

## Chronology

- 1973 President Mohammad Daoud assumes office after a military coup.
- December 1979 Soviet troops invade Afghanistan.
- Early 1980 Armed tribal groups begin a *jihad* against the Soviet-installed government.
- 1980 The main Afghan Mujahideen groupings and armed tribal groups begin to win control of pockets of territory inside Afghanistan.
- 1980 to 1989 Civil war in most parts of Afghanistan, excluding major cities, between armed Mujahideen groups and government forces.
- 1986 President Mohammad Najibullah takes office.
- February 1989 Soviet troops complete their withdrawal from Afghanistan.
- February 1989 to April 1992 Increasing armed conflict between government and opposition forces.
- April 1992 Under a UN peace plan, President Najibullah is replaced by a four-member council of the ruling Watan (Homeland) party.
- Late April 1992 an interim government led by Professor Sebghatollah Mojaddedi takes power.
- June 1992 An interim government led by Borhanuddin Rabbani assumes office; the Islamic State of Afghanistan is declared.
- December 1992 Borhanuddin Rabbani elected as President, Gulbuddin Hekmatyar as Prime Minister of the Islamic State of Afghanistan.
- 1992 to early

- 1995** Fighting spreads to all major cities, particularly Kabul, as two major alliances — *Shura-e Nezar* (Supervisory Council), an alliance including *Jamiat-e Islami* (Society of Islam), and *Shura-e Hamahangi* (Supreme Coordination Council), an alliance of the forces of General Dostum and Gulbuddin Hekmatyar's *Hezb-e Islami* (Party of Islam) — compete for control of administrative centres.
- Late 1994** The Taleban emerge as a strong military force, capturing nine of Afghanistan's 30 provinces.
- Mid-1995** Efforts by the UN to set up a broad-based interim administration in Afghanistan have failed. *Jamiat-e Islami*, led by President Rabbani, which includes the forces of *Shura-e Nezar* and Ismael Khan, as well as *Ittehad-e Islami*, control Kabul and at least seven provinces in a strip stretching from eastern Afghanistan to the west. *Shura-e Hamahangi*, which includes the forces of General Dostum, *Hezb-e Islami* (Hekmatyar) and *Hezb-e Wahdat*, control at least seven provinces, mainly in the north. The Taleban maintain control of eight provinces in the south and parts of four others. Various Mujahideen groupings control other provinces.

## GLOSSARY

<i>Afghani</i>	Afghanistan's currency:	1 million Afghanis are worth US\$ 250
<i>Afghan Mellat</i>		Afghan Social Democratic Party
CIA		Central Intelligence Agency, United States of America
<i>Harekat-e Inqilab-e Islami</i>		Movement for Islamic Revolution, Shi'a, led by Sheikh Asif Mohseni
<i>Hezb-e Islami</i>		(Hekmatyar) Party of Islam, Sunni, Pashtun, led by Gulbuddin Hekmatyar

<i>Hezb-e Islami</i>	(Khalis) Party of Islam, Sunni, Pashtun, led by Yunus Khalis, a splinter group from <i>Hezb-e Islami</i> (Hekmatyar)
<i>Hezb-e Wahdat Islami</i>	Party of Islamic Unity, Shi'a, Hazara, led by Karim Khalili
ICRC	International Committee of the Red Cross
<i>Ikhwan-ul Muslemin</i>	Muslim Brotherhood, an Islamist Arab group in the Middle East
ISI	Inter Services Intelligence, Pakistan
<i>Ittehad-e Islami</i>	Islamic Alliance, Sunni, Pashtun, led by Abdul Rasool Sayyaf
<i>Jamaat-e Islami</i>	Society of Islam, a Pakistani party
<i>Jamiat-e Islami</i>	Society of Islam, Sunni, led by Borhanuddin Rabbani. Its military commander, Ahmad Shah Masood, leads <i>Shura-e Nezar Shomal</i> (Supervisory Council of the North), Tadjik, an alliance of <i>Jamiat-e Islami</i> and a number of other parties and prominent figures, including the influential Governor of Herat, Ismael Khan.
<i>Jihad</i>	Islamic holy war
<i>Jonbesh-e Melli Islami</i>	National Islamic Movement, Uzbek, led by General Abdul Rashid Dostum
Mujahideen Soldiers of Islam	
<i>Nasr</i>	Victory, a Shi'a Afghan group supported by Iran
KHAD	<i>Khademat-e Ittela'at Dowlati</i> , State Information Services, the former Afghan government's secret police
PDPA	People's Democratic Party of Afghanistan, the party of the former government later renamed the <i>Watan</i> party: dissolved in 1992 when President Najibullah's government fell.

<i>qazi</i>	Islamic judge
<i>Sepah</i>	The Army, a Shi'a Afghan group supported by Iran
<i>Shura-e Hamahangi</i>	Supreme Coordination Council, an alliance of the northern-based forces of General Dostum and <i>Hezb-e Islami</i> (Hekmatyar)
<i>Shura-e Nangarhar</i>	Council of the Nangarhar Province, led by Haji Qadir
<i>Shura-e Nezar Shomal Taleban</i>	See <i>Jamiat-e Islami</i> Religious students, an Afghan armed political group which emerged as a strong military and political force in November 1994
UN	United Nations
UNICEF	United Nations Children's Fund
USA	United States of America
<i>Watan party</i>	Homeland party (see PDPA above)
<b>Prominent figures</b>	
Daoud, Mohammad	President of Afghanistan who assumed office after King Zahir Shah was ousted in a military coup in 1973
Dostum, General Abdul Rashid	Leader of <i>Jonbesh-e Melli Islami</i>
Hekmatyar, Gulbuddin	Leader of the main faction of <i>Hezb-e Islami</i> and Prime Minister of the Islamic State of Afghanistan (mid-1992 to late 1994)
Karmal, Babrak	President of Afghanistan (1979 to 1986)
Khalili, Karim	Leader of <i>Hezb-e Wahdat Islami</i> since March 1995 when he replaced Abdul Ali Mazari
Khalis, Yunus	Leader of his own faction of <i>Hezb-e Islami</i>
Khan, Ismael	Governor of Herat (see <i>Jamiat-e Islami</i> )
Mazari, Abdul Ali	Former leader of <i>Hezb-e Wahdat</i> , who was killed while held by the <i>Taleban</i> in March 1995

Masood, Ahmad Shah    Leader of *Shura-e Nezar Shomal*, (see *Jamiat-e Islami*)

Mohseni, Sheikh Asef    Leader of *Harekat-e Inqilab-e Islami*

Mojaddedi, Professor Sebghatollah    President of interim government (April to June 1992)

Najibullah, Mohammad    President of Afghanistan (1986-1992)

Qadir, Haji    Leader of *Shura-e Nangarhar*

Rabbani, Borhanuddin    Leader of *Jamiat-e Islami*, President of the Islamic State of Afghanistan (mid-1992 to present)

Sayyaf, Abdul Rasool    Leader of *Ittehad-e Islami*

### Introduction

During a rare lull in the bombardment of Kabul in 1994, a woman left her home to find food. Two Mujahideen guards grabbed her and took her to a house, where 22 men raped her for three days. When she was allowed to go home, she found her three children had died of hypothermia.

Such are the daily tragedies in Afghanistan. For more than a generation, Afghan civilians have been the main victims of a human rights catastrophe. It is a catastrophe that has been fuelled by outside powers and is now being largely ignored by the rest of the world.

The crisis began in December 1979 when Soviet troops invaded Afghanistan. Mujahideen and tribal groups responded by mounting armed opposition to the Soviet presence and the Afghan Government. As Afghanistan plunged into civil war in early 1980, governments around the world eagerly lined up to offer political and military support to the various factions. None seemed to care that the groups they were supporting were terrorizing defenceless civilians. Political expediency was the priority — not human rights.

For over a decade vast quantities of arms and ammunition poured into a country that was riven by conflict. The states primarily responsible were the former Soviet Union (including its successor states of the Commonwealth of Independent States), the United States of America (USA) and its West European allies, Pakistan, Saudi Arabia and Iran. All either sold arms directly

to Afghan groups, financed arms purchases or facilitated transfers through their territory. Not once did any of them acknowledge that the arms were being used to commit human rights abuses on a mass scale.

The Soviet Union's aim after its invasion of Afghanistan was to install a pro-Soviet government. The USA's aim was to secure Soviet withdrawal. Countries neighbouring Afghanistan hoped to increase their influence in the region. The human costs of these aims were not borne by these governments. They were borne by millions of defenceless women, men and children in Afghanistan.

Even now, in the face of overwhelming evidence that armed Afghan groups are still abusing human rights, the countries which supplied arms are doing nothing to ensure that their weapons are not used to prolong Afghanistan's human rights disaster. In fact, several countries continue to provide military support to their favoured armed groups, seemingly indifferent to the consequences.

Amnesty International takes no position on the civil war or in general on the possession or trade of weapons. It does, however, oppose the transfer of military, security or police equipment from one country to another or the provision of personnel, training or logistical support whenever there is reason to believe that such transfers directly result in human rights abuses. Among the abuses of particular concern to Amnesty International in Afghanistan are extrajudicial executions, deliberate and arbitrary killings, torture, imprisonment of prisoners of conscience<sup>1</sup> and unacknowledged detentions. This report describes the nature of the human rights catastrophe experienced by the people of Afghanistan since April 1992. It is based primarily on testimonies taken from victims of human rights abuses and their families, most of whom were interviewed in Afghan refugee camps in Pakistan. It also draws on documents published in France, Iran, Pakistan, the USA and the United Kingdom, and unpublished reports received from human rights activists, military sources and journalists covering Afghanistan. Independent sources have been consulted to verify the details.

The report describes the types of weapons sent to Afghanistan over the years and identifies the main suppliers or facilitators of these transfers. It also

documents the type and scale of human rights abuses suffered by Afghan civilians or non-combatants at the hands of those using or controlling these weapons. Amnesty International believes that the military support given to the warring factions in Afghanistan by outside powers has directly contributed to a climate in which the fundamental human rights of all Afghans are treated with contempt.

Since the Soviet invasion, human rights violations and abuses have been committed in Afghanistan by government troops, members of the main Mujahideen groupings or by the forces of any local military leader who can establish control over a pocket of territory. As territory has changed hands, entire local populations have been targeted for retaliatory punishment, including deliberate and arbitrary killings and torture.

No section of the Afghan population has been spared from the terror. Among the victims particularly targeted by armed groups have been members of rival ethnic or religious groups, educated women, academics and other professionals, officials of the former government and journalists.

This report focuses on the human rights situation in Afghanistan after April 1992, when Mujahideen groups took control of parts of Kabul and other cities, although it also provides information on cases of human rights abuses by Mujahideen groups before then. Since April 1992, tens of thousands of civilians have been killed and tens of thousands more have been wounded in artillery attacks by all factions, some of which appear to have been deliberately aimed at residential areas because the people living there were considered to have supported a rival military leader. Thousands of men, women and children have been killed by armed guards during raids on their homes. Several thousand people are unaccounted for after being abducted by the various armed political groups.

Torture of civilians in their homes has become endemic. Women and girls are treated as the spoils of war, being raped by armed guards or sold into prostitution. Unarmed civilians suspected of belonging to a rival ethnic group are routinely beaten and otherwise ill-treated.

In almost every jail run by the armed political groups, torture is reported to be a part of the daily routine. Detainees have been forced to eat what they

were told was human flesh. Others have been given electric shocks. Yet others have been subjected to near-suffocation or have had their testicles crushed by pliers. Almost all detainees are beaten, deprived of food for long periods and exposed to extremes of hot and cold. Scores of detainees have reportedly died as a result of such torture and others have been killed.

Many people are imprisoned on the grounds of their political opinion, religion or ethnic origin. Some are being held as hostages. Journalists trying to report the war face imprisonment or death threats.

In some parts of the country, leaders of armed political groups act as Islamic judges and order punishments such as amputation and "execution" with no legal safeguards against their arbitrary decisions.

The widespread terror and devastation of the civil war have driven a fifth of Afghanistan's population from their homes. In late 1989 more than three million Afghan refugees were believed to be living in camps in border areas in Pakistan, with a further two million in Iran. After the Soviet withdrawal in 1989, many refugees went back to Afghanistan under UN-sponsored programs that encouraged their return. The vast majority, however, chose to remain where they were. Hundreds of thousands of Afghans, mainly those from rural areas, reportedly returned home after April 1992, although reports indicate that many subsequently left again for neighbouring countries. They were joined by hundreds of thousands of others who fled the country for the first time. Countless families have also been displaced within Afghanistan.

Across Afghanistan and even outside its borders, guards belonging to armed Afghan political groups commit human rights abuses without the slightest fear that they will be disciplined. There is no effective central authority to promote or protect human rights. Amnesty International has not identified a single case where armed guards have even been reprimanded by their faction leader for involvement in abuses. The transitional government too has not brought any perpetrators of human rights violations to justice.

All the abuses cited in this report contravene international human rights standards to which Afghanistan is a state party and the principles of international humanitarian law to which all governments and opposition

groups must conform. These standards protect fundamental rights such as the right to life and physical integrity — rights which are not derogable in any circumstances. Everyone in Afghanistan has a right to expect that all parties will respect minimum standards of humane behaviour enshrined in international human rights and humanitarian law.

