

AFGHANISTAN

Detention and killing of political personalities

1. Introduction

Up to 200 Afghan political personalities have been arrested in the past year apparently on account of their peaceful political activities and opposition to the continued armed conflict in the country. Those arrested include Afghan intellectuals, community leaders, former army officers or civil servants. The vast majority of the detainees are reportedly non-combatants arrested solely for their activities in support of peace and a broad based government in Afghanistan. Most of these detainees have reportedly been severely tortured. Over a dozen of them have been killed after their arrest. Some of the detainees have been released but as of February 1999, around 100 still remain in detention.

This report covers the period between early 1998 and early 1999 and deals specifically with human rights violations against Afghan political personalities in southern and eastern Afghanistan. Amnesty International has dealt with human rights violations in other parts of the country in earlier reports. The information in this report is from interviews with former detainees or those with detailed personal knowledge of these arrests and killings.

Amnesty International wishes to reiterate that it neither supports nor opposes any of the warring factions, that its concerns about human rights abuses in Afghanistan is based on its mandate and the principles of international human rights and humanitarian law. Amnesty International has highlighted human rights violations in Afghanistan for more than two decades, including throughout the Soviet invasion and as well as under the respective administrations of Zahir Shah and of former presidents Davoud, Taraki, Amin, Karmal, Najibullah, Mujaddedi, and Rabbani. It has reported on human rights abuses committed by members of all warring factions including Jamiat-e Islami, Hezb-e Islami, Jonbesh-e Melli Islami and Hezb-e Wahdat. These abuses include the killing of more than 25,000 civilians in Kabul between 1992 and 1995 in deliberate or indiscriminate attacks against residential areas, shops, streets and public places; they also include torture, rape and other abuses against women. Amnesty International continues to hold the leaders of all warring factions accountable for the human rights abuses committed by their members or sanctioned by themselves. It urges that all perpetrators of human rights abuses against the Afghan people should be brought to account and that no one should be allowed impunity.

Amnesty International strongly urges all parties in Afghanistan to take the protection of human rights seriously and to respond to calls for an end to the cycle of abuses. To this end, Amnesty International is interested in dialogue with all faction

leaders with regard to the concerns raised in its documents and on the practical steps they can take to end these abuses.

2. Current political background

Factional fighting continues between the Taleban militia led by Mullah Mohammad Omar and the opposition militia led by Ahmad Shah Masood while neighbouring countries are reportedly continuing to supply weapons to their favoured warring factions. Despite renewed UN efforts, the prospect for peace has so far remained remote.

So far, only Pakistan, Saudi Arabia and United Arab Emirates have recognized the Taleban as a government, although relations between Saudi Arabia and Taleban appear to be strained. In recent years, the Taleban movement has found itself isolated internationally because of its discriminatory policies on grounds of gender, the perception that it allows Afghanistan territory to be used as a base for the so-called international terrorism and the concern over the reported production and export of illegal drugs from Afghanistan.

Access by independent monitors to various parts of the country continues to be severely limited. Foreign journalists - with the exception of several Pakistani journalists - have rarely been given permission to go to Kandahar. For many months, even Pakistani journalists were not given permission to visit Mazar-e Sharif where thousands of Taleban members taken prisoner by the Northern Alliance were reportedly executed in May 1997 and thousands of ethnic Hazaras were reported to have been massacred by the Taleban in August 1998. No journalists were allowed to visit Bamyan in late 1998 after the Taleban captured this province. There are fewer restrictions in Kabul, but even there, journalists have to operate within strict limits. For instance, photography is forbidden and journalists have been warned not to identify the ethnic background of the Afghans they interview. On many occasions, journalists have been stopped from making contact with people.

At the same time, severe restrictions, particularly those related to discriminatory policies against women, have prevented the UN agencies and non-governmental organizations (NGOs) from providing immediate humanitarian assistance to destitute families. In 1998, pressure on humanitarian NGOs to move their offices to a designated area despite serious security concerns forced them to leave the country pending assurances of security and unfettered access to people in need.

In November 1998, the Security Council approved the establishment within the United Nations Special Mission to Afghanistan of a unit to monitor and deter violations of human rights and humanitarian law, but this project has not yet begun.

