

# AFGHANISTAN

## Reports of mass graves of Taleban militia

Amnesty International is concerned about reports in the international media that up to 2,000 bodies have been recently discovered from mass graves in northern Afghanistan. The corpses which were in various stages of decay were reportedly those of the Taleban militia who had been despatched to capture the city of Mazar-e Sharif last May. They are reported to have been killed deliberately and arbitrarily while in the custody of General Abdul Malik, an anti-Taleban military commander in control of the area at the time, and buried in some 20-30 mass graves near the city of Shebarghan in the northern province of Jowzjan.

The ongoing war in Afghanistan makes information on human rights abuses in the country difficult to gather and verify, but the pattern of deliberate and arbitrary killings that have characterised the conflict in the past makes it plausible that those buried in these mass graves may have been killed while in captivity. Such killings would be in contravention of international humanitarian law which establishes minimum standards for the protection of individuals in situations of armed conflict. In particular, Common Article 3, which appears in all four Geneva Conventions of 1949 and applies to all parties to an internal conflict, clearly defines the people to whom its protection is extended:

"Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause..."

Common Article 3 also requires that "in all circumstances" such people shall be "treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria". The article prohibits certain acts "at any time and in any place whatsoever with respect to the above-mentioned persons", including:

- "a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) taking of hostages;
- c) outrages upon personal dignity, in particular humiliating and degrading treatment;"

Furthermore, these reported killings once again highlight the catastrophic nature of the human rights situation in Afghanistan. Amnesty International is urging all party leaders in the country to abide by the rules of armed conflict and make it clear that they will not tolerate any human rights abuses including deliberate and arbitrary killings.

Amnesty International is urging members of the international community to take collective action to pressure all parties to this tragic conflict to halt human rights abuses in Afghanistan.

### **The mass graves**

International news agencies reported, on 17 November, of the discovery of mass graves in northern Afghanistan. Those buried were reportedly Taleban militia possibly killed after they had been captured by forces of General Abdul Malik. The exact number of those killed cannot be easily established, but most reports put the number at around 2,000 and the number of graves at between 20 and 30. The dead are thought to have been among some 3,000 Taleban militia taken prisoner after the Taleban entered the city of Mazar-e Sharif in May 1997 but retreated shortly from the city in the face of an uprising by the local population as well as a counter attack by the combined forces of General Abdul Malik and another armed political grouping, Hezb-e Wahdat led by Karim Khalili.

General Malik had earlier ousted General Abdul Rashid Dostum from the city. He had made a pact for the Taleban to enter Mazar-e Sharif but reneged on the agreement after they entered. General Malik then became the sole chief commander of northern Afghanistan from May 1997 for several months. General Dostum who fled to Turkey after his ouster returned to Afghanistan in September this year and regained control over much of the northern areas, namely the provinces of Balkh, Jowzjan, and Samangan. For several weeks, both General Malik and General Dostum remained in the anti-Taleban alliance which controls about one third of the country. In mid-November, General Malik was reported to have fled the country. His exact whereabouts are not known but some reports suggest that he may have fled to Turkmenistan and from there to Iran. The remaining two thirds of the country is controlled by the Taleban.

According to the AIP, the news of the discovery of the mass graves was made public by General Dostum who offered to facilitate the airlift of the bodies to the Taleban-controlled areas for burial. The graves were reportedly found near the town of Shebarghan in Jowzjan province which is now controlled by General Dostum. He has said that the soldiers were killed when the area was controlled by his rival General Malik, but General Malik has denied this.

In a statement issued on 18 November, the United Nations Secretary General, Kofi Annan, expressed deep concern about the reports of the discovery of these mass graves. He said he had "already asked the UN Special Mission to Afghanistan to find out more about this sad situation". He also appealed to all parties to the conflict to respect the Geneva Conventions and to cooperate with the International Committee of the Red Cross, which should be permitted access to all prisoners and wounded fighters in the custody of every party in Afghanistan. He further said that:

“This news is a reminder that all Afghan parties and those countries and organizations which are interested in Afghanistan urgently need to cooperate with the United Nations to put an end to the senseless conflict which has caused so much suffering and damage to the Afghan people.”

The mass graves were shown to foreign journalists by General Dostum’s officials. The graves were reportedly strewn with ribcages, limb bones and skulls with tufts of hair still attached. The Reuters correspondent reported on 25 November:

“The air in the barren desert is poisoned with the smell of rotting flesh. One corpse, partially decomposed and partially torn apart by scavenging animals, was wrapped in a distinctively striped cotton-stuffed hospital mattress. The needle from an intravenous drip was still lodged in his decayed arm.”

The same report quoted some 80 remaining prisoners in the Shebarghan prison as saying they had witnessed the transfer of groups of fellow prisoners with the promise that they would be exchanged. The prisoners believe that those taken away are among the people killed and buried in these graves.

Those who were not killed were reportedly subjected to other human rights abuses. They were reportedly subjected to torture and starvation while in custody. One prisoner told a foreign journalist that more than 10 people died from starvation over five months and the rest were forced to eat leaves to survive.

### **Amnesty International’s recommendations**

1. Amnesty International urges all warring factions to abide by the rules of armed conflict and refrain from killing prisoners or committing other human rights abuses.
2. Amnesty International welcomes the UN Secretary General’s intervention in this matter and hopes the UN Special Mission to Afghanistan will release publicly a full report on this incident as soon as possible. It urges all parties to cooperate with the Special Mission by providing immediate and unrestricted access and security for those who cooperate with its inquiry.
3. Amnesty International calls upon all the countries that support warring factions to accept responsibility for their contribution to human rights abuses that these factions perpetrate, and place pressure on them to respect human rights.

### **What you can do!**

"You could write to your own government and express concern about human rights abuses in Afghanistan in general, and the reports of these killings in particular, urging them to raise our concerns with the leaders of the warring factions with whom they may have contact.

" You could write to the embassies of Iran and Russia (which are among countries believed to be supporting the anti-Taleban parties) urging them to encourage leaders of the anti-Taleban alliance to ensure respect for Afghan citizens's human rights and the rules of armed conflict.

" You could write to the embassies of Pakistan, Saudi Arabia and United Arab Emirates (the three countries that have recognized the Taleban as a government) urging them to encourage Taleban leaders to ensure respect for Afghan citizens's human rights.

" In all cases, you could state that the international community has a responsibility to bring the human rights catastrophe in Afghanistan to an end.

**KEYWORDS:** MASS KILLING1 / INDISCRIMINATE KILLINGS1 / PRISONERS OF WAR / ARMED CONFLICT / WAR CRIMES / PRISON CONDITIONS / RECOMMENDED ACTIONS /