Both customary international law and treaties such as the International Covenant on Civil and Political Rights provide that rights such as the right to life and the right to be free from torture and other cruel, inhuman or degrading treatment or punishment must always be protected by government authorities, whatever the circumstances. Even an acute public emergency or state of war are not justifications for their violation.

In addition to human rights standards, international humanitarian law establishes minimum standards for the protection of individuals in situations of armed conflict. In particular, Common Article 3, which appears in all four Geneva Conventions of 1949, clearly defines the people to whom its protection is extended:

*"Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause..."*

*Common Article 3 also requires that "in all circumstances" such people shall be "treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria".*

*The article prohibits certain acts "at any time and in any place whatsoever with respect to the above-mentioned persons", including:*

*"a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;*

*b) taking of hostages;*

*c) outrages upon personal dignity, in particular humiliating and degrading treatment;"*

Amnesty International has been campaigning for many years against breaches of international human rights standards in Afghanistan. It has

produced a series of reports<sup>2</sup> urging successive governments to improve their human rights records and introduce effective safeguards against violations. In 1986 it called on the government to implement a 12-point program of practical measures for the prevention of torture. It also urged the Government of the Soviet Union to implement a mechanism to prevent Soviet personnel in Afghanistan from committing acts of torture there and to bring to justice any found responsible for such human rights violations. In May 1988 Amnesty International presented evidence of a policy of deliberate killings by Soviet and Afghan government forces during 1987. In March 1991 the organization expressed concern about torture and prolonged detention without charge or trial of political prisoners. It urged the government of President Mohammad Najibullah to bring to justice anyone found responsible for these violations and to implement a number of safeguards. Another report published in 1991 raised concerns about thousands of political prisoners, including prisoners of conscience, who had been sentenced to death or terms of imprisonment after unfair trials before special courts.

Over the years Amnesty International has also repeatedly raised concerns about reports of human rights abuses by armed Mujahideen groups in Afghanistan, particularly torture and killings of prisoners.

In the wake of the withdrawal of Soviet troops from Afghanistan in February 1989, Amnesty International appealed for international protection for thousands of political prisoners held by the Afghan Government and Mujahideen opposition forces. It called on both to treat all political prisoners humanely and to protect them from torture and execution. It also called on the governments of the Soviet Union, the USA and Pakistan, as well as the UN, to use all international facilities at their disposal to ensure that international humanitarian and human rights principles were observed throughout Afghanistan. These appeals have largely been ignored.

This report cites in detail the human rights abuses within Amnesty International's mandate that continue to be committed with impunity in Afghanistan. Amnesty International believes that all the governments that have supported and armed the protagonists in Afghanistan's civil war must

take responsibility for their contribution to the human rights crisis in the country and play a constructive role in helping to resolve the crisis. It therefore urges them, as well as the transitional government in Kabul and the leaders of all the warring Afghan factions to do everything in their power to end the cycle of human rights abuses in Afghanistan.

### **1. Political Background**

Soon after Soviet troops arrived in Afghanistan in December 1979, tribal groups organized armed opposition to the Afghan Government. For these groups, it was the beginning of a *jihad*, an Islamic holy war. Today, after 16 devastating years of civil war, the country lies in ruins — and still the fighting goes on.

Within a year of the Soviet invasion, many Afghan armed tribal groups had established bases across the border in Pakistan's North West Frontier Province. All were receiving significant financial and military supplies from abroad, primarily from Pakistan, Saudi Arabia and the USA. In an effort to create a more effective opposition, the groups came under pressure, mainly from Pakistan, to merge with one of the seven Afghan political groups already formed in the North West Frontier Province's capital, Peshawar. The seven Peshawar-based groups had grown out of an opposition alliance formed in Afghanistan in 1972 calling itself *Jamiat-e Islami*, the Society of Islam, headed by Borhanuddin Rabbani. *Jamiat-e Islami* had been organized in response to the growing strength of another opposition group, the People's Democratic Party of Afghanistan (PDPA), which followed a Marxist-Leninist line. (The PDPA was later renamed the *Watan* (Homeland) party by President Najibullah who assumed office in 1986.) When the PDPA helped President Mohammad Daoud to gain power in a military coup in 1973, many *Jamiat-e Islami* members were arrested and imprisoned. However, Borhanuddin Rabbani and other leaders of *Jamiat-e Islami*, including Ahmad Shah Masood and Gulbuddin Hekmatyar, evaded arrest and fled to Pakistan.

Shortly after *Jamiat-e Islami* had established its base in Pakistan, it split in two. The group headed by Borhanuddin Rabbani retained the name *Jamiat-e*

*Islami*. The other group, led by Gulbuddin Hekmatyar, adopted the name *Hezb-e Islami*, Party of Islam. This then split into two. Its new faction, led by Yunus Khalis, also called itself *Hezb-e Islami*<sup>3</sup>. The four other Mujahideen groupings were formed at about the same time. The seven parties, which all adhered to the Sunni branch of Islam, established their headquarters in Peshawar, while their Mujahideen commanders set up military bases in pockets of territory they controlled inside Afghanistan.

Shi'a Muslims in Afghanistan who opposed the government in Kabul turned to Iran, where they organized a number of groupings. They also established bases in Shi'a-dominated areas inside Afghanistan with Iranian support and military assistance. An alliance of eight Shi'a Mujahideen groups formed in Iran claimed to represent the Shi'a minority in Afghanistan. Later, they all merged into *Hezb-e Wahdat Islami*, the Party of Islamic Unity, which then split into two factions: *Hezb-e Wahdat*, at first led by Abdul Ali Mazari and later by Karim Khalidi; and *Harekat-e Inqilab-e Islami*, Movement for Islamic Revolution, led by Sheikh Asef Mohseni.

Following the Soviet invasion of Afghanistan, human rights abuses by government and opposition forces escalated to an unprecedented level. The country plunged into civil war and was quickly turned into a Cold War battleground by the USA and Soviet Union, aided and abetted by other governments.

Almost 10 years of fighting later, on 15 February 1989, Soviet troops completed their withdrawal from Afghanistan as was required by the Geneva agreement of 14 April 1988, signed by Afghanistan, the Soviet Union, Pakistan and the USA. The withdrawal did not, however, bring peace. Conflict continued between the government under President Najibullah and armed opposition groups, with arms being supplied to the government by the Soviet Union, and to the Mujahideen by the USA, Pakistan, Iran and Saudi Arabia.

Despite some improvement in the human rights situation between 1987 and early 1992, both government and opposition forces continued to commit gross human rights abuses.

The Islamic State of Afghanistan

By early 1992 President Najibullah, the Soviet-backed leader who had replaced President Babrak Karmal in 1986, was facing escalating armed conflict in many parts of the country. Under a UN-sponsored peace plan, he announced that he would hand over power to a transitional government which, it was hoped, would have the authority to maintain law and order. However, Mujahideen groups who were party to the agreement immediately began converging on the capital, Kabul. Although the UN Secretary-General's personal representative reportedly failed to obtain assurances from these groups that they would not attack the city, the UN proceeded to set up a transitional government. In April 1992 President Najibullah was replaced by a four-member council of the ruling *Watan* party, of which he was the leader. Government officials met Mujahideen commanders, including Ahmad Shah Masood, outside Kabul and negotiated the transfer of power. President Najibullah was prevented from leaving the country by a former army general, Abdul Rashid Dostum, and took refuge in a UN compound in Kabul. He has remained there ever since.

Days after the fall of President Najibullah's government, old hostilities between the Mujahideen groups erupted into violent clashes. Intense fighting broke out between on the one side the combined forces of *Shura-e Nezar* (Supervisory Council of the North) and *Jamiat-e Islami* under the command of Ahmad Shah Masood, supported by the militia of General Dostum, and on the other side *Hezb-e Islami* (Hekmatyar). This led to the latter's withdrawal to the outskirts of Kabul. From there, they frequently launched rocket and artillery attacks on the city.

Under a general agreement between the Mujahideen groups in Peshawar, an interim government led by Professor Sebghatollah Mojaddedi took power in late April 1992 and the Islamic State of Afghanistan was declared. Two months later Professor Mojaddedi's government was replaced by another interim government, this time led by Borhanuddin Rabbani. This government was supposed to stay in office for four months, during which it was to hold elections. However, President Rabbani soon announced that elections would not be held because of the continuing civil war.

In December 1992 an assembly representing about half of the main Mujahideen groups elected Borhanuddin Rabbani as President for a two-year term. An accord signed by most Mujahideen groups in March 1993 and guaranteed by Pakistan, Iran and Saudi Arabia, confirmed President Rabbani would stay in office until the end of 1994. In May 1993 Mujahideen groups agreed a new cabinet headed by Gulbuddin Hekmatyar as Prime Minister. The result of all these manoeuvres was that the leaders of the main warring factions gained high posts in a divided and largely ineffective government. The cabinet, made up of ministers nominated by the various Mujahideen groups, held meetings, but Prime Minister Hekmatyar did not attend. The cabinet was unable to act as a viable government as fighting continued between forces affiliated to Prime Minister Hekmatyar and those affiliated to President Rabbani. In late 1994 Gulbuddin Hekmatyar's term of office as Prime Minister expired; Borhanuddin Rabbani continues to be President. On the ground, an alliance of Mujahideen groups led by Jamiat-e Islami under President Rabbani retained control of most of Kabul, while an opposition alliance led by Hezb-e Islami (Hekmatyar) controlled other parts of the capital. Autonomous commanders allied to one or other of the rival alliances controlled the rest of the country, some of which set up quasi-governmental structures. Control of territory shifted constantly and armed political groups continued to fight to capture Kabul and other major cities. As none of them could establish an effective central authority, lawlessness spread across the country.

With the formation of the Islamic State of Afghanistan the nature of the civil war changed, as did patterns of human rights abuses. Kabul and other major cities, which had remained largely unaffected by the previous fighting, became battlegrounds for rival Mujahideen guards as they competed fiercely for control of various administrative institutions. The civilian population increasingly suffered widespread human rights abuses as military commanders sought greater power for themselves, for their political party or for their clan. The people of Kabul were hit the hardest.

Alliances and hostilities between the warring factions since 1992 have been based on personal loyalties, ethnic identities and political beliefs. Some are

purely tactical and short-lived. The political groups often consider all members of a particular clan or all residents of a locality affiliated to a rival political group as enemies. As a result they target attacks at such people whether or not they are combatants.

From April 1992 until early 1995 there were two major political alliances fighting for control of territory and political authority in Afghanistan. One was the *Shura-e Nezar*, led by Ahmad Shah Masood, which is allied with all commanders belonging to *Jamiat-e Islami* and a number of smaller parties. The other was the *Shura-e Hamahangi* (Supreme Coordination Council), an alliance of the northern-based forces of General Dostum and the southern-based *Hezb-e Islami* (Hekmatyar). It also included the *Shi'a* party, *Hezb-e Wahdat*.

By February 1995 an armed political group known as the *Taliban* (religious students) had reportedly taken control of nine of Afghanistan's 30 provinces, the largest number of provinces controlled by a single party. The *Taliban*, many of whom received religious training in Islamic schools in Pakistan, emerged as a strong military and political force in November 1994 when they captured the city of Kandahar from Mujahideen groups.

In early March 1995 *Taliban* forces entered the Karte Seh district in western Kabul and disarmed *Hezb-e Wahdat* militia who were in control of the area. The forces of President Rabbani attacked Karte Seh on 10 March and the *Taliban* eventually withdrew from Kabul.

No precise details of the areas controlled by each armed political group inside Afghanistan have ever been available and conditions have been subject to constant change, but all groups are reported to be in control of some territory in various parts of the country. In June 1995 the political map of Afghanistan was believed to be as follows:

*Jamiat-e Islami*, led by President Rabbani, which includes the forces of Ahmad Shah Masood's *Shura-e Nezar*, Governor Ismael Khan and *Ittehad-e Islami* of Abdul Rasool Sayyaf, controlled at least seven provinces. *Shura-e Nezar* controlled Badakhstan, Bamiyan, the city of Kabul, Kapisa, parts of Logar, parts of Maidan, Parwan and Takhar. Ismael Khan controlled parts of Badghis, parts of Farah, Ghor and Herat.

*Shura-e Hamahangi*, which includes the forces of General Dostum's *Jonbesh-e Melli Islami* (National Islamic Movement), *Hezb-e Islami* (Hekmatyar) and *Hezb-e Wahdat*, controlled at least seven provinces. General Dostum controlled Baghlan (jointly with Jaffar Naderi, head of the Ismaili community there), Balkh, Faryab, Jowzjan, parts of Kunduz and Samangan. *Hezb-e Islami* (Hekmatyar) controlled Laghman.

*Shura-e Nangarhar*, which includes the forces of *Hezb-e Islami* (Khalis) and other Mujahideen groupings, controlled Nangarhar.

The *Taleban* controlled Kandahar, Helmand, Nimroz, Zabul, Ghazni, Paktia, Paktika, Uruzgan and parts of Farah, Khost, Maidan and Kabul province.

Other provinces were controlled by combinations of various Mujahideen groupings.

## **2: The world's responsibility**

Since 1979 the human rights crisis in Afghanistan has been exacerbated by outside powers. The Soviet Union, the USA and governments in countries neighbouring Afghanistan have consistently put their political interests above the human rights of Afghans. They have extended political, financial and military support to all sides in the civil war in the full knowledge that their allies were committing gross and widespread human rights abuses. The message they sent was clear: do what you like, as long as you win.