The past two years have been marked by a resurgence of political activity in the Afghan diaspora. Many seminars and conferences have been organized by Afghans in Europe and other parts of the world in which options for peace and the establishment of a broad-based government through negotiation have been explored. Several associations have emerged among Afghan intellectuals from different political or ethnic backgrounds, including *Rah-e Sevom* (third way) or *Qowat-e Sevom* (third force) to promote dialogue within the community on possibilities for a political settlement.

In Pakistan and Afghanistan, a number of Afghan parties have assumed a higher profile in advocating an end to the ongoing war and the establishment of a broad-based government. These include *Da Solh Ghorzan* (Peace Movement Party) and *Afghan Mellat* (Afghan Nation). In addition, a number of new parties and associations seeking a political solution to the war have emerged in recent years including *Shura-e Islami Azadi va Democracy* (Islamic Council for Freedom and Democracy).

At the same time, the more established associations such as *Shura-e Tafahom va Wahdat-e Melli Afghanistan* (Council for Understanding and National Unity of Afghanistan), RAWA (Revolutionary Association of Women of Afghanistan) and the Afghan Women Council continue with their activities in support of peace and in defence of human rights in Afghanistan.

3. Recent detentions

Up to 200 Afghan personalities or local community leaders have reportedly been arrested in southern and eastern Afghanistan within the past year for what appears to be their activities in support of peace and a broad-based government in Afghanistan. The majority of them were reportedly arrested in October 1998 mainly in the city of Jalalabad on accusation of plotting a coup against the Taleban. A Taleban official said they would be tried but reportedly admitted that no arms or ammunition had been recovered from the detainees. So far, the Taleban have not provided the families of the prisoners with any evidence of their involvement in the alleged coup, nor have they made public any such evidence.

Among the detainees are locally recruited staff of international organizations, and at least three Afghan staff members of the United Nations who, as of October 1998, were reportedly held without charge. Some of the detainees are teenaged boys whose families have been told they would only be released if their fathers were produced to the Taleban authorities. Most detainees were reportedly taken to the various detention centres in Jalalabad and Kandahar.

A number of these detainees are reported to have been released after being subjected to severe beatings and ill-treatment, but - as of February 1999 - around 100 of

them are believed to be still in detention. *The authorities have reportedly sought to arrest scores of others but those wanted have already fled to other countries.*

The arrests took place amid reports of a series of measures by the Taleban in early 1998 taken against some of their senior officials and commanders on suspicion that they might be favouring the formation of a broad based government including representatives of rival factions and other political groups. A number of high ranking officials and commanders were believed to have been summoned to Kandahar and were questioned about their support and loyalties to the Taleban. Some were thought to have been removed from positions of authority.¹

These developments coincided with a number of meetings organized by Afghan political figures in Western Europe to explore the possibility of a broad based government in Afghanistan. In one such meeting in Germany, representatives of all parties had been invited, but as the Taleban authorities did not attend a number of Afghan personalities left the conference because it was not fully representative. The conference, however, ended with a resolution that a *loya jirga* (grand assembly) should be set up to decide about the composition of a future government in Afghanistan.

Among the prominent personalities arrested in Jalalabad was **Kuhat Khan**, a retired military officer and a member of parliament at the time of president Najibullah. He was reportedly taken prisoner despite severe health problems. He is very old and is said to be unable to walk without the help of an aide. His exact whereabouts are not known.

Another senior politician currently in detention is **Basir Mahmood**, a Barakzai Pashtun from Kandahar and a founding member of the recently formed *Shura-e Islami Azadi va Democracy* (Islamic Council for Freedom and Democracy). The council was reportedly based in Kabul where it held clandestine meetings for its several hundred members to discuss means of achieving peace through negotiation. He was reportedly arrested in Jalalabad around October following his visit to the city, but his exact whereabouts are not known.

¹There were for instance, reports in the Pakistani press that Mullah Mohammad Rabbani, president of the Taleban administration in Kabul may have been summoned to Kandahar in November 1998 in connection with these events. The Taleban confirmed that he was in Kandahar, but said this was because of his illness and denied that he had been summoned there for questioning on suspicion of favouring a broad-based government. Among the commanders who were reportedly summoned to Kandahar was Mullah Dadullah who was in charge of Kabul Garrison. Both have returned to their posts.

