



Explanation of Vote before the vote, delivered by Ambassador Khalil Hashmi, Pakistan Permanent Representative to the UN, on draft resolution A/HRC/48/L.24/Rev.1 [as orally revised] titled “Situation of Human Rights in Afghanistan”

7 October 2021

Madam President,

Afghanistan today stands at an inflection point after four decades of conflict and its devastating human costs.

Amidst several justifiable concerns, there is also a real window of opportunity and a potential path to advancing the shared goals of peace, security, stability, development and human rights in Afghanistan.

Shaping international responses to the various dimensions of the situation in Afghanistan requires prudence, proportionality and a strategy of engagement that accords primacy to the legitimate needs and aspirations of its people.

It is also critical to reflect and draw lessons from the drivers and consequences of past engagement or lack thereof with Afghanistan.

This Council has already outlined human rights related concerns and expectations from Afghanistan. The OIC’s initiative to call a special session and to steer an international consensus demonstrated prudence, proportionality, willingness to engage and offer of assistance.

The OIC sponsored resolution also mandated an appropriate OHCHR-led monitoring and reporting process. At the current session, the High Commissioner has already presented an oral report on the situation of human rights in Afghanistan and will present a detailed report in March 2022.

Madam President,

Unfortunately, the EU-led initiative will precipitate divisions and derail the Council consensus. In terms of its approach, calibration and sequencing of international responses, the draft text before the Council is ill-timed, ill-advised and potentially counter-productive.

Let me outline four major concerns with respect to L.24/Rev.1 [as orally revised]:

One- The draft resolution does not assess the human rights situation in Afghanistan against the backdrop of a protracted conflict in the country. The so-called ‘forward looking’ approach is flawed as it fails to confront the inconvenient reality of past human rights abuses committed by various actors. Instead it seeks to pursue a politically convenient approach i.e. evaluating only the evolving human rights situation.

Two- The draft text, despite assertions to the contrary, unnecessarily duplicates the existing mandate for OHCHR-led monitoring and reporting process. Designating a Special Rapporteur, who would carry out tasks already being performed by OHCHR and UNAMA, hardly brings any added value. It is questionable whether such a mandate helps improve the ground situation or complicate it further. The track record of many of such mandates in conflict and post-conflict situation is unenviable.

Three- The draft text fails to demonstrate how it would improve the human rights situation in the country. The text does not take into account the lack of governance machinery and financial insolvency and how in the absence of these critical enablers the human rights landscape can be improved in Afghanistan. The proposed TORs for the Special Rapporteur do not address these serious gaps, which in turn would fall far short of the expectations of rights-holders in Afghanistan. We regret that despite proposals made by our delegation, the proposed SR has not been mandated to conduct need assessment and offer technical assistance to improve the human rights situation in Afghanistan.

Four -The draft resolution is not aligned with the overall approach of the United Nations and regional countries to prioritize humanitarian assistance, financial assistance and an inclusive political settlement. Instead, the contents of the resolution will end up further complicating an already fairly complex situation. It is unfortunate that legitimate concerns of the regional countries over the cascading efforts of these measures have been ignored.

Madam President,

Our delegation engaged constructively with the new penholders and made several proposals to rectify the inherent deficiencies in the proposed text and incorporate a regional perspective on the way forward on Afghanistan. We thank them for taking on board some of these proposals. However, as a whole, the text falls short of the minimum and necessary benchmarks that I have outlined above.

We are deeply disappointed to note that such a partisan approach promotes a troubling notion at this Council that violations and abuses have an expiry date and that powerful States remain immune to accountability. A text, which cannot unequivocally condemn well-documented violations committed by various actors but sidestepped merely as ‘collateral damage’, is a disservice to the very concept of accountability by the penholder and its supporters. The credibility of this Council is being damaged by a misguided zeal and mainstreaming of double-standards.

For these reasons, Madam President, my delegation is obliged to join the call for putting the draft resolution to a vote and will vote against it. I thank you.