Each of these outside powers facilitated the formation of Afghan military forces and Mujahideen groups which would maintain close links with them. Thus Saudi Arabia established close ties with Mujahideen groups whose members included large numbers of volunteers from the Arab world. Iran backed the formation of Shi'a groups. Pakistan helped the Mujahideen groups based on its soil to form a coherent opposition to the Soviet-backed Afghan Government and provided the seven main Pakistan-based Mujahideen groups with military and other support.

The USA and its Western European allies promoted opposition to the Soviet invasion and the Kabul government. They developed close ties with the

Mujahideen leaders, providing them with weapons and money. The conduit for much of this support was Pakistan and its intelligence services.

While Afghans opposing the Soviet invasion welcomed such support, there is now a growing perception in the minds of many Afghans that this political and military support has itself fuelled differences along ethnic, religious and political lines. Many also believe that the continuation of outside military interference is the main obstacle to establishing a government acceptable to all parties in Afghanistan.

International efforts to find a political solution to the civil war were actively pursued when the Soviet troops completed their withdrawal in 1989. UN peace envoys met authorities in Pakistan, Iran, Saudi Arabia, Afghanistan, the Soviet Union and the USA to explore the possibility of establishing a broad-based government in Afghanistan formed by all Afghan political groupings. However, these efforts failed because of the refusal by some Mujahideen groups to accept the inclusion of President Najibullah or anyone from the *Watan* party.

In September 1991 the Soviet Union and the USA signed an agreement promising to end arms supplies to the warring factions by 1 January 1992. The agreement stated that "a cessation of hostilities is essential for the peaceful conduct of elections during the transitional period, and for a lasting political settlement". However, they made a mockery of their words by continuing to supply or finance the shipment of arms to the country. It is reported that the amount of arms entering Afghanistan actually increased during the period immediately following the agreement.

In 1992 the UN negotiated a new peace plan under which President Najibullah handed over power to a transitional government in April.

However, the UN did not obtain assurances from the Mujahideen groups who were encircling Kabul that they would not attack the capital. The peace plan collapsed as Kabul immediately became the focus of fierce fighting.

Subsequent efforts by the Head of the UN Special Mission to Afghanistan, Mahmoud Mestiri, to set up a broad-based interim administration to be established in February 1995 failed as the warring factions could not agree a peace formula. Today the UN peace plan appears to lack the active support

of the international community. It also appears to suffer from a lack of close coordination between the UN's political, humanitarian and human rights programs in relation to Afghanistan. Some Mujahideen groups have stated that a human rights component to any settlement would undermine Islamic law.

Afghan civilians have paid a terrible price for international involvement in their country's affairs. As the country descended into violence and lawlessness, the armed Afghan factions gained confidence and military might from the unconditional and uncritical support of foreign powers backed up by endless supplies of arms. The following pages describe the military supplies that have, without doubt, directly contributed to the human rights crisis that has engulfed Afghanistan for more than a generation.

*Arms supplied between 1979 and 1992*

The invading Soviet forces brought with them huge quantities of heavy weaponry. On the ground they had more than a hundred T-62 tanks and a large number of BTR and BMP armoured vehicles. The armoured vehicles were at first equipped with 73mm cannons and later with automatic 30mm cannons capable of a more effective spread of fire. Both Soviet and Afghan government forces used rows of BM-21 rocket launchers, each capable of firing 122mm projectiles in devastating salvos into residential areas.

The Soviet forces also brought aircraft to combat an enemy who was often camped out in inaccessible mountainous terrain. From the air they bombarded the countryside, killing and injuring thousands of civilians, creating millions of refugees and destroying crops and livestock.

By the end of 1980 about 130 jet fighters, including MiG-21, MiG-23 and Su-17, were flying missions from Bagram, Shindand and Herat military bases. The type and number of jet fighters increased over the years, among them MiG-27, Su-20 and Su-25. Several of these, such as the Su-20, were supplied to the Afghan air force for the first time during this period. By 1982, the Afghan and Soviet air forces in Afghanistan also had over 600 helicopter gunships, including Mi-6 and Mi-8, as well as more than 200 twin-engined Mi-24 helicopter gunships using rapid-fire machine-guns and multiple fragmentation rockets.

The USA was at the forefront of a counter-strategy to supply Mujahideen fighters with heavy weapons to combat the Soviet and Afghan army. Its Central Intelligence Agency (CIA) set up bank accounts in Switzerland into which donors from the USA, Europe and the Middle East directed their contributions. Some countries, as well as wealthy individuals, set up their own supply routes or sent money directly to their favoured Mujahideen groups. By late 1987, the total weaponry supplied or financed by the USA and transferred to Afghanistan had reached 65,000 tonnes. China also supplied heavy weapons, while Saudi Arabia financed some of the purchases. Pakistan became the primary route through which the weapons and money were channelled.

Initial supplies of heavy weapons from the USA and its allies included between 40 and 50 Swiss-designed Oerlikon anti-aircraft guns. According to reports, Blowpipe surface-to-air missiles were obtained from the UK and mortars from Egypt.

To keep US supplies and support clandestine, the CIA procured the arms and sent them to Pakistan, where it was left to the Pakistani Inter Services Intelligence (ISI) to distribute them at its discretion. No detailed records of the number or types of weapons are known to have been kept by either the CIA or the Pakistani military. The arms were transferred by the ISI to major storage depots, including the largest one at Ojhiri near Rawalpindi, or directly to the depots in the border areas. The majority of the arms were handed over to Afghan party leaders based in Peshawar and Quetta and large quantities were sent to field commanders inside Afghanistan. For example, in 1986 about a hundred US-made Stinger surface-to-air missiles were passed on to Mujahideen groups favoured by the ISI, particularly to *Hezb-e Islami* (Hekmatyar).

According to reports, CIA funds were also used to buy weapons from Egyptian military stocks provided by the Soviet Union in the 1960s, and from China. These included RPG-7 grenade launchers, 82mm recoilless rifles, 82mm mortars, ZPU-2 anti-aircraft guns, mines and boxes of ammunition. Governments supporting both sides of the conflict directly supplied or facilitated the supply of vast quantities of light weapons. Many of these were

frequently transferred from one side to the other by deserting soldiers or Mujahideen commanders joining the army.

At the beginning of the war, the Soviet Union supplied enormous quantities of AK-47 Kalashnikov assault rifles to Afghan government forces. From 1983 it supplied new types of military equipment, including the AK-74 assault rifle. BG-15 single-shot 40mm grenade-launchers were attached under the barrel of the AK-74, allowing a grenade to be fired several hundred metres.

US-financed purchases of light weapons included countless Soviet-made AK-47 Kalashnikov assault rifles, which were bought from various countries. Similarly large quantities of Kalashnikov assault rifles Type 56 were purchased from China. Huge shipments of Technovar anti-personnel mines were bought from Egypt. Smaller quantities of light weapons were purchased from other countries. For example, the CIA was reported to have financed the purchase of 60,000 rifles, 8,000 light machine-guns and over 100 million rounds of ammunition from Turkey. Some 100,000 rifles were reportedly purchased from India.

According to one estimate, by mid-1991 over 400,000 Kalashnikov rifles had been provided under the US covert program to the ISI for distribution to the Mujahideen groups. If anything, this estimate is probably too low.

Information reportedly disclosed by a former ISI head indicates that as of 1993 as many as three million Kalashnikovs were available to the ISI for distribution through the "Afghan pipeline", a US-organized arms channel providing mainly light weapons to assist the Mujahideen in their struggle against Afghan government and Soviet forces. Pakistan was the conduit for the arms, the CIA was the supplier and the ISI was the distributor.

Unguided rockets were also widely available to Mujahideen groups. Of these, the Chinese-made 107mm rockets were the most popular. They have a range of about eight kilometres and use a high explosive fragmentation warhead for maximum — and devastating — effect on human bodies. In 1984, 12-barrel Chinese-made rocket launchers, Type-63 207mm, were sent into Afghanistan.

Arms supplied to the Afghan warring factions soon became widely available to any armed political group in the region. Arms from the Afghan pipeline or those captured from Soviet forces were sold to illegal arms markets in Pakistan by Afghan tribal leaders, armed guards and refugees. Most ended up in the arms markets in Landi Kotal, Dara and Miram Shah in Pakistan's North West Frontier Province.

Weapons openly and abundantly obtainable there today represent the type and quantity of the arsenal currently in use in Afghanistan. They include the full range of Kalashnikovs made in China, Eastern Europe and the Soviet Union. Arms sent through the Afghan pipeline to the Mujahideen fighters from countries in Europe and the Middle East are also available. These include the M-16A2 9mm Calico carbine, the Winchester pump action shotgun, the long-barrelled Uzi carbine, the West German MP5 sub-machine-gun, and G-3 assault rifles from Iran or made in Saudi Arabia. Huge amounts of ammunition were also supplied to both sides to the Afghan conflict. Millions of rounds were supplied by the Pakistan Ordnance Factory. One of the largest ammunition depots in Afghanistan is reportedly located in Shin-naray in the border area near Kandahar; it was reportedly built by the ISI soon after the Soviet invasion and in early 1992 had over 600 staff, paid by Pakistan.

#### *Arms and ammunition after 1992*

After the fall of President Najibullah's government in April 1992, military equipment, including weapons and ammunition held by the Afghan army, was seized by the warring factions. Much came under the control of *Shura-e Nezar*, but large quantities were also taken over by the forces of *Hezb-e Islami* (Hekmatyar), *Jonbesh-e Melli Islami* of General Dostum and *Hezb-e Wahdat*. Smaller armed political groups also took a share of the stockpile. At least seven military air bases — at Bagram, Kabul, Shindand, Kandahar, Jalalabad, Feyzabad and Kunduz — were operational in Afghanistan before April 1992. With the exception of those at Kandahar and Jalalabad, these came under the control of *Shura-e Nezar* and *Jamiat-e Islami*. The hundreds of jet fighters, helicopter gunships and other military aircraft left behind by

the Soviet Union at the seven bases are now in the possession of both President Rabbani's and opposition forces. Some have been used since April 1992 to carry out raids apparently aimed deliberately at residential areas in Kabul and other parts of the country in order to punish the local population. The huge ammunition depot at Shin-naray is believed to have changed hands several times since April 1992. It was initially reported to have come under the control of *Shura-e Nezar*, which began to sell some of the ammunition. In 1993 it was seized by *Hezb-e Islami* (Hekmatyar) and in late 1994 was believed to have been taken over by the *Taleban*.

Weapons held in Shin-naray in early 1992 reportedly included 400 Stinger missiles; these were said to have been transferred to Pakistan when the depot came under Gulbuddin Hekmatyar's control. As of early 1993, it was estimated that some 15,000 truck-loads of ammunition were being stored there.

All sides in the civil war appear to have access to an enormous range of powerful weaponry, which they continue to use to kill civilians deliberately and arbitrarily. For instance, *Hezb-e Islami* used cluster bombs in an attack on people queuing for food. Government troops used cluster bombs in attacks against residential areas in Kabul controlled by *Hezb-e Wahdat*, such as *Dasht-e Azadgan*, *Sara-e Ghazni*, *Karte Seh* and *Karte Char*.

Current inflows of weapons and ammunition, often through secret channels and from various sources, continue to supplement the enormous arms glut in the country. India, Iran, Libya, Pakistan, Saudi Arabia, Sudan, Tadjikistan and Uzbekistan have reportedly maintained military or security links with the warring factions in Afghanistan and continue to supply them with weapons and ammunition, even though it is abundantly clear that weapons are being used to commit widespread human rights abuses.

### **International responsibility**

Tens of thousands of civilians have been killed in deliberate or indiscriminate artillery attacks on residential areas by all factions in the civil war. These killings have been carried out with arms and ammunition supplied to the political groups by outside powers. Thousands of other civilians have been deliberately and arbitrarily killed at close range by government forces or

Mujahideen fighters using light assault weapons supplied from abroad. The abundance of weapons channelled to all sides in the war has also contributed to a climate of violence and impunity in which defenceless people are routinely beaten, raped, abducted and secretly detained.

Despite this, none of the countries that have supplied arms and ammunition to Afghanistan have ever taken any steps to ensure that their weapons would not be used to perpetrate human rights abuses. Nor have they acknowledged the part they have played in enabling Afghan military forces or Mujahideen groups to commit human rights abuses.

Amnesty International believes that all governments have a responsibility to ensure that arms which they supply are not used to commit human rights abuses. The organization takes no position on punitive measures such as sanctions, embargoes or boycotts, but is opposed as a matter of principle to military, security or police transfers to governments and armed opposition groups that can reasonably be assumed to contribute to human rights abuses such as deliberate and arbitrary killings, torture and ill-treatment. Such transfers may include equipment, personnel or training, as well as proven financial or logistical support for such transfers. Governments should prohibit such transfers unless it can be reasonably demonstrated that they will not contribute to human rights abuses.

Amnesty International therefore urges the governments of all these countries to acknowledge their share of responsibility for the current human rights disaster in Afghanistan and to take seriously their responsibility for helping to bring the human rights abuses in the country to an end.