Also detained reportedly for their political activities in support of peace in Afghanistan are: **Abdul Razaq**, chief of Pashaie tribe; **Mohammad Anwar Sultani**, businessman; **Malik Khan Arab**, former judicial officer in Jalalabad; **Dagarwal Mohammad Yasin**; **Alaghadar Nisar Ahmad** s/o Gholam Sakhi Khan, chief of tribe; **Abdul Quader Emami**; **Dagarwal Shah Mahmood Khan**; and several tribal chiefs.

Dozens of the prisoners are reportedly detained because they had previously worked with the government of President Najibullah. On many occasions, local people are said to have expressed their disapproval of their arrest, saying that the Taleban should either provide proof of their criminal activity or release them. The detainees include: *Abdul Malik, ex-governor of Laghman who was reportedly so badly beaten in detention that he could not eat or drink for a very long time; Malik M Amin, a former military officer at the time of President Najibullah. Zairat Gul, ex-military officer; Mohammad Nazir, head of an administrative division in Afghanistan in the past; Soleiman Shah, a tribal chief; Lawang, a tribal chief; Jan Mohammad, ex-military officer; Rahemi, a businessman in Jalalabad.*

Similarly, the whereabouts of **Mannan Makhdum**, a Turkmen leader and senior figure in the ousted government of Burhanuddin Rabbani remains unknown. He was reportedly detained in Jowzjan in September 1998.

3.1 Child prisoners as hostages

Amnesty International has received the names of children who have been detained and their families have been told they will only be released if their fathers are produced to the Taleban authorities. These include:

Noor Agha Rooyeen, member of *Shura-e Tafahom* (Council for Understanding and National Unity of Afghanistan). Two of his sons, **Farhad** (under 16) and **Mohammad Sheikh-Fardin** (under 18) together with his brother-in-law, **Mohammad Yaseen**, have been arrested in June 1998 and are still in detention at the *Estekhbarat* interrogation centre in Kabul and now in Ward no 3 in *Estekhbarat*. They have been arrested reportedly because of Mr Rooyeen's activities in support of peace in Afghanistan and have been told that they would be released only if their father hands himself over to the Taleban.

General Golrank, a former military commander of the eastern zone at the time of President Najibullah, accused reportedly of membership of Shura-e Tafahom (Council for Understanding and National Unity of Afghanistan). His son, Abdul Zahir (16) was arrested in June 1998 in Kabul during a visit there from Pakistan for personal purposes. Abdul Zahir is also accused of belonging to Shura-e Tafahom.

The four children mentioned above are detained in Kabul. They are allowed family visits. They have been told they would not be released unless their fathers handed themselves over to the authorities.

Other children reportedly detained as hostages in place of their fathers include: Farhad s/o Toor Agha, school student, aged 16; Mohammad Masih s/o Noor Agha, school student, aged under 18; Mohammad Yasin, shopkeeper, aged under 17; and two sons of Malik Zarine (names not known) aged 17.

4. Killings in Afghanistan

Amnesty International has been informed that over a dozen of the detainees have been killed while in the custody of the Taliban. Family members have got to know of the killings after the dead bodies of prisoners have been found in various localities. Among those killed in this way were two former Nangarhar university lecturers, Pohandoy Mohammad Nazir Habibi and Pohanmal Mohammad Hashem Basharyar. Both lecturers were reportedly active in Afghan intellectual circles seeking peace through political means in Afghanistan and were detained reportedly because of the high political profile they had assumed.

Pohandoy Habibi was a Pashtun from Ghara Bagh in Kabul province. He trained as an agriculturalist in the United States in 1977, was head of the Agriculture Department at Nangarhar University in 1979, and head of Nangarhar university in 1989. In recent years, he worked as a staff member of a UN agency in Jalalabad. Pohanmal Basharyar was a Pashtun from Wardak province, an educationalist trained in the Philippines who worked in higher education institutes before 1980. In 1982 he was appointed as lecturer at Nangarhar university. He joined a UN agency as a staff member in 1995.

