

Prison Reform in Afghanistan

Rajesh Panjabi

This article was first published in The Crosslines Afghanistan Monitor in August 2003. Rajesh Panjabi, Executive Committee member of Sociologists without Borders, is Contributing Editor of The Crosslines Afghanistan Monitor. More information can be found at <http://www.afghanmonitor.org>

Prison rehabilitation remains a low priority for the government and donors. With international attention focused elsewhere, prison staff struggle to accommodate thousands of people held for long periods in poor conditions, violating basic international human rights standards relating to the treatment of detainees.

In a report published earlier this month, "Afghanistan: Crumbling Prison System Desperately in Need of Repair", Amnesty International (AI) called on the government and donors to take urgent action. The human rights watchdog asserts that prisoners, some of them shackled, are held for months in overcrowded cells with inadequate food and bedding.

"All around the country, men and women suffer in detention, deprived not only of their liberty but stripped also of their dignity," said Irene Khan, AI secretary-general, at a press conference in Kabul.

Marginalized female detainees face increased intimidation. "All you have to do is visit the nearest prison to hear stories of women who fear being killed by their families once they get out of prison," stressed Khan. Child inmates are at increased risk as well. "In many prisons, young boys are held together with adult men fostering an abusive environment."

The report further revealed alarming concerns about private prisons. "Arbitrary detention and 'private prisoners' must end," the group emphasized.

Prison rehabilitation is not a popular program to fund. The report points out that while other key aspects of the criminal justice received support, until March 2003 "the prison system had no international donor taking the lead on its reconstruction." That is when the Italian government became the lead donor for prisons.

Although this support is welcomed, AI says more funds are needed. The group called upon the Italian government to ensure that other donors come up with the money, training and skills desperately needed by the Ministry of Justice.

Still, "money alone will not solve the problem," said Irene Khan. Her organization is also demanding that the Karzai administration step up. "The Afghan Transitional

Administration must develop a plan for prison reform and set up an independent investigation body to protect prisoners from abuse,” she urged.

Prisons outside of Kabul are even worse. “By focusing on justice sector reform mainly in Kabul, the rule of law has been replaced by the rule of factions in other parts of the country,” the report underscored. Khan highlights that this fragmentation of justice is really a failure of justice.

Solutions do exist. The group recommends that the international community expand security arrangements outside Kabul, invest in a criminal justice system and build human rights institutions in all provinces.

“We will be in continuous dialogue with the international community to monitor which of their recommendations are being followed,” Khan told the Afghanistan Monitor.

The group concedes that achieving effective prison reform based on international human rights standards will be a long and thorny process in Afghanistan. However, Khan emphasizes, “if human rights are to have any meaning in the lives of ordinary people, the government and the donor community must showed sustained long term commitment.”