### **3: Deliberate and arbitrary killings**

#### **Civilians targeted by bombings**

On a day no different from any other in 1993, a crowd of people stood waiting for a bus in Kabul. A moment later there was mayhem as bombs rained down around the bus stop. Bodies were strewn everywhere. One man's head was separated from his body. In a matter of seconds over 80 people had been killed or wounded.

In most other cities of the world, this carnage would have been marked by a national day of mourning. In Afghanistan, such scenes have become an

almost daily reality. According to reports, the area around the bus stop had been targeted for no other reason than that the local population were believed to have shown support to a rival faction.

The "normality" of the scene was described by three witnesses, who also told Amnesty International of the callous and casual response of those in charge of the area:

*"Soon after, armed Mujahideen guards in control of the locality came to the scene, searched the dead bodies and took away their money and valuables."*

The total number of unarmed Afghan civilians who have been killed by deliberate artillery attacks on residential areas in the past three years runs into the tens of thousands. Such killings have been reported from all parts of the country, although the vast majority of victims — more than 25,000 — have been killed in Kabul. They have died while posing no threat to anyone — while walking on the streets, sitting in their houses or sheltering in schools and mosques where they had hoped to find safety.

While many civilians have been killed as a result of attacks on military objectives, Amnesty International is concerned that many of the attacks on residential areas have reportedly been aimed solely at civilian targets. All factions have justified bombing residential areas by claiming that the people living there supported a rival faction.

In 1994 heavy-weapon attacks on civilians in Kabul reached a new crescendo. In August, three hospitals in Kabul were directly hit, killing over 30 patients and destroying medical supplies provided by the World Health Organization and the UN Children's Fund (UNICEF). According to one estimate, up to 800 people were killed and over 17,000 wounded when factions attacked residential areas in Kabul between 12 September and 12 October, apparently because they suspected the local population of supporting their political rivals. Most of the victims were unarmed women and children. Between 21 and 24 October at least 95 people were killed and over 290 wounded in bombardments aimed solely at residential areas where there was no military activity. Artillery and mortar fire around Kabul University, the Deh Mazang area and the so-called Television Mountain the same month killed at least 45 people and wounded 150. Eye-witnesses reported that one

of the bombs hit a school which was being used as a shelter for displaced people, killing 10.

Reprisal bombardments of residential areas continue to be a feature of the war. In March 1995 President Rabbani's forces launched a heavy assault using jet fighters against the Shi`a populated areas of Karte Seh in Kabul. This was apparently in retaliation for bomb attacks on Kabul allegedly by the forces of *Hezb-e Wahdat* and the *Taliban*. *Hezb-e Wahdat* defences had broken, their positions had been abandoned and according to all reports, there were no signs of military resistance. Nevertheless, the troops opened fire on the defenceless population. On 12 March President Rabbani's soldiers reportedly rampaged through Karte Seh, looting houses, killing and beating unarmed civilians, and raping women (see Chapter 5).

The use of cluster bombs on residential areas has been a common feature of attacks by most of the rival factions. An eye-witness to a retaliatory attack in Farah province in early May 1995 by the forces of Ismael Khan told Amnesty International:

*"They dropped a lot of cluster bombs, killing between 220 and 250 people. A lot of those killed were ordinary people who neither opposed nor supported any of the factions. The fighting had stopped and there was no military activity in the area for several days. But Ismael Khan's MiG-21, MiG-23, Su-17 and Su-18 were used against the residential areas. There was no military resistance. Only ordinary people were killed."*

#### **Killings by armed guards**

*"About 20 people came to [his] house. He was working as a driver after the fall of Najibullah's regime; in the past he had been a jagran [army officer] in the Afghan army. This was about 12 midnight. They asked him to hand over all his valuables. They then shot him dead there. They all had Kalashnikov rifles."*

These are the words of an eye-witness describing how armed guards had killed his neighbour in Kabul in late October 1994. He believes his neighbour was targeted because of his earlier association with President Najibullah's government.

Armed guards of the warring factions have killed thousands of civilians deliberately and arbitrarily at close range. The motives for such killings are many and varied. Some are motivated by hostility to certain ethnic and religious groups, or hatred of educated and secular-minded individuals or former government employees. Others are simply revenge killings stemming from a local dispute. Many unarmed men have been killed when trying to stop armed guards from looting their houses or raping young women and children. Women and children have themselves been killed when trying to resist abduction or rape.

Whatever the motive, the pattern is the same: in all cases reported to Amnesty International the armed guards have been able deliberately and arbitrarily to kill anyone standing in their way. For the defenceless victims, there is no one to turn to for protection.

The deliberate and arbitrary killing of people associated with the previous government as employees, party members or army officers intensified immediately after the collapse of President Najibullah's government. In one incident in May 1992 a man suspected of being a member of the former ruling party was arrested in the Ministry of the Interior building by the armed guards of *Shura-e Nezar*. Eye-witnesses reported that an armed guard tied him up and kicked him down a flight of stairs. On the ground floor a Mujahideen fighter allied to the new government reportedly clubbed him with a rifle butt. He then reportedly fired at least 10 bullets at the prisoner. After that he tried to cut the dead man's throat with a blunt ceremonial sword.

The former Chief Justice of Afghanistan, Abdul Karim Shadan, was reportedly abducted, tortured and killed in Kabul on 3 May 1992. Those responsible for his killing were reported to be Mujahideen armed guards acting on behalf of the new government.

Jamaluddin Omar, aged about 50, had been a senator during President Najibullah's government. In late 1994 he was stopped on his way to the local mosque in the Khairkhana area of Kabul by occupants of a Japanese-made jeep who took him prisoner. The next day his body was found in a nearby

refuse tip. The people who had seen the jeep reportedly identified it as a Kabul transitional government vehicle.

Similar killings of people associated with previous governments have also been carried out by armed political groups opposed to the transitional governments. Anwar was a former army officer living in the Bibi Mahroo area of Kabul. One morning in late 1994 an armed guard knocked on his door asking for water. When Anwar turned to get it, the guard shot him dead with a Kalashnikov rifle. Anwar's brother and family witnessed the incident but could not identify the Mujahideen group to which the guard belonged.

People associated with the former government have been targeted even when living in refugee camps in Pakistan. A former Afghan army officer spoke of his fear of being attacked by gunmen of the various Mujahideen groups operating in the camps:

*"There are many people from Afghan armed organizations here. We have to be careful. They threaten us. They could kill us. I was a former army officer but I have not disclosed that to the people here."*

Particularly at risk of assassination inside and outside Afghanistan are those who have dared to express their opposition to Mujahideen groups or even to the fighting in general. Afghans who favour peace through dialogue and the establishment of a secular democracy are repeatedly threatened with death. These threats take the form of letters and telephone calls; at times, they are made in person by members of various Mujahideen groups. Some of the threats have been carried out.

A well-known Afghan intellectual living as a refugee in Pakistan described the plight of secular-minded Afghans seeking a peaceful solution to the conflict:

*"Those who have opposed the fundamentalists have been eliminated in one way or another, for example Azizur Rahman Olfat, Dr Saadat Shegaiwal, Doctor Naseem Ludin, Engineer Aziz Osmani and last year [1993] in Peshawar, Wali Khan Karokhel. He was a strong supporter of the peace process. Two days before his assassination he had spoken against the intervention of neighbours in Afghanistan's affairs."*

Other victims of politically motivated killings include prominent Afghan personalities who may have been perceived as a threat to a particular armed political group's pursuit of power. Among the most well-known of such victims was Najmuddin Musleh, an Uzbek employed as a personal assistant to President Rabbani. He was a noted and widely respected politician who had held high government office, including the governorship of Takhar, Ghazni and Herat, during Mohammad Daoud's presidency. On 31 December 1993 he was sent to negotiate with General Dostum immediately before the renewed outbreak of fighting on 1 January 1994. Despite being an emissary, he was taken prisoner by the allied forces of General Dostum and Gulbuddin Hekmatyar. His place of detention was never disclosed. Members of the alliance publicly admitted that they were detaining him, but his family was not able to contact him.

Najmuddin Musleh was reportedly handed over to the forces of *Hezb-e Wahdat* in western Kabul. In April 1994 *Hezb-e Wahdat* reportedly asked his family for US\$5 million for his release, apparently expecting that the money would be provided by the government of President Rabbani. It was refused. In early March 1995 positions held by *Hezb-e Wahdat* in western Kabul were captured first by the *Taliban* and later by the forces of President Rabbani. When the latter entered a detention centre where about 1,500 prisoners were being held, they reportedly found that eight of the prisoners, including Najmuddin Musleh, had been shot dead. Former detainees reportedly testified that Najmuddin Musleh and others had been killed on 10 March by the armed guards of *Hezb-e Wahdat*.

Another well-publicized incident was the brutal killing of three members of Dr Saleh Mohammad Zeray's family in early 1995. Dr Zeray is an Afghan politician who had held senior government positions between 1978 and 1985. He reportedly left Kabul in early 1994 to escape threats against his life, and settled in Peshawar. His wife and two of their children stayed in Kabul. On 3 February 1995 officials of the government of President Rabbani found Dr Zeray's wife, Hajera Zeray, her eight-year-old daughter, Jamila, and her 12-year-old son, Arsala, dead in their Kabul flat. All had had their throats cut. No property had been looted. The officials had gone to evict the

family as their flat had been appropriated for use by a government minister. A group of official investigators, appointed by President Rabbani, reportedly confirmed that there had been no sign of other injuries or of a robbery. At the time of writing, no further news about the investigation or its outcome were available.

Dozens of journalists, writers and artists have been threatened with death and several journalists have been deliberately and arbitrarily killed by order of senior commanders of the warring factions. An Afghan journalist who had been arrested several times by commanders of the various Mujahideen groups told Amnesty International:

*"Journalists are accused by each party of working with another party. The concept of a journalist interested in the news is quite alien now. Each party has a hit list of the people they want to eliminate, which includes journalists."*

Journalists covering the conflict in Afghanistan for the international media are particularly at risk. Their names have reportedly appeared on the hit lists of more than one group. They have been warned not to report on armed groups' involvement in weapons transfers or alleged drug-trafficking, and many have had to leave the country.

Shah Mahmood Didar, a journalist working with the former government newspaper *Haqiqat-e Engelab-e Sour*, was killed in September or October 1992. He was abducted as he was leaving his house in Block 14, Microrayan 3, in Kabul by armed guards who were patrolling Abulqasem Ferdowsi School.

In March 1994 the forces of *Hezb-e Islami* (Hekmatyar) reportedly opened fire on three journalists in a car, using Kalashnikov assault rifles. An Afghan translator, Saboor Siasang, was hit in the neck. A Canadian journalist, Tyler Brule, was hit in both arms. All three survived.

Mir Wais Jalil, an Afghan *BBC World Service* journalist, was killed on 29 July 1994 after he had been abducted in an area reportedly controlled by *Hezb-e Islami* (Hekmatyar). He had received numerous death threats from different Mujahideen parties, including *Hezb-e Islami*. He was reportedly returning to Kabul after he had interviewed Gulbuddin Hekmatyar. A former associate of

Mir Wais Jalil told Amnesty International that even before the incident, a rumour was circulating in Kabul that he would be killed:

*"The wife of one of the members of Supreme Coordination Council came to Mir Wais Jalil's house two days before the event and told him that he should leave Kabul. She told him that there was a plot to kill him soon. There had been rumours for about a month that he would be killed. On the day he was killed, I was with a friend who was very worried. He said he could not eat because he had heard that something was going to happen to him that day." Attacks have been carried out against many other sections of the population. An eye-witness described to Amnesty International how a neighbour's shop had been raided by armed guards in Kabul in 1994:*

*"About seven men armed with Kalashnikovs went to his house and shop. They killed the shopkeeper and took his 22-year-old son prisoner. They took away all his money and his carpets."*

Similarly, a former government employee told Amnesty International:

*"I have seen many lootings. For example, the house of [name withheld], a medical doctor, was looted. This was about two months ago [August 1994]. They beat his wife and children mercilessly. He was not at home himself. It was obvious that they had come to kill him. They took all his belongings. I saw his son, a young man of about 20, shot dead right in front of my eyes."*

Some commanders have detained people while they are robbing them and then killed them. For example, in late June 1994 three Afghan businessmen — Mohammad Sediq, Abdul Jabbar and Mohammad Nasim — were returning home to Jalalabad after selling their goods in Mazar-e Sharif. A commander of an armed political group detained them in Dasht-e Kilagi near Pul-e Khomri in Baghlan province, and took their money. He then reportedly killed them and dropped their bodies in a well. The bodies were found three months later by the victims' families. A relative of one of the victims told Amnesty International:

*"The commander is still in control of that area [as of late 1994] and no one can question him about why he killed these three men. If he wanted their money, he could have had it. Why did he kill them?"*

People who resist the abduction and rape of women or who help abducted women to escape have often been killed themselves. In mid-1994, for example, a young woman (name withheld) was abducted by a commander allied to the forces of General Dostum in Mazar-e Sharif. Eventually, she managed to escape and contacted a young man in her family who took her to Moscow. The commander got to know about the young man and tried to find him, but he was out of the country. A relative told Amnesty International:

*"The commander decided to punish the family. He abducted the young man's sister and raped her in front of her mother. He then beat the mother. The young man, unaware of these developments, returned to Mazar-e Sharif. The commander's men found out and arrested him. They took him to the commander. The young man was beaten severely by the guards. Under torture, he disclosed the whereabouts of the young woman in Moscow. The commander then told the guards to bend him over; using his sword he beheaded the young man."*

Other people have been killed apparently because the Mujahideen groups disapprove of their jobs or level of education. A woman described to Amnesty International how her brother had been killed and mutilated in Kunduz province in late 1992 before the family's eyes:

*"One day, a group of about 60 Mujahideen guards from Hezb-e Islami of Gulbuddin Hekmatyar came to his house and told him he was to be executed because he had been teaching girls. They had a sharp axe and began to beat him. My brother kept shouting 'don't kill me, I am Muslim, don't kill me', but the guards said 'how could you have been a Muslim when you were teaching girls?'"*

A woman whose family home had been raided by Mujahideen guards in the western province of Farah in June 1994 told Amnesty International how her husband was first beaten and then executed in front of her and the children:

*"They kept beating him violently, saying he had been teaching girls at the village school. We all shouted for mercy but they did not stop. They then stood him in front of me and my four small children. One of them aimed a Kalashnikov at his heart and shot him dead."*

In some cases, people have been killed on direct orders from party leaders. An Afghan refugee told Amnesty International:

*"My brother told me that in early November [1993] a Mujahideen leader sent one of his commanders to behead a shopkeeper in Maiwand Road in Kabul with whom the leader had a grudge. His commander went to the area and beheaded another man by mistake, and took the severed head back with him. Everyone knew that he had beheaded the wrong man, but no one dared mention that to him."*

Others have been threatened with death if they disobey a commander's order. A man who had left Mazar-e Sharif in early 1995 described how a local militia commander had threatened to kill the father of a teenage girl if he refused to give her away:

*"The people in charge of the area are all Mujahideen commanders or former army officers who had bombed and killed our people in the past 14 years. I know for instance that one of these commanders sends people to identify teenage girls. He then sends his guards to bring those girls to him. Recently, one of these commanders forced a family to give away their daughter to him. The family objected at first. The commander offered money but the family did not accept that. He then told them that he would take away the girl and kill the father. So they had to agree. This was in February 1995. This commander was first affiliated to Jamiat-e Islami. Now he has made a pact with Abdul Rashid Dostum. The result is that he can do what he wants because he is attached to a strong military force."*

In some cases prisoners have been killed in detention and their bodies dumped in uninhabited areas. For instance, several prisoners arrested by the forces of General Dostum in Mazar-e Sharif were reportedly killed and their corpses dumped in different places in the city. The common knowledge of such abuses has created fear and insecurity among the civilian population. Amnesty International has not been able to identify a single case in which a Mujahideen guard has been held responsible for killing defenceless civilians. One of the main reasons for this is the system of political alliances which operates between the groups. Most commanders are believed to have no strong political affiliation; rather, they ally themselves to any powerful

commander who offers them a pact. This pact usually includes military support and the supply of weapons and money. The junior commander will then agree not to attack the positions of the senior commander. In order not to jeopardize the agreement, the senior commander refrains from enforcing any disciplinary control over the affiliate — hence offering a free licence for all human rights abuses.

### **Killings before April 1992**

The abundance of arms and ammunition and the total lack of control over their use — either by their international suppliers or by local senior commanders — fostered even before 1992 a climate of utter disregard for human rights. Amnesty International reported widely on human rights violations committed by Afghan government forces and Soviet personnel, including extrajudicial executions. Commanders and armed guards of all the Mujahideen groups committed abuses at will. Summary executions by the armed groups of captured government soldiers were frequently reported during and after the Soviet invasion. These included the execution in late 1987 of 25 government military officers at the Zhawar jail by the forces of Jalaluddin Haqqani, a Mujahideen commander then associated with *Hezb-e Islami* (Khalis). The same group was also reported to have executed in early November 1988 some 70 government troops holding a border post at Torkham, even though the 70 had reportedly switched allegiances and joined the Mujahideen. Witnesses reported that they were all summarily executed on Pakistani territory, just across the border from Torkham.

In another incident a Mujahideen force, which included Wahabi Arab volunteers, was reported to have summarily killed a number of government troops who had surrendered and at least 20 unarmed civilian women and men. The killings took place on 13 and 14 January 1989 after the force had taken control of the village of Kuna Deh in the Khewa district of Nangarhar province.

Mujahideen groups besieging the city of Jalalabad in March and April 1989 were reported to have shot dead government officers and soldiers after they had surrendered. In one incident, at least 20 government troops were reported to have been killed shortly after surrendering when the garrison of

Samarkhel, 13 kilometres southeast of Jalalabad, fell to the Mujahideen in early March 1989.

Captured Soviet soldiers were also deliberately and arbitrarily killed by Mujahideen groups.

Several prominent Afghan personalities killed before 1992 were assassinated on Pakistani territory. So far, no one has been brought to justice for their deaths. Among the victims was Mina Keshwar Kamal, a founding member of the Revolutionary Association of the Women of Afghanistan, a left-of-centre group. She was assassinated in February 1987 in her house in Quetta, Pakistan, reportedly by members of *Hezb-e Islami* (Hekmatyar). She had received repeated death threats for her "anti-jihad" activities. These reportedly related to her trips to Western Europe where she made public statements about the violation of the rights of Afghan women.

Professor Sayed Bahauddin Majrooh, a prominent Afghan intellectual who published an independent monthly bulletin in English from the Afghan Information Centre in Peshawar, was killed on 11 February 1988 after repeated death threats. He was known for his advocacy of a political solution to the Afghan conflict. He was killed by gunmen in his home in Peshawar. Several of the threats to his life are believed to have been made by *Hezb-e Islami* (Hekmatyar).

Dr Naseem Ludin, a medical doctor who headed the Afghan Health and Social Assistance Organization in Peshawar, was shot dead outside his home on 7 June 1989. Relatives witnessed the shooting. They identified two of the men who had held Dr Ludin but did not know the man who had shot him. The two were believed to be agents of the Afghan Government who had transferred their loyalties to *Hezb-e Islami* (Hekmatyar). They were arrested by the Pakistani police and held for three months. A police officer was reported to have said that the two men had confessed to their part in the killing of Dr Ludin, but they were later released. Despite repeated attempts by local lawyers to reopen the case, the Pakistani authorities showed no interest. Witnesses believe that *Hezb-e Islami* (Hekmatyar), which has often declared its opposition to welfare organizations funded by the West, may have been responsible.

On 28 August 1989 Mohammad Zakir, a field-worker in the Peshawar office of the International Committee of the Red Cross (ICRC) and a member of *Afghan Mellat*, the Afghan Social Democratic Party, was shot dead by two gunmen in a car near the ICRC hospital in Peshawar. Mohammad Zakir, who had earlier been imprisoned by the Afghan Government for his opposition to communist rule, was also a critic of some of the Mujahideen groups. Another prominent figure in *Afghan Mellat*, Dr Saadat Shegaiwal, was shot dead on 27 March 1990 by unidentified gunmen in front of the office of an Afghan refugee welfare organization in Peshawar which he had helped to set up in 1987.

### **Mass graves**

Many deliberate and arbitrary killings — both before and after April 1992 — have not been reported. It is unlikely that anything will ever be known about them except by the perpetrators and, perhaps, family members, neighbours or chance witnesses. In some instances, however, grim proof that they have happened is found when graves — often mass graves — are uncovered.

In 1992, just after the change of government, mass graves with dozens of bodies were discovered in Herat and close to Kabul in the Pul-e Charkhi area. In the midst of the civil war the graves were simply closed again. Without a state structure in place, no investigation could be undertaken.

Such discoveries have continued ever since. In March 1995, 22 bodies were reportedly discovered in a mass grave in Charasyab. Journalists watching troops of President Rabbani's government opening the grave reported that the bodies of the victims had been buried on top of each other in an irrigation ditch about 300 metres from the main road linking the town of Charasyab with Kabul. According to Reuter reports, the corpses were in varying stages of decay. The bodies were male, their hands were tied behind their backs and they had been shot in the head. Twenty of the victims were reportedly members of the Hazara Shi'a ethnic group.

It is difficult to establish which faction was responsible for these killings. Charasyab was captured by the *Taleban* from *Hezb-e Islami* (Hekmatyar), which was then allied to *Hezb-e Wahdat*, in late February 1995. In late

March President Rabbani's forces pushed the *Taleban* out and captured the city.

Another mass grave was uncovered in early April 1995, when women and children reportedly discovered about 20 to 25 bodies in the basement of the Faculty of Medicine at Kabul University. The bodies had been placed on laboratory shelves. They were decomposed and could not be identified.

Among them were reportedly a couple in their wedding clothes. One body was believed to have been that of a pregnant woman.

Bodies were also reportedly discovered in early 1995 in wells in Karte Seh and Karte Char. They too had decomposed and could not be identified. Other bodies were found in brick-making furnaces in western Kabul.

#### **4: Abductions, unacknowledged detention and hostage-taking**

A special kind of terror has haunted the people of Afghanistan for over a decade. It is the fear of abduction followed by silence. Friends, relatives or witnesses usually know who took the person away, but those responsible deny they are holding the victim.

Unlike political assassinations which usually follow death threats, victims of abductions have seldom been aware they are in danger. The cases reported to Amnesty International generally follow a common pattern: a car, usually a Japanese-made jeep ("Pajero"-type), suddenly appears, packed with guards armed with Russian or Chinese Kalashnikovs and hand-grenades. They circle the victim and then push her or him into the vehicle. The vehicle speeds away and in most cases nothing is heard of the victim for months or years. A few families have found out that the prisoner is alive, usually through a released former co-detainee or, in some cases, through a message sent from the military leader asking for money.

Thousands of people have been taken into unacknowledged detention by Mujahideen groups since April 1992. Thousands of others remain missing after abduction by such groups in previous years. Exactly how many thousands are unaccounted for may never be known as relatives are usually too afraid to speak out.

Almost all unacknowledged detentions have been politically motivated. The vast majority of victims were taken away by armed Mujahideen groups on suspicion that they were critical of the group, supported a rival faction or simply because they belonged to an ethnic group allied to a rival faction. In some cases, personal enmity between the victim and the local commander or his guards appears to have been the sole motive for the abduction.

Prominent personalities leading peace negotiations have been abducted by the warring factions in an attempt to sabotage the peace process. Some groups have admitted detaining such figures in order to demand payment for their release.

Afghans with specialist training and qualifications have been taken prisoner because of the faction's need for their services. They have included medical doctors who have been abducted to treat the wounded at the faction's headquarters, and people with specialist military training who have been forced to operate sophisticated military technology. As far as their families and friends are concerned, their fate and whereabouts remain unknown. Other civilians have been taken prisoner and made to dig trenches, clear mines, carry weapons and ammunition, or work as servants for the commander and his guards. Young women and children have been detained in order to be available for repeated rape or to be sold into prostitution. Their relatives have been unable to trace them.

Amnesty International has interviewed several former prisoners who were released from Mujahideen detention centres after they had been held in secret for years. All had been warned by their jailers not to disclose the details of their torture or the location of the secret detention centres. Some people who had been held in unacknowledged detention have been released as a result of negotiations. For example, Eden Fernandez, a British national, was released in January 1995 after being held for eight months by Hezb-e Wahdat. His release reportedly resulted from negotiations between British officials and Hezb-e Wahdat leaders.

Others have been released as a result of local pressure. An Afghan family recalled:

*" In Khost last winter [early 1994] a large number of people were arrested on charges of being 'atheists'. The people intervened. Some tribal people rose against these arrests, and declared that they had adopted all the men as members of their tribes, and that their detention would mean war. The Mujahideen groups released them."*

Some victims have been discovered when territory has changed hands. A detention centre belonging to *Hezb-e Wahdat* was reportedly opened in March 1995 when government forces captured positions held by *Hezb-e Wahdat* in Karte Seh, west of Kabul. Around 1,500 prisoners, including 150 women, were reportedly released.

The vast majority of those in unacknowledged detention, however, remain missing. For some families, the waiting for news has lasted nearly a decade. The following pages tell some of their stories.

#### **Before April 1992**

On the long list of those whose fate remains unknown are eight names. They have been held in unacknowledged detention since 1986. Eight names, each representing a young life that has been destroyed.

Abdul Shukkur, a law graduate from Kabul University, aged 25 in 1986.

Mirwais, the son of Abdul Wahab, a high-school student, aged 16. Zamarai, a graduate of literature, aged 27. Sarwar, a law graduate, aged 27.

Homayoon, a student of engineering, aged 21. Shir Aqa, a high-school graduate aged 22 with a wife and young daughter. Shukrullah, a high-school graduate, aged 21. Mahmood, a schoolboy, aged 14.

Their story began in November 1986 when *Hezb-e Islami* (Hekmatyar) approached a large Afghan family living as refugees in Pakistan and asked for volunteers to fight the *jihad*. The family gathered 50 men to join *Hezb-e Islami* forces, but soon lost track of the men.

A few weeks later, 42 of the 50 men returned to their family, saying that they had been detained at Shamshatoo and Wardak prisons run by *Hezb-e Islami* (Hekmatyar). The family complained to the Pakistani authorities. As a result the then Deputy Inspector General of Police sent 13 police officers to Shamshatoo prison, accompanied by two of the released prisoners, Gul Ajan and Hazrat Mir, and the family head's eldest son and his brother.