They were both reportedly arrested in Nangarhar by the heads of the *Estekhbarat* (information) department and the city security of this province. They were arrested on 13 July 1998 as they were waiting for a vehicle to take them to the offices of the UN in Jalalabad. Eye-witnesses claim they have seen the head of the *Estekhbarat* overseeing the operation. The two men were forced into a car but their whereabouts were not disclosed to their families who made inquiries. Basharyar's dead body was found on 18 July on the outskirts of Jalalabad and Habibi's dead body on 19 July near Torkham.

Others killed during the past twelve months include:

Dagarwal Agha Mohammad, about 45 years old with a paralysed leg; married with children; Pashtun from Ghazni province; in active military service; member of *Da Solh Ghorzan* (Peace Movement Party). Some Taliban officials reportedly came to his house at night in February 1998 and took him away. About a month later, his body was found hanging from a tree in Mokur (Ghazni province). Upon hearing this, his family brought his body home. No explanation has been given to them about his killing.

Sher Mohammad, about 50 years old; married with children; Pashtun from Kandahar; teacher and influential tribal leader; reportedly popular in his locality; member of *Da Solh Ghorzan* (Peace Movement Party). He was reportedly killed in March/April 1998, possibly while in Taleban custody. Prior to his killing, he had met some 25 local leaders in Panjwai near Kandahar discussing options for peace. He then disappeared but his body was later found in Dand, near Kandahar. There were marks of severe beatings on the body and signs that he had been suffocated. A rope with which he had been hanged was still round his neck.

General Solhmal, about 53 years old, married with children; Pashtun, from Helmand, a former army General, in active service until 1996 in Kabul who remained in his post as the deputy defence minister after the arrival of the Taleban until May 1998. He was a member of *Da Solh Ghorzan*. Taleban guards came to his house in Musa Qala (Helmand province) in May 1998 in a red Toyota pick-up and asked him to go with them to their division office in the area. They took him away but he never returned. Despite continued attempts by his family to find his whereabouts from various Taleban officials, the Taleban provided no information. The family were granted an audience with Taleban leader Mullah Mohammad Omar while they were searching for the prisoner. When they explained that they were searching for General Solhmal, Mullah Mohammad Omar reportedly told them that perhaps he was arrested because he was a “communist”. The family reportedly said no more, fearing that they themselves could be arrested. About 20 days later, his body was found by a shepherd in the fields in Arghandab area near Kandahar. The family heard of this and the Taleban handed over the body to them. No explanation about the circumstances of his killing was given to the family.

Abdul Ghani, known as Mr Ghani; about 55 years old; married with children; Baloch from Kandahar; worked with the UN in Afghanistan; member of *Da Solh Ghorzan*. He was killed in early November 1998 in Kandahar city. He was reportedly killed when a car ran over him but his colleagues suspect that his killing was politically motivated.

In late November, at least two students were reportedly killed and several others injured with gunshots after the Taleban opened fire on a gathering of students at Jalalabad university. According to the reports, they all were students of Jalalabad Medical College, one of only a few educational centres still functioning in Afghanistan. None of them were believed to have been

armed. They were protesting alleged embezzlement of the hostel funds by the principal of the college, a Taleban official. The shooting was reportedly carried out by the brother of the college principal, a Taleban commander - who had come to stop the demonstration. When the students did not oblige, he opened fire at them. Following the killings, the students refused to attend classes and on 1 December 1998, they reportedly gathered at the place in the city where the students had been killed, urging the Taleban authorities to arrest the killers. The Taleban are said to have promised to arrest those responsible for killing the students, but it is not known what action has been taken so far.

Ghadim Shah, Pashtun from Paktya. Married with four children, formerly secretary of the PDPA (People's Democratic Party of Afghanistan) committee. Prior to his arrest, he had reportedly taken an active role in support of peace and negotiations in Afghanistan. He was reportedly arrested in late 1998 from his house in Microrayan 3 but his dead body was found in Kotal Tira area between Logar and Gardez.

Mohammad Khan Tudai, Pashtun from Paktia province, staff member of Afghan Aryana Airlines, worked with the former Babrak Karmal government. Recently, he was a member of *Da Solh Ghorzan*. He was reportedly arrested by Taleban officials from his house in Kabul in 1998 but his body was found some days later.

