publicly replying and answering actually to a message they did publicly - just after the previous report - when they bitterly complained about it and they felt that the best way to handle this would have been for them also to be part of contributing to the report. Well, we reply to them, we want to hear that and see that happening. If facts that have been attributed to you, Taliban, are not accurate, say so and participate in it. Like we are sharing the report with everyone else and they have a chance to correct it, non-factual evidence, correct it. Let's do the same. If you allow me I just was checking on one figure that you had raised. While it is true that there has been a 48 per cent increase in air attacks, the statistics, and since the two the figures are very close one can get confused on these, it is also proving that there has been a 50 per cent reduction of civilian casualties due to air attacks. Which shows they are seriously taking the

message and they are seriously trying to make a major effort to reduce the civilian casualties in spite of the air attacks increasing. Having said that, one victim is too many, and that is why we have to keep pressing on that. Thank you.

**Reuters:** I have a question for Mr de Mistura. I wonder how you account for the huge rise in assassinations of civilians. And what effect do you think this is having on Afghan governance, and the handover of responsibilities for security?

**Staffan de Mistura:** Thank you. We were just discussing this before. The targeted personal assassinations of civilians has, as you rightly said, had a huge increase, particularly in the southern areas. And that is affecting enormously, not only the physical being of these people and their families, but also the local environment. People are afraid to go voting, people are afraid of being elected, people are afraid of actually participating in the civilian society there. So it does have a major impact. But also apart from being a terrorizing technique, it is also producing a lot of outrage among the people themselves. So it can be a backfiring tactic. You are right, if you had to choose one specific area, where there has been a massive increase particularly in the south, is targeted assassinations.

**Question:** Given that the increase has come so much in the south, what does this say about the military surge and the ability of NATO forces to protect people?

**Staffan de Mistura:** I think it is premature for me to make an analysis of this at this stage. Thank you.

**The Times:** My question is for the Assistant Secretary-General. You mentioned accountability is the only way to ensure that civilians aren't killed in the future. How would you characterise accountability as it stands in Afghanistan? Not just for armed opposition groups but also for the NATO forces. And what changes would you like to see occur?

**Ivan Simonovic:** I think one of general problems in Afghanistan is lack of accountability, and I do not only refer to the issue of protection of civilians. Now, moving back to protection of civilians, I know that especially when referring to international forces, investigations have been conducted. But I do not think that they are sufficiently transparent and it is not only important that investigations are timely and thorough but also that they are perceived as such. So more transparency would be recommended. When referring to accountability of anti-government forces, it is obviously a much more difficult problem. But I would just now return to the answer I have given. It is that everybody should keep in mind that amnesties in future, according to international law, are possible but not for war crimes and crimes against humanity. So whoever is in a position to act either personally or to act as a commander should bear this in mind.

**Dr Sima Samar [translated from the Dari]:** I want to add to what Mr Ivan said. I would like to say that accountability and transparency helps peace and helps confidence building between the Afghan public and the international forces and Government of Afghanistan. In order to bring sustainable peace, some minor crimes might be forgiven, but no one can pardon crimes against humanity and war crimes and they should not be pardoned.

**Tolo TV [translated from Dari]:** My question is addressed to the Assistant Secretary-General. We have been witnessing since several years the release of such reports. But there has not been many practical actions taken in order to implement recommendations to stop the civilian casualties. The people are waiting for concrete actions. We have seen that from one side the Taliban are taking responsibility for the civilian casualties and from the other side the NATO

forces are apologizing. So my question is what are the practical measures that the United Nations will take in order to stop civilian casualties in Afghanistan?

**Ivan Simonovic:** We have to use all ways what we can to end suffering of the civilians in Afghanistan. One way to do it is political activity and facilitating peace talks and in this respect I commend the role of the Special Representative of the Secretary-General. Meanwhile we are doing what we can in order to reduce the number of affected civilians. I raised this issue yesterday with General Petraeus.

At the same time results of this report are positive and negative. It clearly shows that with additional effort, with additional guidances to military troops, the casualties can be reduced. At the same time although reduced numbers indicate that it is too many of them. And I got assurances that activity with the aim of zero tolerance will continue. Our Human Rights Unit was also in communication with Taliban, from a humanitarian perspective. There have been also guidances issued aimed at reduction of the casualties of civilians. However results for 2010 indicate that they were obviously not taken seriously enough. With respect to future activity, I attach special attention to message that today sent Special Representative of Secretary-General, calling for dialogue for clarification of facts but also joint activities to reduce civilian casualties.

**Tolo TV, follow-up [translated from Dari]:** Did the Human Rights Section of the United Nations directly meet with the Taliban and talk to them?

**Georgette Gagnon:** We are not in a position at this point to give details of such dialogue. We just would like to have more discussion with all of parties including the anti-government elements, to reduce civilian casualties, have a meaningful dialogue about this. That is our job to highlight these issues and advocate for change, and we put forward some very concrete steps that each party can take to reduce casualties. And that is what needs to be done, so we welcome opportunity to talk about this with everyone.

**Ivan Simonovic:** And finally, let me close with the third way to reduce victims. It is also facilitating reconciliation through the support of civil society. And in this respect we pay special attention to the importance of the participation of women in reconciliation. All over the world women were in the forefront of helping to put an end to hostilities and to achieve reconciliation. They are the guardians of the life on our planet. They want truth to be established but at the same time they are future oriented. They want a better future for their children, and therefore I sincerely hope and I will argue that your Government include women in peace talks and reconciliation processes extensively.

**Dr Sima Samar:** Thanks to you all. I want to end by saying that the media can play a fundamental role in peace and reconciliation with responsibility and with justice and respect for human rights.

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