The prison, which had apparently been a weapons depot for *Hezb-e Islami* (Hekmatyar), was being patrolled by armed guards. The police broke the gate open and entered. They found four of the family's eight missing members, Shir Aqa, Shukrullah, Mirwais and Mahmood, who all had their legs in chains. The police took them to the police vehicle, still with their chains on. They then went back in for the four others who were believed to be held in other rooms.

At that moment, between 300 and 400 armed guards of *Hezb-e Islami* arrived. They attacked the police and when the police surrendered, the guards again seized the four prisoners and took them back into the jail. They also forced the four members of the family who had accompanied the police into the prison. The police negotiated with the guards for the release of all the members of the family. According to one of the new prisoners who was later released:

*"The police told the Hezb-e Islami commander that they could keep the four prisoners whom we had tried to save if they let the four of us go. The commander did not agree. The police then asked him for a written confirmation that the Hezb was holding the eight prisoners, but the Hezb agreed to confirm that they were holding only four of us, denying the imprisonment of the other eight."*

For three days and nights the four new prisoners were interrogated by *Hezb-e Islami* officials about who had disclosed the location of their detention centre. They were beaten and kicked by the guards. One of them later told Amnesty International:

*"They used sticks and iron rods, they dry-shaved our hair and pulled our beards. We were kept in two separate rooms, my brother and I in one room, and the other two in another one, and we were beaten."*

The four new prisoners were then handed over to ISI officials, who charged them with misusing Pakistani police uniforms during the operation. The four pleaded with the ISI officials to inquire into the fate of at least the four chained prisoners who had been seen by the police. The ISI agreed, but later informed the family that the political office of *Hezb-e Islami* (Hekmatyar) in Peshawar had denied that *Hezb-e Islami* was holding the prisoners.

The four prisoners who had been handed over to the ISI were then released. They reported the incident to the office of General Zia ul-Haq in Islamabad and were assured that an inquiry would be conducted. However, the ISI reportedly blocked the inquiry and an army general in Peshawar who had sought the release of the prisoners was reportedly removed to a remote area. Since the failed release attempt, the family has had no news of the eight prisoners.

Some people, including former political prisoners of the Watan party government, have been kept in secret detention for years. A man told Amnesty International how he had searched for his brother who had been abducted in Afghanistan by forces of *Hezb-e Islami* (Hekmatyar):

*"He had been imprisoned for 10 years in Pul-e Charkhi, the government's main prison near Kabul. He had been tortured. In March 1989 he was released and came to join the jihad. He was sitting in his house... but members of Hezb-e Islami came to visit him, then decided to take him. This was on [31 August 1989]. We do not know why they took my brother. We haven't been able to find him either dead or alive. He did not actually belong to any party, and he did not even oppose Hezb-e Islami."*

Mustafa Vaziri, an Afghan working as a photographer with a Kabul weekly magazine, was detained by forces of a Mujahideen group in front of several eye-witnesses in March 1991 when the city of Khost fell into that group's hands. There has been no news of his whereabouts since then.

Many other Afghans have been held in unacknowledged detention after being abducted in Pakistan reportedly by Afghan Mujahideen groups. Among them are people targeted for their political views. Abdul Jabbar Ashraf was last seen in November 1987 during a visit to Pakistan. He was an Afghan Mujahideen commander known for his anti-fundamentalist views. He had reportedly been due to meet *Hezb-e Islami* (Hekmatyar) officials on the day he went missing. He is believed to be held in Shamshatoo prison, although his family has never received any news of his whereabouts.

Sultan Ahmad was reportedly detained on 24 January 1989 by the forces of *Hezb-e Islami* (Hekmatyar) as he was leaving his house in Peshawar. Then 34, he was a lecturer at Kabul University. In the 1980s he had been

imprisoned under the government of President Najibullah. When he was released in 1988 he left for Peshawar. His family did not inform the Pakistani authorities of his detention at the time as they feared it would be counter-productive.

Abdul Fatah Wadoud, a 47-year-old agricultural expert with the World Food Programme office in Peshawar, was reportedly detained on 3 September 1989 by *Hezb-e Islami* (Hekmatyar) soon after leaving his office to visit an acquaintance. A representative of the group reportedly told the family that his release was going to be "very difficult", but he did not say where he was held.

Foreign nationals have also been abducted and held in secret by Mujahideen groups. A Canadian national, John Tarzwell, the office manager in Peshawar of SERVE, an international humanitarian relief organization, was reportedly detained by a Mujahideen group on the evening of 1 November 1989 after leaving his house to visit friends. It is believed that he may have alienated members of the group.

Repeated inquiries by friends, relatives and several organizations have not led to any definite information about Abdul Fatah Wadoud or John Tarzwell. Amnesty International wrote to the Chief Minister of the North West Frontier Province in February 1990, urging him to do all in his power to see that the police in his province expedite the search for the two men. There was no response.

Ahmad Ershad Mangal, a shopkeeper, was also last seen on 1 November 1989 in Peshawar. He had served in the Afghan army in Jalalabad and was involved in the fighting against the Mujahideen's attempt to take over the city in early 1989. His family contacted the police and other authorities in Pakistan for information about his whereabouts, but all the officials denied knowledge of him. About 45 days after he went missing a man who served in the intelligence department of *Hezb-e Islami* (Hekmatyar) secretly brought Ahmad Mangal's watch to the family in Peshawar and said he was in a detention centre run by *Hezb-e Islami* (Hekmatyar). Ten days later, the messenger was reportedly assassinated.

The family contacted *Hezb-e Islami* officials about Ahmad Mangal and they promised to look into the issue. Nothing came of it. On 17 February 1994 a former detainee told the family that he had spent the last eight months with Ahmad Mangal in a jail run by *Jamiat-e Islami*. He himself had been released during an exchange of prisoners.

Ahmad Mangal had reportedly told the former detainee that he had been arrested by members of *Hezb-e Islami* (Hekmatyar) and for three months had been tortured. He had been aware of efforts to get him freed, but before a release could be negotiated he was moved to a prison camp in Logar. There he was forced to train *Hezb-e Islami* (Hekmatyar) guards. When fighting escalated between the forces of the transitional government under President Mojaddedi and General Dostum after the collapse of President Najibullah's government, Ahmad Mangal was taken with 12 other prisoners to the Charasyab headquarters of *Hezb-e Islami* to dig trenches. The headquarters were then raided by *Jamiat-e Islami* guards, possibly in late 1992, and he was taken away by them. He told the released man that he had been tortured for several weeks by forces of *Jamiat-e Islami*. He was then taken to Kabul and transferred to an unknown location: the released prisoner said it was in Panjshir.

Ahmad Mangal's brother went to Kabul twice in July 1994 and contacted relevant offices of the transitional government of *Jamiat-e Islami*. He was told by several officials that prisoners like his brother were being kept in detention but that there was no way of identifying their location. They said that commanders maintain their own private jails, using the prisoners as house servants, or to work on the land or to undertake military or mine-clearing activities. The whereabouts of Ahmad Mangal remain unknown.

Abdul Naser Haroon was abducted in Peshawar in June 1990 by men in a jeep which eye-witnesses identified as belonging to *Hezb-e Islami* (Hekmatyar). He was then 32 and has two sons and a daughter. He had no party affiliation, but had expressed his opposition to policies of some of the Mujahideen parties. He is a member of the Pashai tribe. He has not been heard of since his abduction.

Some unacknowledged detentions have received more publicity. Abdul Rahim Chinzai, a former senior government official in Afghanistan, lived as a refugee in Peshawar. He had expressed his opposition to the policies of some of the Mujahideen parties in an Afghan-language periodical, *Faryad*. On 9 July 1991 he was abducted by unknown men while travelling to a mosque in the Gharib-abad area in Peshawar. According to eye-witnesses, at about 1.30pm three armed men driving a jeep drew up beside him, jumped out and forced him into the jeep. That was the last anyone saw of him.

In November 1991 Amnesty International received reports that Abdul Rahim Chinzai was still alive; he was being held by members of *Hezb-e-Islami* (Hekmatyar). The exact location of the detention centre was not known but it was believed to be one run by *Hezb-e-Islami* (Hekmatyar) in a border area between Pakistan's North West Frontier Province and Afghanistan. He was reported to be receiving medicine for his diabetes. There has been no news of his whereabouts in recent years.

#### **Since April 1992**

Amnesty International has been able to identify several former members of the Afghan armed forces before April 1992 who have been held in unacknowledged detention by Mujahideen groups since the fall of President Najibullah's government, but the actual number of such detainees is believed to be far higher. Most have been detained to punish them or so that their military expertise can be used.

Some have been targeted by forces allied to the transitional government in Kabul. For instance, Ajmal Sahak, aged 32, "disappeared" after being arrested on 19 May 1993 at his house in Khair Khana in Kabul by President Rabbani's forces; he had earlier been an officer in the presidential guard but in February 1991 had voluntarily retired from army service. He ran a vegetable shop in Kabul and was not politically active. His family has not been able to trace him.

Other former government officials have suffered a similar fate at the hands of armed opposition groups. Mohammad Joma Acahak, a general in President Najibullah's army in the north, was taken prisoner in late 1992.

He is believed to be held in a prison in Panjshir in Ahmad Shah Masood's headquarters.

Sultan, a former army officer, was told by the commander of a Mujahideen group that his services were needed and that he should stay in Afghanistan. They threatened to punish him if he tried to flee Afghanistan. The group found out that he had visited relatives in Sorkhab camp in Quetta in early 1993. Soon after his visit a jeep stopped next to him and guards armed with Kalashnikovs and hand-grenades grabbed him and pushed him into the vehicle. He has not been heard of since.

In mid-1993 Mohammad Yar, a former army officer, and six of his children, the youngest of whom was eight years old, were taken away by forces of *Hezb-e Wahdat* during a raid on their home in Microrayan in Kabul. The remaining children could not trace the arrested family members and left Kabul a few days later.

Several people are believed to have been abducted because of their efforts to find a peaceful solution to Afghanistan's civil war. Jamiatullah Jalal, a noted Afghan intellectual and the Secretary General of the Peshawar-based Council for Understanding and National Unity of Afghanistan, was last seen on 18 February 1995 in the Defence Colony area of Peshawar. The council is a newly formed grouping of secular-minded Afghan intellectuals working closely with the UN. It aims to find a political solution to the current armed conflict and this work has given rise to suspicion on the part of some factions. A neighbour said he had seen a man with a beard wearing a traditional sleeveless jacket entering Jamiatullah Jalal's house and greeting him. After a while, Jamiatullah Jalal and the man left the house. As usual, Jamiatullah Jalal locked the door and gave the key to the neighbour. The visitor had been seen at the house several times before and appeared to be a friend. When Jamiatullah Jalal failed to return home, his family approached the Pakistani police at East Thana police station. However, neither they nor anyone else have clarified Jamiatullah Jalal's fate.

Journalists and other professionals have also been targeted by opposition Mujahideen groups. Zia Nassery, a journalist in his early forties, was detained in Kabul by forces allegedly belonging to *Jamiat-e Islami* on 2 October 1992.

He had recently returned from the USA to Afghanistan to help internally displaced people. His family has not been able to trace him since his detention.

Sometimes it is not clear why the victims have been targeted for abduction. On 20 November 1993 the house of Assadullah Wakilzadeh was raided by a group reportedly belonging to *Jamiat-e Islami*. He resisted and was beaten unconscious; when he came round his 15-year-old son Rahmatullah 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 for the release of the children had failed, the family fled Kabul. The possible motives for the abductions include that the family are Hazaras, an ethnic group often targeted for human rights abuses by *Jamiat-e Islami*, or that the boys were sold as servants or forced to be fighters, or that Assadullah Wakilzadeh was being punished for working with foreign embassies. The children's whereabouts remain unknown.

Ghulam Farooq Gharazai, formerly a lecturer at Kabul University, was abducted by a Mujahideen group on 3 June 1994 in Kes Aziz Khan on the road from Kabul to Jalalabad. He was then 48 and working in a pharmacy in Jalalabad. He had previously been imprisoned between late 1979 and 1987, so was not allowed to teach at the university. He was returning home from Kabul when he was stopped by *Hezb-e Islami* (Hekmatyar) intelligence personnel. He was told to get out of his car and has not been seen since. His family refused to let the matter rest. They sent a man to Laghman to find him. The man approached the then commander of *Hezb-e Islami*, who reportedly told him that Ghulam Gharazai was being held at Naqloo jail near Kabul. The commander gave a handwritten note to the man to give to the head of *Hezb-e Islami*'s Jalalabad customs bureau, which operates as part of *Shura-e Nangarhar*'s structure. The note said that Ghulam Gharazai had been forced to get out of his car by personnel of *Hezb-e Islami* (Hekmatyar) and had been taken to Naqloo. However, neither the note nor the man's efforts resulted in any further news. *Hezb-e Islami* denied detaining him even though one of its commanders had acknowledged his detention.

A commander of *Hezb-e Islami* reportedly offered to obtain the release of Ghulam Gharazai for a large sum of money. The amount was well beyond the family's means. In mid-1994 a former prisoner who had been released from the Charasyab headquarters of *Hezb-e Islami* informed the family that he had seen Ghulam Gharazai there. As of mid-1995, Ghulam Gharazai's whereabouts remain unknown.

