

Afghanistan: Protect human rights defenders and create enabling environment for free expression

(Bangkok/Kathmandu/Kabul, 2 December 2019) – The Asian Forum for Human Rights and Development (FORUM-ASIA) along with its member from Afghanistan, the Civil Society and Human Rights Network (CSHRN), strongly condemns the arbitrary detention of human rights defenders Musa Mahmoodi and Ehsanullah Hamidi by the National Directorate of Security (NDS) on 21 November 2019. The two exposed an alleged paedophile syndicate operating in Afghanistan through schools in Logar Province. The scandal sparked national outrage. At the time of their detention, they were on their way to meet officials of the European Union in Kabul.

Both the defenders work for the Logar Youth, Social and Civil Institution, an organisation which has been operating in Logar Province for 16 years. Musa Mahmoodi, who is one of the lead social activist of the institution, spoke with The Guardian for an article published on 13 November 2019,¹ in which he was quoted as claiming the presence of a paedophile ring. Supposedly, the ring has been involved in the abuse of at least 546 boys from six schools. There was also reference to the discovery of 100 child sexual abuse videos from different sources. Local media outlet, Tolo TV also reported the story, and it has since gone viral.

Several Members of Parliament and local government officials in Logar responded by asserting Musa Mahmoodi and Ehsanullah Hamidi's allegations were inaccurate. As a result, both human rights defenders were taken into custody by the NDS.

Various civil society organisations and institutions, including Amnesty International and the Afghanistan Independent Human Rights Commission, raised alarm after their arbitrary detention, fearing they would become victims of enforced disappearance, and urging the Government of Afghanistan to confirm their whereabouts.

On 26 November, while still in detention, the NDS published a video on Facebook, in which Musa Mahmoodi and Ehsanullah Hamidi seem to retract their claims. This intensified the public outcry.

The Afghan President ordered release the human rights defenders. Following this, they were released on 27 November. The President's order also mentioned that the Attorney General's Office and Afghanistan's Independent Human Rights Commission should investigate the child abuse allegations.

FORUM-ASIA and CSHRN welcome the presidential order, and urge the NDS to resolve the case swiftly and completely in line with due process and accountability. Both human rights defenders must be able

¹ <https://www.theguardian.com/global-development/2019/nov/13/afghanistan-paedophile-ring-that-abused-over-500-boys>

to return to their normal lives, and their security must be ensured, as they are receiving threats, including death threats.

In April 2019, the United Nations Secretary-General António Guterres urged the Afghan Government in his Report of the Secretary-General on Conflict-Related Sexual Violence to 'adopt legislation to criminalize *bachah bazi* (Child abuse).'² However, such child abuse has long been ongoing in the country, and successive Governments have failed to end the impunity for those involved in this heinous crime, particularly for those that are part of the justice system.

Arbitrary detention is an act of intimidation often orchestrated by the security apparatus that underlines the intentions of the Government at large to: suppress activists; deny free expression; and limit civic space. Detention without informing family members; and posting video of enforced confessions: are acts that go against the Afghan Constitution, as well as the spirit of democracy. It also violates various UN Conventions and their Protocols, which have been ratified by Afghanistan.

FORUM-ASIA and CSHRN urge the Government of Afghanistan to ensure a political, legal and cultural environment where human rights defenders are free and safe to carry out their work. The Government of Afghanistan must also take immediate action to end child sexual abuse, a vile and horrendous human rights violation.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 81 member organisations in 21 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

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² <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/04/report/s-2019-280/Annual-report-2018.pdf>