Amnesty International has received the names of others who are believed to have been killed after they had been arrested, and is seeking information about their whereabouts. These include:

General Abdul Rahman, Tajik from Dehdadi area in Balkh province worked as deputy head of security in the northern area; *General Farooq*, Pashtun from Faryab Province, worked with the army; *Moulvi Mahmood Alam*, Tajik religious notable from Balkh; *Moulvi Shabuddin*, Uzbek religious notable from Jowzjan province; *Waliullah Dagarwal*, Pashtun from Paktya worked with the Ministry of the Interior in the past, recently member of *Da Solh Ghorzan*; *General Syed Agha Rayees*, Pashtun from Nangarhar, former employee of national security department and a former member of the PDPA was recently active in peace efforts; *Engineer Nabi Shah*, Pashtun from Paktya, worked as technical staff at the Ministry of Communication, a former senior member of the PDPA; *Wolaswal Ismail*, Pashtun from Kunduz province, formerly a member of the PDPA.

Members of the Turkmen community have also been arrested, tortured and killed. Several of them reportedly have been killed in custody of the Taleban militia. According to a Radio Free Europe/Radio Liberty report in October 1998, those killed in detention include **five Turkmen military commanders** one of whom, **Agha Mohammad Doktor**, was reportedly returned by the Turkmen authorities to Afghanistan after attempting to flee to Turkmenistan. **Abdul Manan**, a respected religious leader from the Turkmen community in the northern province of Afghanistan was also reportedly killed in the custody of the Taleban.

5. Killings in Pakistan

Amnesty International has for many years raised concerns about the killing of Afghan personalities in Pakistan. It has urged the Pakistani government to act decisively to bring to justice those responsible for these killings and to take decisive measure to ensure the

safety of Afghans at risk of attack. Amnesty International has also urged leaders of armed political groups to condemn these killings clearly and unequivocally and to ensure that no one carries out such attacks or issues the threat of such attacks in the name of their factions.

Afghans appear to have been particularly targeted in Pakistan because of their activities in opposition to policies followed by the warring factions. In January 1999, Pakistani officials were quoted in the press as saying that four Afghans have been arrested in connection with plans to kill Afghan personalities in the North West Frontier Province and Balochistan. Amnesty International has written to the Government of Pakistan welcoming moves to bring to justice those responsible for human rights abuses including members of armed groups involved in the deliberate killing of civilians. The organization has also inquired about the measures the Pakistani authorities are taking to ensure that a thorough, independent and impartial investigation will be carried out to establish the identity of persons responsible for recent attacks on Afghan personalities in Pakistan including any possible links they may have with groups or institutions in Pakistan or elsewhere. In Amnesty International's view, this will be an important step towards ensuring the protection of Afghans at risk in Pakistan. So far, no one in Pakistan has been convicted for involvement in such killings.

Those mentioned below have been killed in the past year.

Dagarwal Basir, about 45 years old; married with children; Tajik from Herat; worked with the UN; member of *Da Solh Ghorzan*. He was killed in June 1998 in Babak Bazar area of Quetta. He was driving his own car with a friend in the passenger seat. Several armed men came towards the car and asked who Basir was. He replied that he was Basir; the gunmen opened fire at him with a pistol and killed him instantly. His friend who survived did not recognize the assassins.

General Nazar Mohammad, about 60 years old; married with children; Pashtun from Herat; a prominent politician and a former Afghan defence minister; deputy leader of *Da Solh Ghorzan*. He was killed on 9 July 1998 in Quetta in Pakistan by gunmen on a motor bike.

Dagarwal Latif, about 40 years old; married with four children; Hazara from Ghazni; army commander in Maydan Shahr until 1991; leading member of *Da Solh Ghorzan*. He was killed on 9 November 1998 in the Hazara Town area of Quetta by gunmen on a motor bike. His killing appears to be connected to his support of a political solution to the conflict in Afghanistan.

Hashim Paktyanai, about 52 years old; married with children; Pashtun from Paktia; formerly, head of a publishing house in Afghanistan; a prominent journalist advocating a representative parliamentary system of government in Afghanistan. He was killed in early November 1998 by gunmen as he left his house in Peshawar. He had been granted asylum in Sweden shortly before his death.

