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Afghanistan: Inquiry into Qala-i-Jhangi fort killings must not be swept under the carpet

Amnesty International today reiterated its call for an urgent inquiry into the large-scale killing of captured Taliban fighters and others at a fort on the outskirts of Mazar-i Sharif. It urged the US and UK to consider requesting a preliminary investigation by either the United Nations or the International Fact-Finding Commission.

"The events at the Qala-i-Jhanghi fort must not simply be brushed under the carpet, like so many other killings before them," Amnesty International said.

In letters to the US, UK and the United Front (Northern Alliance), the organization pointed to UN Security Council resolution 1378 which specifically calls on all Afghan forces to adhere strictly to their obligations under human rights and international humanitarian law. As it appears that this provision may have been breached, Amnesty International is calling on the US and UK, as members of the Security Council, to request a UN investigation, which should involve relevant human rights mechanisms including the Office of the High Commissioner for Human Rights and the UN Special Rapporteur for human rights in Afghanistan.

Another option is for the US, UK and the United Front to call on the services of the International Fact-Finding Commission, established under the Article 90 of Protocol I, Additional to the 1949 Geneva Conventions to assist in investigating allegations of violations of the laws of war. This Commission, which is composed of 15 independent experts from around the world, would be willing to consider any request for such an inquiry.

"This inquiry is needed to break with the past, and prove that for the first time in decades, human rights and accountability are being taken seriously in Afghanistan."

"The means to conduct this inquiry are in place; it will not be an easy task, but is achievable with political will. A future for the Afghan people based on respect for human rights will only be realised if those with power and influence take responsibility and instigate this inquiry."

Background

The International Fact-Finding Commission was established under Article 90 of Protocol I, Additional to the 1949 Geneva Conventions. This Commission is composed of "fifteen members of high moral standing and acknowledged impartiality" and is competent to "enquire into any facts alleged to be a grave breach as defined in the Conventions [the 1949 Geneva Conventions] and this Protocol or other serious violation of the Conventions or of this Protocol". The Swiss Government (in its capacity as the depository of the Geneva Conventions and Protocols) acts as the secretariat for the Commission. Its members include legal and military experts, judges and medical doctors drawn from all regions of the world.

For the latest information on the 11 September Crisis visit:

<http://web.amnesty.org/11september.htm>

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