

Public Statement

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Afghanistan: Urgent action needed on prison conditions

The lives of thousands of prisoners in Afghanistan are at risk because of the conditions in which they are detained, Amnesty International warned today. Visitors to detention facilities are reporting that prisons are dangerously overcrowded and that prisoners lack adequate food and medicine and are not sheltered from severe winter conditions.

Under the Bonn agreement, the Afghan Interim Authority is formally responsible for detention facilities. However, under international law, the USA has continuing responsibilities for the welfare of prisoners who were in US custody before being handed over to another party. Other governments, including Canada and Pakistan, whose forces have detained and handed over prisoners share these responsibilities.

It is also apparent that the USA has significant influence over the situation of prisoners in facilities run by Afghan authorities. US personnel reportedly interviewed detainees in Shibarghan prison and took a number of them to the US-controlled facility at Kandahar airport, from which prisoners have been flown to the US detention facility at Guantánamo Bay, Cuba. In a statement on 30 January 2002, US Secretary of Defense Donald Rumsfeld indicated that the USA exerted control of the thousands of detainees in Afghanistan, including those currently held by Afghans. He stated: “ [T]here’s thousands of these people that are being held by the Afghans, they’re being held by the Pakistanis, they’re being held by us. And as we go through and look at them, we’re giving a great --large number back to the Afghans as people that were foot soldiers in the Taliban, and a lot back to the Pakistanis

that were foot soldiers in the Taliban, and trying to sort out the al Qaeda and the more senior Taliban."

Amnesty International also has serious concerns about conditions at the US-controlled Kandahar airport facility which was established in mid-December. Journalists who were present in December when the detainees reached the airport have reported that on arrival the prisoners were gagged and blindfolded, with their hands and feet shackled, and with all the prisoners tied together in a long line. They are reportedly being held in cells made of concertina wire, in an unheated former airport storage area with a dirt floor. The building is reportedly lit 24 hours a day by strong halogen lights.

Amnesty International believes that all fighters taken captive by or held for any period by US or other international forces in Afghanistan should be presumed to be prisoners of war (POWs). The USA has an obligation to ensure that all POWs whom they have handed over to Afghan authorities are being treated in accordance with the Geneva Conventions. The US authorities should immediately investigate reports of inhumane conditions of detention that have been brought to their attention and take urgent steps to ensure compliance with international standards. Prisoners must be provided with adequate food and clothing, clean water and medical care, and be housed in facilities that are not overcrowded and provide adequate protection from the elements.

The organization emphasized that the USA and the international community must use their influence and provide resources to the Afghan authorities to make sure that all those deprived of their liberty in Afghanistan are treated humanely. It is vital that all detention facilities are open to inspection by independent experts who are able to report publicly and draw attention to serious concerns. Being held prisoner, whether as a criminal suspect or POW, should not entail risking death by disease and exposure.

At Shibarghan prison in northern Afghanistan, a team from the organization Physicians for Human Rights has just reported that diseases - including dysentery, pneumonia and hepatitis - are rampant, the water supply is unclean and sanitation is virtually absent (see: A Report on Conditions at Sheberghan Prison, Northern Afghanistan, January 28, 2002 at www.phrusa.org/research/afghanistan/report.html). The facility's commander told the team that "many" prisoners had already died but that he had had "minimal" response from the international community to his requests for help in dealing with the situation. The prison was designed to hold 800 prisoners but currently has more than 3,000.

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