

50/97

AI INDEX: ASA 11/02/97

21 MARCH 1997

AFGHANISTAN: INTERGOVERNMENTAL ORGANIZATIONS IGNORE PLIGHT OF FIVE AFGHAN PRISONERS OF CONSCIENCE AFTER RELEASE OF TWO FRENCHMEN

Following this week's release of two French employees of *Action Contre la Faim* (ACF - Action Against Hunger) from a Taleban prison in Kabul, Amnesty International urges intergovernmental organizations to turn their attention towards the five Afghan employees who continue to be held.

"It is deplorable that efforts by the United Nations (UN), European Union (EU), the Organization of Islamic Conference and the French government were limited to the release of the French prisoners; they should have been extended to the five Afghan detainees too," Amnesty International said today. "This is particularly pressing because these men have now been sentenced to flogging."

Amnesty International believes that these men are prisoners of conscience held solely for not complying with gender policies which discriminate against women.

The five Afghan men -- Nur Mohammad, Abdol Momir (Zamir), Mohammad Yusof, Mohammad Homayun and Mohammad Ehsan -- have been in detention since 21 February when about 15 armed Taleban guards raided an ACF guesthouse where a farewell lunch for three female expatriate employees of the charity had been attended by its female Afghan staff. The men, who are cooks, watchmen and drivers, were arrested from the guesthouse for being in the company of women who came to the farewell lunch.

The guards also detained two French ACF staff, Frederic Michel and Daniel Llorente, from another location alleging they had been in the guesthouse during the lunch. They searched the ACF compound and removed a number of cameras, photographs, compact discs and magazines as evidence.

Immediately after their arrest, Taleban attorney-general, Maulavi Jalilullah Maulawizade, declared that the allegations against the detainees were "many". His list included: Women had entered a foreigner's house without official permission; they had been present with Afghan men; they had not been wearing a *burqa* - a garment covering the body from top to toe with only a small, lace-covered opening to look through; they had been photographed and music was being played with both Afghan and foreigners together during the ACF function.

The UN, the Organization of Islamic Conference (OIC) and the EU protested against the arrest of the French aid workers and called for their release while the French government sent special representatives to Kabul to negotiate their freedom.

On 19 March, a three-man Taleban tribunal reportedly sentenced the two Frenchmen to one month imprisonment, and the five Afghan prisoners to one-and-a-half month imprisonment with between nine and 29 lashes. However, official statements enumerate punishments for only

four of the Afghan men, which raises fears about the life and safety of the fifth detainee who had reportedly suffered severe beatings during the early stages of his arrest.

According to reports, OIC deputy Secretary General, Ibrahim al-Bakr who was in court to hear the verdict said *"the crimes of these young men deserve more punishment according to Islamic law, but because of the Taleban's tolerance and the mediation of the OIC, they have been kind enough to issue this clemency, not only for two foreigners but also for the Afghans."*

"Although these efforts resulted in the release of the two French aid workers, we fear that governments and intergovernmental organizations are likely to consider the case of the five Afghan prisoners closed -- they are likely to become forgotten prisoners of conscience," Amnesty International said.

Amnesty International is also gravely concerned that the prisoners have been sentenced by a Taleban court to flogging -- a cruel, inhuman, and degrading punishment forbidden by international law. The organization is urging the Taleban authorities to release the five men immediately and unconditionally, and to ensure that they or anyone else in the areas they hold is not subjected to flogging.

Amnesty International is urging intergovernmental organizations to persist in their efforts to obtain the immediate release of the five Afghans prisoners now that the two Frenchmen have been released. They should also seek to prevent the flogging of the five men.

ENDS/