### **5: Torture and ill-treatment**

All factions in the war have committed rape and other forms of torture. Armed political groups routinely torture victims in their homes or in specially designed torture rooms in makeshift detention centres — usually the basement of a house or a metal container. Prisoners are brutally beaten, deprived of food and water, exposed to extremes of heat or cold, and, in the case of women and children, raped or otherwise sexually assaulted. In the more permanent detention centres torture and ill-treatment continue with the clear knowledge of the faction leaders.

Since April 1992 detention centres previously run by the KHAD, the former government's secret police, have been used by various armed political groups to detain and torture prisoners. Many of the groups have maintained other centres for more than a decade for the same purpose. Prisoners are tortured to punish or humiliate them on account of their ethnic or religious identity, or because they are suspected of working for a rival group. Some are tortured simply to extract money.

In recent years armed groups have been developing new forms of torture — as if the methods used for years were not bad enough. One of the most gruesome is the forcing of prisoners to eat what they are told is human flesh. A taxi driver travelling with a woman passenger was stopped by armed guards in early 1993. He later told Amnesty International:

*"We were stopped in Kuta Sangi area of Kabul, which is controlled by Hezb-e Wahdat. There were several of them. They took us to a house which they used as their base. They gave me a paper to write that I had sold my car to them. I refused, and they threatened that they would force me to eat human flesh.*

*They then began to beat me. I signed the paper, but they did not let us go. They then brought some cooked meat and forced us to eat. I ate a small piece and felt sick. They then gave me another paper on which they had written that the woman passenger was my sister, and that I would be selling her for a few Afghanis to them. I said I would not do that even if I was killed. They beat me for some time until their commander told them to stop. They told us to go. As we were walking down the stairs, I heard a noise from behind. I turned back and noticed that the woman was not there. I was threatened to go, otherwise I would be killed."*

Another new torture method reported in recent years is near-suffocation. An Afghan refugee described to Amnesty International how an acquaintance of his had been tortured by the security personnel of *Shura-e Nezar* in early 1994:

*"He had been a high ranking official of Shura-e Nezar suspected by its leaders of collaborating with Dostum and Hekmatyar. He was tortured very badly. Several times he was suffocated and brought back to life. He recalled how they would tighten a rope round his neck until he was just about to die, then they would let go of him. Many prisoners have died under this form of torture."*

In none of the cases of torture and ill-treatment reported to Amnesty International and described in the following pages has any investigation been carried out or sanctions taken against the perpetrators.

#### *Rape and beatings*

Women and girls all over Afghanistan live in constant fear of being raped by armed guards. For years, armed guards have been allowed to torture them in this way without fear of reprimand from their leaders. In fact, rape is apparently condoned by most leaders as a means of terrorizing conquered populations and of rewarding soldiers.

Age is no barrier to the cruelty of some armed guards. A 15-year-old girl was repeatedly raped in her house in Kabul's Chel Sotoon district in March 1994 by armed guards. She told Amnesty International:

*"They shot my father right in front of me. He was a shop-keeper. It was nine o'clock at night. They came to our house and told him they had orders to kill*

*him because he allowed me to go to school. The Mujahideen had already stopped me from going to school, but that was not enough. They then came and killed my father. I cannot describe what they did to me after killing my father..."*

The effects of such torture were graphically illustrated by several Afghan refugees when they described the plight of a young woman who lived in Shahrara district of Kabul in early 1994.

*"Her husband had been killed in a bomb attack. She had three children of between two and nine years old. One day she leaves her children to go and find some food. Two Mujahideen armed guards arrest her in the street and take her to their base in a house where 22 men rape her for three days. She is then allowed to go. When she reaches her home she finds her three children have died of hypothermia. She has now lost her sanity and lives in Peshawar."*

Some armed guards target women from ethnic minorities they regard as enemies. The following testimony was given to Amnesty International by a 40-year-old woman who fled to Peshawar in late 1993. In Kabul, she lived in Deh Dana area.

*"First, the forces of Hezb-e Islami began to fire rockets on our residential area from the Chel Sotoon mountains. After that, the forces of General Dostum came to the city. They are known as Gelim Jam (carpet-takers). These guards were only looking for Pashtun people, and would not actually kill non-Pashtuns. We were not Pashtun, so at least our lives were spared... The next day armed guards of Hezb-e Islami came to us. They carried out a lot of atrocities. For example, a number of young women in our street were raped by them. One young woman was taken away by them and a few days later her body was found somewhere in the city."*

She and her family spent five days in Khairkhana. She then returned to her house, only to find that it had been looted and turned into a check-point by armed guards. The family then left Kabul for Pakistan. A few months later the woman went back to Kabul:

*"I went there with my father-in-law. The armed guards were still in the house. They arrested me just outside my house and took me indoors to interrogate me. They beat me in my own house telling me that I had gone to*

*spy on them. They beat me hard on my shoulder with a rifle butt. It was very painful. They then told us to leave and never to come back."*

*Some women have attempted suicide to avoid being raped. Nafisa, a 25-year-old woman, reportedly threw herself off the top of a building when armed guards came for her in mid-1993. She survived, but her back and legs were broken.*

*Fear of rape and other abuses has led many families to leave Kabul. A young teacher who left Kabul for Pakistan in mid-1994 told Amnesty International that her parents were frightened that she and other women in the family might be raped by members of the warring factions:*

*"I was frightened of becoming dishonoured by the armed guards, so we left Kabul. My neighbour was a middle-aged lady and had young sons. This woman was in the nearby shop when Dostum guards raided the shop. They got hold of the shopkeeper and took him away. They locked this woman in the shop for about one and a half hours. They then let her go. She came to us and told us to leave as soon as we could. She said she had been dishonoured by the guards. We knew we had to leave."*

*Even when fleeing abuses, refugees face further terror. At various check-points, Mujahideen groups have abducted and ill-treated people who have escaped from Kabul. In the border areas near Pakistan, non-Pashtun people have been singled out, taken from their vehicles and beaten. An Afghan family who witnessed several incidents of refugees being beaten told Amnesty International:*

*"Mujahideen guards controlling check-points between Kabul and Pakistan consider people living in Kabul to be atheists, and subject them to beatings and arbitrary killings if they cannot pay the required money."*

*In the recent fighting, rape and other torture have been used as widely as ever. In March 1995 Shura-e Nezar forces reportedly carried out raids on hundreds of civilian homes in Kabul's southwestern district of Karte Seh, killing or beating whole families, looting property and raping Hazara women. One family, interviewed by a foreign journalist in Kabul, said President Rabbani's soldiers had told them they wanted to "drink the blood of the Hazaras". Medical workers in the area confirmed at the time at least six*

incidents of rape and two attempted rapes, but believed the actual number was much higher.

### **Torture in custody**

Torture is reported from all types of detention centres, whether they be the large prisons run by the main Mujahideen groups or the makeshift jails in houses or schools used by other groups.

Prisoners arrested by *Shura-e Nezar* forces in Kabul are apparently first taken to the detention centres formerly run by the KHAD (the *Watan* party government's secret police), known as *Riasat* (Directorate). As of early 1994, there were 200 prisoners held in *Riasat Awal* (Directorate One), formerly known as KHAD *Sashdarak*. Former prisoners interviewed by Amnesty International said that torture and ill-treatment were routine there.

A man arrested by *Shura-e Nezar* in early 1994 in Kabul told Amnesty International that he had been interrogated under torture by people from the Ministry of State Security. He said he was then categorized by the guards as a "political prisoner" and therefore deprived of contact with other prisoners:

*"I was put in an isolated cell. In the interrogation room, I could hear cries of pain from cells around me. They interrogated me by putting a picture of a person in front of me asking who he was. I did not know, so they gave me electric shocks. They brought some people from their 'committee to protect faith'. They started a new course of torture. They put one of my testicles between a pair of pliers and crushed it. I have had severe pain since then.*

*"I was kept in that dirty room for several months. They would not take me to the toilet. There was no water for me to wash my hands and face. One day, they hit me with a Kalashnikov rifle butt and my skull broke. Electric shocks continued to be given to my hands and feet. I was tortured there for two weeks every other night. One of my ribs was broken which healed on its own. They kept beating me. They wanted me to say yes to everything. They said I was a political prisoner — all this meant was that I should be kept in an isolation cell. In every 24 hours they would give me 250 grams of dried*

*bread. When I was released, my wife weighed me and I was only 48 kilograms. Normally I am 73."*

In January 1994 a journalist (name withheld) living in Kabul was reportedly detained and beaten repeatedly with a rifle butt by members of *Hezb-e Wahdat*. They accused her of wanting to send information to the enemy. She was told that she would be killed because of her bias against the party. She was then told that she would be released if she had sex with the armed guards. When she refused she was subjected to a mock execution. She was released when a large sum of money was given to the guards.

Prisoners held by almost any of the armed groups have been at risk of various forms of torture. Ghulam Sakhi Masoon, a professor at Kabul University and head of the Lawyers Association in Afghanistan, was held for several months in 1993 by *Hezb-e Wahdat* in a house in Karte Char in Kabul. His son had been taken prisoner by the same group earlier. The guards did not feed them for several days. They were told they would only be released if they gave the party 10 million Afghanis. A man who met them after their release said:

*"They thought he had made a lot of money. They blindfolded him and put the barrel of a Kalashnikov to his head. They even put him against the wall and performed a mock execution. He gave them 2.7 million Afghanis and the two were released. He then left everything he had and fled to Pakistan."*

Scores of prisoners from the Hazara ethnic group have reportedly been beaten for long periods in the Qala Haider Khan detention centre in Paghman province, which is run by *Ittehad-e Islami*. The prisoners have included women who had reportedly been abducted by the group's guards in order to be sold into prostitution or to be given as "gifts" to financial supporters.

Habibullah, a young man who sold small items at a street corner near Kabul University, was detained for six months in 1994 in Mahtab Qala jail in Kabul by forces of *Harekat-e Inqilab*, led by Sheikh Asef Mohseni. He and dozens of other prisoners were tortured and beaten. The guards kept asking him for money, but his family did not have much. Eventually, after six months of

torture, ill-treatment and hard labour in jail, he was released in exchange for five million Afghanis.

Gul Nabi Khan, a former army officer of the Afghan forces, went in early 1994 to visit his father-in-law in Karte Char. There he was stopped by *Harekat-e Inqilab* guards and taken prisoner. He was beaten so severely that he could not move. A witness told Amnesty International:

*"The guards thought he was dead so they dumped him at a corner. Some family friends brought him to his house. He has become totally paralysed."*

Another man reported how his son-in-law had been taken prisoner by the forces of *Harekat-e Inqilab* in Karte Char in June 1994:

*"He was taken to Mohammad Wazir prison and kept there for three months. Before his arrest, he worked as a driver. The guards asked him to give them the car. He refused, telling them the owner should agree. When the owner came, the guards beat him and took away his car. They then took the owner and my son-in-law to a prison at Mahtab Qala. They were held there in a dark room; they had to sit on a wet floor all the time. The owner had been tortured brutally. When he was released he could not stand on his feet. A relative negotiated their release. The party officials asked for five million Afghanis. The matter was settled with 2.5 million."*

Prisoners are routinely tortured in Bagh Rayees jail in Sarobi, which is reportedly used as an interrogation centre by *Hezb-e Islami* (Hekmatyar). The jail is located on the Jalalabad to Kabul route. Nesar Ahmad, 45, a well-known writer who had worked in the Ministry of Foreign Affairs under the government of President Najibullah, was arrested by *Hezb-e Islami* guards in Sarobi in October 1994. He was on his way to Pakistan. He was tortured in Bagh Rayees jail for several days and then transferred to Charasyab jail, where he was still held as of January 1995. In March 1995 Charasyab came under the control of President Rabbani's forces, but it was not clear if the prisoners held in the city were released.

Routine torture in detention centres is not a recent phenomenon. Many former detainees and members of various Mujahideen groups have described to Amnesty International how they were tortured and beaten in Mujahideen jails before 1992. In particular, unarmed civilians who did not help the

Mujahideen groups during military operations against their towns and villages were arrested and tortured by the groups who captured their area — a practice which has reportedly continued ever since.

*'Executions' and amputations ordered by Islamic courts*

In the climate of lawlessness that dominates much of Afghanistan, commanders of armed groups act as Islamic judges and dispense summary justice. Sometimes they give the task to local landlords with the same effect. In the first months of 1995 dozens of prisoners received punishments, including "execution" and amputation, ordered by recently established Islamic courts in areas of Afghanistan controlled by the *Taliban*.

Amnesty International takes no position with respect to the cultural, political or religious values which underlie administrative structures or judicial systems. It does, however, oppose executions and amputations in all circumstances on the grounds that they are cruel, inhuman and degrading punishments.