General Shirin Agha, about 50 years old; married with children; Pashtun from Paktia; a former army general; a leading member of *Da Solh Ghorzan*. He was shot dead in Peshawar on 25 November 1998 with a pistol by two men who approached him. The assassins are reportedly known to the eye-witnesses.

Other Afghans reported to have been killed in Pakistan because of their political support for a negotiated peace include General Rahim, Pashtun from Farah province, an aviation engineer.

5.1 Attempted assassinations and killing of family members

Some of those targeted, survived. In January 1998, the **wife** and a **son** of **Abdul Haq** were killed together with a watchman when several gunmen entered their house in Hayatabad area in Peshawar and opened fire on them. A son of the family who survived the attack saw a gunman coming to the house over the wall. Abdul Haq - a former Mujahideen commander living in Peshawar and engaged in political opposition to the Taliban - was not in the house at the time of the killing.

In June 1998, several armed men entered the house of **Haji Abdullah Kandahari** in Peshawar. He is a leading member of the afore-mentioned *Shura-e Islami Azadi va Democracy* and a close associate of a detained leader of this council, Basir Mahmood (see section on detention). Haji Kandahari escaped the attack when his neighbour alerted the police.

Ata Mohammad Sarkateb, Pashtun from Kandahar, former commander of Hezb-e Islami, known for his political opposition to the Taliban policies, was seriously wounded when several gunmen forced their way into his house in November 1998. One person reportedly arrested in connection with this case has reportedly claimed he was hired by the Taliban. The Taliban authorities have denied any links.

Mullah Naqibullah, Pashtun from Kandahar, a former member of Jamiat-e Islami and former Governor of Kandahar, recently engaged in efforts towards peace, was also the target of an attempted assassination.

5.2 Response from the Taleban about the killings in Pakistan

Amnesty International has been particularly disturbed by a renewed pattern of killing of Afghan personalities in Pakistan. In response to the concerns raised by the organization, the Taleban authorities wrote to Amnesty International on 28 January 1999 in which they stated that no private or party terrorist groups outside Afghanistan belong to the Taleban and that it is not the Taleban but other groups who “commit terrorist acts and violations and put the blame on the Taleban”. The letter further stated:

“We assure all the people of the world that we are not carrying any terrorist acts or violence because they are against the policies of the Islamic Emirate of Afghanistan”.

6. Prisons

Amnesty International is concerned about the condition of detention of the detainees. In most cases there has been no news about the whereabouts of the prisoners. It is feared that many of them may be subjected to beatings or other cruel, inhuman or degrading treatment while in custody. This concern is exacerbated by the reports the organization has received about the condition of detention in the Afghanistan prisons.

The following list is by no means comprehensive but the details are based on testimonies sent to Amnesty International by former prisoners.

The biggest prison run by the Taleban authorities is reportedly in **Kandahar** where the majority of political prisoners or military combatants are held. Certain categories of prisoners, especially those considered to be “important”, are held at the security detention centre, *Estekhbarat*, which is also used as an interrogation centre. The exact number of prisoners held in Kandahar is not known but is believed to be several thousands.

One former detainee in Kandahar prison told Amnesty International how he saw a boy, about 16 years old, being tortured to force him to admit having sex with a military commander. The boy was beaten with a cable with an iron ball attached to it. Some prisoners who have been subjected to this type of beating have reportedly been crippled. After a few days, the boy was reportedly taken away along with the commander accused of sodomy and both were executed.

A new storey is being added to the Kandahar prison and prisoners are forced to work on it for long hours and under harsh conditions. Guards armed with thick cables reportedly force prisoners to work harder and some prisoners have reportedly died due to a combination of exhaustion and beatings. Many prisoners reportedly have burns on their hands from active lime. Food is reportedly inadequate - one piece of bread in the morning and one piece at night - and prisoners who cannot afford to buy additional food face starvation.

In **Kabul**, the biggest prison is Pul-e Charkhi where several hundred prisoners are kept. In addition, almost all of the former *Khad* (security police) detention centres are reportedly functioning, each of them with their own detention rooms. Former detainees have told Amnesty International that torture in these *Khad* places is routine and at times leads to the death or physical disfigurement of the prisoners. One former detainee was interrogated every two hours during the night, and despite proving to the guards that he was working with a human rights organization, he was beaten to disclose contacts with Ahmad Shah Masood forces.

