



Open letter of Transitional Justice Coordination Group

To

Participants of the Kabul Conference

You do not hear us!

13 July 2010

Ladies and gentlemen,

Ignoring justice on the road to peace shall not help create peace, but serve as a means of perpetuating insecurity, war and violence. Injustice has been one of the causes of unending decades-long of war in Afghanistan. Creating a society based on human values and dignity requires the deepening and promoting of the culture of accountability. Whereas promoting of the culture of impunity and unaccountability for atrocities of the past and the present and inattentiveness to demands for justice of millions of victims of several decades of war shall not lead us on the path of peace; it is only likely to further ignite the flames of war. We believe that no peace shall ever last in Afghanistan so long as justice has not been achieved. Experience of several government-level compromises in the past three decades has clearly illustrated the harmful consequences of short-sighted approaches such as “peace before justice” for the state-nation building process.

The government of Afghanistan and its international allies have lost many opportunities for ending the culture of impunity in the past nine years. Unfortunately, we are still bearing witness to plans and schemes that have failed time and again in the past. There is no logical justification for creating militias or arming the civilians to take on the armed opposition forces, when the armed forces of more than 40 countries are standing by the Afghanistan national army, unless the arming of civilians is aimed at expanding the scope of violence. Why do we not reinforce and equip the national army and police instead of creating militias? The DDR and DIAK schemes basically aimed at disarming unauthorised persons and the international community, as well as the government of Afghanistan, has paid a high price for them. What necessitates the rearming of unauthorised persons? Furthermore, removing names from the black list, before fair and

thorough examination of dossiers of the accused persons and before providing a clear explanation to the public about the reasons for including those names on the list in the first place or deleting them at a specific juncture, is not a sign of justice but an indication that “justice” as a value has no shelter and is sacrificed in political deals.

Today we are going to say as the loud voice of millions of victims¹ that we have not forgotten inhuman crimes and atrocities of the various eras of monarchy, Communism, civil wars and the Taliban in Afghanistan. As samples of the countless atrocities that have repressed the people, we point out the deaths of innocent people in suicide attacks or attacks by the international forces, precisely when the cry for peace of the government of Afghanistan has reached the sky. **Tell us how you are going to shake hands that are dripping with the blood of innocent people everyday.**

Ladies and gentlemen,

Now that you are about to decide again about the future of this country in this Conference, we ask you to have a look at the report of the Afghanistan Independent Human Rights Commission (“**The Voice of the People for Justice**”) and the report of Human Rights Watch (**The ‘Ten-Dollar Talib’ and Women’s Rights**”) to hear the justice-seeking voices of victims of this land with whom you have never sat at a table.²

We, the Transitional Justice Coordination Group, consisting of 26 national and international groups working to achieve justice in Afghanistan, call on the participants of the Kabul Conference to abide by their national and international commitments and to ensure that the voice of the people of Afghanistan, in particular the victims, is heard at the conference and paid serious attention to. We ask you to undertake that:

- Justice will form the foundation of every move toward peace in Afghanistan and you will not hand over the life of this nation to oppressors again;
- You will enhance the rule of law in Afghanistan by enforcing justice; and will do it through enhancement of judicial institutions, the national army and the police as well as other government and local institutions throughout Afghanistan, not by such initiatives as forming militias.
- Simultaneous with the peace process, you will have in view the Plan of Action for Peace, Reconciliation and Justice and endeavour to annul the Amnesty Law;

¹ A lady whose father and brother have been killed in the civil wars said: “I shall never allow anybody to give away the blood of my martyrs or deal with it.”

² According to the AIHRC report, more than 76.4% of the respondents said bringing the war criminals to justice will increase security and stability.

- You will have in view the rights and concerns of women in all your decisions;
- You will ensure that your aid will be distributed fairly among the people of Afghanistan, including women, children and all victims of war and not reach the armed opposition groups.

For more information on the demands and concerns of the Transitional Justice Coordination Group, we ask you to refer to the enclosed documents.