

# AFGHANISTAN

## **Incommunicado detention and "disappearances"**

*Dozens, perhaps scores, of people, including members of the former government and the army but also ordinary civilians, are reportedly held in incommunicado detention or have "disappeared" in Afghanistan at the hands of both government and opposition forces. Amnesty International considers many of them to be prisoners of conscience and is gravely concerned about their safety. The organization appeals to the government and the Mujahideen groups responsible for "disappearing" prisoners to immediately and unconditionally release them and to observe minimum standards of international humanitarian law which prohibit all violence to life and person of civilians and the taking of hostages.*

### *Recent political developments*

*Soon after the fall of the government of President Najibullah in April 1992, Afghanistan plunged into a new civil war as the local Mujahideen leaders sought a greater share of power for themselves, their party or ethnic group. Central political authority has broken*

down and local Mujahideen leaders have set up their own local administrations loosely affiliated to factions of the government in Kabul but not directly accountable to it.

Burhanuddin Rabbani, leader of the Jamiat-e Islami (Society of Islam) was appointed President of the Islamic State of Afghanistan in June 1992 and confirmed in office for a two-year term by an assembly of representatives which several Mujahideen groups had, however, boycotted. An agreement signed by most Mujahideen parties in March 1993 confirmed this arrangement and provided for elections later on in 1993 and for the drafting of a constitution. In May 1993, Mujahideen groups agreed to a new cabinet with Gulbuddin Hekmatyar of the Hesb-e Islami (Party of Islam) as Prime Minister. However, violent clashes between rival Mujahideen groups represented in government continue as they are fighting for control over administrative institutions and territory. Some 12,000 people have reportedly been killed since the fall of the government of President Najibullah in April 1992, and probably ten times as many have been injured.

Renewed intense fighting broke out on 1 January 1994 when Prime Minister Hekmatyar, in a new alliance with Uzbek general Dostum who heads his own National Islamic Movement in Balkh province in northern Afghanistan, attempted to force President Rabbani to resign. An estimated 1,500 civilians have lost their lives since the beginning of the year. In early February 1994, Prime Minister Hekmatyar imposed a blockade on Kabul which prevents relief goods and food from reaching the civilian population, thousands of whom are internally displaced and without food. The United Nations, the International Committee of the Red Cross and other

humanitarian organizations have repeatedly expressed their concern that several hundred thousand civilians in Kabul may face starvation unless the blockade is lifted.

### *Incommunicado detention and "disappearances"*

Human rights violations, including unlawful arrests, torture, rape and extrajudicial executions have been perpetrated on a large scale over the last months. All Mujahideen groups and the central government are reported to have imprisoned political rivals, frequently in private jails in undisclosed locations and as hostages or to extract money from relatives. Repeated cease-fire agreements have referred to releases of prisoners, but few releases appear to have taken place. The most recent cases of incommunicado detention and "disappearances" reported to Amnesty International include the following:

*Najmuddin Musleh*, an Uzbek employed as a personal assistant of President Rabbani, was on 31 December 1993 sent to negotiate with General Dostum immediately prior to the renewed outbreak of fighting on 1 January 1994. Although working in an emissary function, he was arrested by the allied forces of General Dostum and Prime Minister Gulbuddin Hekmatyar and has been in detention since then. Members of the alliance have reportedly publicly admitted to detaining *Najmuddin Musleh*, but his family has not been able to establish his whereabouts and to contact him. His house in Kabul was searched and ransacked in the first days of January.

On 19 May 1993 at around 11 pm, **Ajmal Sahak**, aged 32, was arrested from his house in Khair Khana in Kabul by government forces; he had earlier been an officer in the presidential guard but in February 1991 voluntarily retired from army service. He had a vegetable shop in Kabul and was not politically active. His family has not been able to trace him.

In November 1993, three children of a family of the Hazara minority were arrested in Karte Seh in Kabul and have not been heard of since. The head of the family, Assadullah Wakilzadeh, had worked as a carpenter for several foreign embassies in the past. On 20 November 1993, his house was raided by a group reportedly belonging to the Jamiat-e Islami. He resisted and was beaten unconscious; when he regained consciousness, his son **Rahmatullah**, aged 15, had been abducted. Two days later in a similar raid, two other sons, **Ahmadreza**, aged 13 and **Mustafa**, aged 11 were abducted. After negotiations with the abductors about the release of the children broke down, the family fled Kabul. The children's whereabouts are not known.

The children of **Mohammad Yar** reported that their father, a former army officer, and six of their brothers and sisters, the youngest of whom was eight years old, were arrested and taken away by forces of the Hesb-e Wahdat Islami (Party of Islamic Unity), in mid-1993 during a raid of their home in Mikrorayon in Kabul. The

remaining children could not trace the arrested family members and left Kabul days later.

On 2 October 1992, Zia Nassry, a journalist in his early forties, who had earlier migrated to the USA and had returned to Afghanistan to help internally displaced persons, was arrested by forces allegedly of the Jamiat-e Islami in Kabul. His family has not been able to trace him.

### **Amnesty International's concerns**

Amnesty International is gravely concerned about these "disappearances" and practices of incommunicado detention; it once again urges the government and all the Mujahideen parties in Afghanistan to respect human rights, to observe minimum international humanitarian standards and to respect the right to life and security of the person. Under no circumstances must prisoners be held in secret detention centres where they are particularly at risk of torture and extrajudicial execution. Many of the prisoners held in incommunicado detention or believed to have "disappeared" in custody are prisoners of conscience: they should be immediately and unconditionally released. All those participating in the current fighting must be clearly and decisively instructed that they may not take hostages or arrest people to extract bribes under any circumstances.

Amnesty International is also calling on the international community to undertake every possible effort and to exert whatever influence its members may have to bring to an end the present widespread human rights abuses in Afghanistan.