Conditions in **Shebarghan** prison are reportedly harsh with *Band 3* (ward 3) holding some 1,200 political prisoners in overcrowded cells. The majority are reportedly from the Hazara minority arrested at the time of the Taleban capture of Mazar-e Sharif in August 1998.

As of January 1999, the prison in **Mazar-e Sharif** was reportedly overcrowded with prisoners mainly from the Hazara minority. In addition, some of the make-shift prisons set up at the time of the Taleban capture of Mazar-e Sharif in August 1998 such as the one in **Qala-e Zaini** continue to function.

Maimana has a prison where almost all the detainees are either held on suspicion of being political opponents of the Taleban or have been arrested in combat. Former prisoners have informed Amnesty International of severe torture of the detainees there.

6.1 Recent positive developments

Taleban authorities in Balkh Province reportedly facilitated the visit by an Afghan human rights organization to the prison in Mazar-e Sharif on 20 February 1999. According to

reports, the team visiting the prison met some 90 political prisoners detained by the Taliban security forces and some 10 prisoners who had been detained by personnel of the Department for the Promotion of Virtue and Prevention of Vice. After conducting the visit, the team raised its concern with the local authorities in Balkh Province about the arbitrary detention of prisoners - all of whom were believed to be civilians - and the harsh conditions in which they were being held. Taliban authorities promised that an investigation would be carried out and those with no cases against them would be released. On 1 March 1999, the Taliban official radio, Radio Voice of Shari'a, announced that 55 prisoners held on politically motivated grounds and 15 common law prisoners had been released.

Amnesty International welcomes this development and hopes that the trend to allow access to prisons by Afghan and international human rights monitors and humanitarian bodies will continue. In Amnesty International's view, in particular Shebarghan prison, especially *Band 3* (ward 3) and Kandahar prison need to be given priority for visits by human rights monitors.

7. Recommendations

7.1 To the Taliban authorities

7.1.1 Arbitrary detention of Afghan political personalities

- A. To release all prisoners who have been detained for their peaceful exercise of fundamental human rights including their advocacy of an end to the armed conflict and the establishment of a broad-based government in Afghanistan.
- B. To provide detailed information about the whereabouts and status of other prisoners;
- C. To ensure that no one is arrested or detained arbitrarily on account of their non-violent opposition to the Taliban policies.

7.1.2 Killing of Afghan political personalities

- A. To facilitate the investigation by an independent, impartial and competent body of the killing of Afghan personalities after their arrest in Afghanistan;
- B. To ensure the safety of those providing testimony to such an investigation;
- C. To state publicly the steps they are taking to ensure that those found responsible for deliberate and arbitrary killings are brought to justice.

D. To ensure the strict protection of civilians (in line with international humanitarian law) including Afghan political personalities in areas under Taleban control.

7.1.3 Torture and ill-treatment of prisoners

A. To facilitate the investigation by an independent, impartial and competent body of reports of torture and ill-treatment of prisoners in areas controlled by the Taleban;

B. To ensure the safety of those providing testimony to such an investigation;

C. To state publicly the step they are taking to ensure that those found responsible for torture and ill-treatment of prisoners are brought to justice.

D. To ensure no one is subjected to torture and ill-treatment in areas under Taleban control.

7.1.4 Detention of children in place of their relatives

A. To release all children detained as hostages in place of their relatives and ensure that no children are taken hostage in the future.

7.1.4 Prison visits

As stated in the report, Amnesty International welcomes the move by the Taleban authorities to facilitate a visit to Mazar-e Sharif prisons by an independent Afghan human rights organization. Amnesty International urges the authorities to follow up this positive move by providing Afghan and international human rights and humanitarian organizations access to all prisons including in Shebarghan and in Kandahar.

7.2 To the Pakistani authorities

7.2.1 Afghan personalities at risk in Pakistan

A. To investigate each of the assassinations mentioned in this report thoroughly and to bring to justice those found to be responsible for the killings.

B. To ensure the safety and physical integrity of all Afghans likely to be at risk in Pakistan.