According to reports, each Islamic court set up by the *Taliban* deals with as many as a dozen cases every day, at times in sessions that last only a few minutes. One such court in Kandahar reportedly consists usually of four *qazi* (Islamic judges) who meet in a room or courtyard when there is a case. The witnesses and the accused are brought to the four *qazi* to plead their case. Prisoners are usually brought to them in shackles. The court reportedly deals with all types of complaint. In cases where the defendant is found guilty of murder, the court orders the "execution" of the prisoner by the relatives of the victim. They may choose to receive so-called "blood money" instead and let the convicted prisoner go free. The court's decisions are said to be final. The first ever reported amputation of hands and feet in Afghanistan was carried out in Helmand province in February 1995. An Islamic court set up by the *Taliban* had ordered the amputations on three men found guilty of theft. People reportedly flocked to an open ground in Lashkargah, the capital of Helmand province, where *Taliban* officials had announced through loudspeakers that the amputations would take place. An Islamic cleric reportedly narrated the background to the theft before two medical doctors

severed the limbs of the three men under local anaesthetic. The men were taken to the city's hospital where they received treatment for their injuries. According to reports, two men accused of murder were killed in Kandahar in early 1995 after a four-member Islamic court had ordered their "execution". The punishment of stoning is also apparently ordered by some Islamic courts. Amnesty International has received two reports of stoning since 1993, but it believes the number of people subjected to this form of cruel, inhuman and degrading punishment may be much higher. In early 1994 an Islamic judge reportedly ordered the "execution" of four men and the stoning of one woman in Kandahar province. His orders were said to have been carried out. A family leaving Kabul for Pakistan through Jalalabad in May 1993 told Amnesty International that they had recently witnessed a woman being stoned to death:

*"In Sarobi we saw a lot of people standing by on the river bank. We were told that a woman was being stoned near the river. We went forward and I saw her being stoned. We were told she had been married to an Hezb-e Islami commander who had then disappeared and had not been heard of for eight years. His wife's father had allowed the wife to marry another man. Now, the commander had come back and found out about the marriage. He told his men to find the woman and stone her."*

#### **6: Prisons and prison conditions**

In towns, villages and remote mountain areas all over Afghanistan the various armed political groups keep secret and not so secret detention centres. Some are former state buildings; others have been purpose-built in recent years. Many are makeshift and temporary — the basement of a group's field headquarters or simply a deserted house. Some of the armed groups maintain secret detention centres inside Pakistan. Whatever the style or location of the prisons, they all have one thing in common. The names or number of prisoners held in them are never made public.

Among the prisoners are non-combatant villagers and other civilians, at times entire families, who have been captured on suspicion of being

supporters of a rival faction. Also held are former government officials and, in a few jails, soldiers of the former Soviet Union captured between 1980 and 1988. Many are likely to be prisoners of conscience. Prisoners held in Mujahideen detention centres in Pakistan include abducted Afghan refugees and other people transferred from temporary Mujahideen jails in Afghanistan.

Former prisoners interviewed by Amnesty International speak of the appalling conditions in these jails. During the initial stages of detention, prisoners are deprived of food and denied access to toilet facilities for long periods. Torture is standard practice. Women and children are reportedly raped.

According to the many reports received by Amnesty International, prisoners are usually held in the basement of the building; the windows are reportedly bricked up so the rooms remain dark day and night. The floors are often wet and there is little or no ventilation. Each prisoner is given one blanket.

Water, which is often dirty, is given to the prisoners only once a day.

Prisoners with broken bones and other injuries sustained under torture develop infections which are exacerbated by the poor sanitary conditions. As the cells are never cleaned, newly arrived prisoners are quickly infected by the diseases suffered by other prisoners.

Prisoners usually remain in these conditions for several months. Their only chance of release is if the guards demand ransom money and the prisoner's relatives can pay. If the family cannot meet the ransom, the prisoner may be killed or sent to a larger detention centre.

Jail conditions in more permanent facilities are not much better. Prisoners still have limited access to food and toilet facilities. They are still denied family visits. They are also frequently ill-treated or tortured. Former detainees have informed Amnesty International that they have been forced to dig trenches or to clear mines. They have also said that prisoners have been treated as units of barter and may be released in exchange for a rival group's prisoners, for money or for arms.

After April 1992 some of the Mujahideen jails on Pakistani territory were reportedly closed. However, the jails controlled by *Hezb-e Islami* (Hekmatyar)

and those in remote border areas in Pakistan are reported to be still in operation.

#### *Prison sites since April 1992*

Most of the detention centres which were in operation before 1992 are believed to be still in use, although some of them have changed hands. In addition, after April 1992 the detention centres of the KHAD were taken over by various armed political groups. In almost all of them, prisoners are detained for prolonged periods and ill-treated.

The forces of *Shura-e Nezar* are believed to be using several former KHAD detention centres in areas under their control. Long-term prisoners are sent to detention centres in Panjshir, where they are forced to dig trenches or clear mines. According to reports, there are at least five jails in Panjshir valley holding political detainees. The number of prisoners kept in the valley's jails varies from a few dozen to several hundred. For example, 60 prisoners are reportedly kept in Sefid Chehr and 200 in Bazarak, the central jail.

Other jails where prisoners are held for long periods include Pariyan, Dara Abdullah and Dara Hazar. A former detainee who was held in one of the Panjshir jails for eight months told Amnesty International:

*"I was told that I was a political prisoner, so I was held in an isolation cell. The only definition I was given for a political prisoner was that no one should see me. Only one guard was allowed to see me. I was there until the end of Saratan [July 1994]."*

Scores of prisoners in Panjshir jails have reportedly been forced to do hard labour in the lapis lazuli mines. Some former prisoners have testified that their inmates died when stones and other debris fell on them. Others were injured but survived.

Jails in provincial capitals and cities are used by the commanders and governors for imprisoning their perceived enemies, including prisoners of conscience. For example, Herat Prison, which is used by the forces of Ismael Khan, holds several hundred prisoners. The majority of these are Uzbek militia supporters of General Dostum but scores of them are reportedly unarmed civilians held simply because they are Uzbeks. Torture and beating of prisoners in these jails have been reported.

The jails run by *Hezb-e Wahdat* (Mazari and Khalili) in Karte Char, Karte Seh and Dasht-e Barchi were in operation at least until March 1995 when the group lost control of these districts. In these jails, commanders tortured prisoners and held them for long periods. Among those detained was Najmuddin Musleh, who was killed in detention in early March 1995 just before *Hezb-e Wahdat* evacuated the jails (see Chapter 3). According to reports, prisoners' families were asked for large sums of money for their release. If the family could not afford to pay the ransom, the prisoner would continue to be tortured or killed. Many of the victims were from the Pashtun or Tadjik communities.

*Hezb-e Wahdat* has also held prisoners for up to several weeks reportedly in large metal containers in Afshar district. The containers had been used by the Soviet army to transport relief supplies. In addition to the usual lack of toilet facilities, prisoners held in these containers suffered from poor ventilation and excessive heat or cold.

*Harekat-e Inqilab*, led by Sheikh Asef Mohseni, uses Mohammad Wazir prison in Mahtab Qala, west of Kabul. Prisoners are kept there in dark rooms with wet floors. They are regularly taken to torture rooms in the same building. The guards reportedly torture prisoners to force their families to pay ransoms. One prisoner could hardly walk when he was released after about three months in captivity in 1994 because of the torture he suffered. He told Amnesty International that he had been forced to pay 2.5 million Afghanis for his release (see Chapter 5).

*Hezb-e Islami* (Hekmatyar) maintains several prisons, including Spina Shaga on Pakistani territory near the Afghanistan border. This is a large jail where more than 2,000 prisoners are reportedly held. The majority are reported to be educated Afghans who have been detained for being critical of *Hezb-e Islami's* program. The prison is extremely secure and a list of all prisoners is kept and made available to party leaders. According to former detainees and their relatives, the guards are recruited from volunteers from Saudi Arabia and other Arab countries; the majority belong to the Islamist Arab political group, *Ikhwan-ul Muslemin*, Muslim Brotherhood. Some guards are recruited from the ranks of the Pakistani Islamist party, *Jamaat-e Islami*.

Torture is reportedly systematic and widespread in *Hezb-e Islami* (Hekmatyar) prisons, sometimes resulting in death. The prisoners are forced to learn the Quran by heart and to do hard labour. Some are made to clear mines or dig trenches. Prisoners with medical or military training are forced to work in hospitals or to operate military equipment.

*Hezb-e Islami's* Bagh Rayees prison in Sarobi, between Kabul and Jalalabad, is normally used as an interrogation centre where newly detained prisoners are tortured. Prisoners are deprived of sleep, food and toilet facilities for long periods, and are forced under torture to "confess" to anti-*Hezb-e Islami* activity. Several Afghan intellectuals are known to be held under harsh prison conditions in this jail. As in other *Hezb-e Islami* jails, prisoners in Bagh Rayees are forced to carry out difficult and dangerous tasks such as clearing mines.

Until early 1995 the most notorious *Hezb-e Islami* jail was in Charasyab. Few of the prisoners held there had ever been released. This jail was taken over by the *Taleban* in February 1995 and by *Shura-e Nezar* forces the following month. To Amnesty International's knowledge, *Shura-e Nezar* has provided no information about the number, identity or fate of prisoners held there.

*Ittehad-e Islami* reportedly keeps several hundred prisoners in the party's main prison, Qala Haider Khan, in Paghman. Most are reportedly unarmed civilians held on suspicion of supporting rival factions. Many are from the Hazara ethnic minority. Pabo, another prison run by *Ittehad-e Islami*, is reportedly located in a border area on Pakistani territory and holds about 300 prisoners. Prisoners are reportedly tortured and ill-treated in both jails. General Dostum's forces had jails in Tapa Maranjan and Old Microrayan in Kabul when they controlled those parts of the city. They also hold prisoners in all the former prison buildings in northern areas under their control. Some of General Dostum's commanders have their own private jails. Torture and beating are reportedly widespread in all of these detention centres.

In addition to these prisons, most commanders run their own private jails. According to reports, prisoners in these jails are routinely tortured, with women and children in particular being raped. The commanders' main

reasons for holding prisoners are apparently to obtain ransoms or as a means of intimidating the local population.

Mujahideen jails were in existence even before 1992 (see page 74). For example, in late 1991 the seven main Peshawar-based Mujahideen groups and the militia commanders affiliated to them were believed to be holding about 1,500 prisoners in Afghanistan and approximately 1,000 in border areas within Pakistan. Most of the jails are believed to be still in use.

### **7: Conclusions and recommendations**

The world has betrayed the people of Afghanistan and then turned its back on their plight. As the country plunged into a civil war in which human rights abuses were being committed daily, outside powers lined up to offer political, financial and military support to the warring factions. At no time have any of the governments that supplied arms taken steps to ensure that they would not be used to perpetrate abuses. None can escape the responsibility for the weapons they have supplied, nor should they be allowed to ignore the major part they have played in enabling Mujahideen groups to commit human rights abuses.

Afghan armed groups, including those represented in the transitional government, have claimed that they wish to "restore" religious and humane standards. In practice, they have killed, tortured, raped, abducted and secretly detained tens of thousands of civilians with a blatant disregard for internationally recognized basic standards of humane behaviour. These abuses have been committed without fear of punishment by members of all armed political groups who have terrorized the civilian population in order to secure and reinforce their power bases. Leaders of armed political groups have been able, when they wished, to release detained civilians and prevent arbitrary killings and other abuses. Most of the time they have chosen not to.

Afghan civilians are in desperate need of an environment in which their human rights are respected. Amnesty International appeals to all the warring Afghan factions to end the cycle of abuses and to rebuild respect for human

rights in Afghanistan. It also urges the international community to help find and implement effective solutions to end the horrendous levels of suffering in Afghanistan.

Amnesty International believes that governments should be held responsible for human rights violations committed by their own forces as well as by armed political groups which work in association with them or with their connivance. Many of the human rights violations cited in this report were committed by the armed Mujahideen guards affiliated to the transitional government in Kabul.

Amnesty International also opposes specific abuses perpetrated by armed political entities other than governments. These include organizations controlling territory and organizations fighting in civil wars where central authority has broken down. Such entities may be groups which are small, limited in power and devoid of authority. Many of the armed groups mentioned in this report in connection with human rights abuses have set up their own administrative structures and conduct their own foreign affairs. The appeals Amnesty International makes to the armed political groups it monitors are purely humanitarian; the organization takes no position on the political program of such groups or whether or not they have received international recognition.

To all parties to the Afghan conflict

Amnesty International urges all parties to the conflict, including the transitional government authorities and the leaders of all warring factions in Afghanistan, to implement immediately the following recommendations:

1. Respect human rights and humanitarian law

(i) State publicly that they are committed to safeguarding fundamental human rights standards as well as the principles of humanitarian law — especially those set down in the Common Article 3 of the Geneva Conventions of 1949.

(ii) Make clear that they will not tolerate human rights abuses such as deliberate and arbitrary killings; torture, including rape, and ill-treatment; and abduction of people for ransom or on grounds of their ethnic identity, religion or political opinions.

## 2. Reveal the truth about human rights abuses

(i) Establish an independent and impartial procedure to allow victims or their families to report human rights abuses.

(ii) Establish a structure to allow an independent, impartial and immediate investigation of reports of human rights abuses and breaches of humanitarian law. The object of such investigations should be to determine who was responsible for the abuse and to provide a full account of the truth to the victims, their relatives and society. The results of these investigations should also be given to representatives of intergovernmental organizations involved in monitoring the human rights situation in the region, including the UN Special Rapporteur on Afghanistan.

(iii) The transitional government should set up impartial and independent investigations to identify the perpetrators of human rights violations, and bring them to justice. Such procedures must conform at all times with accepted international standards of fairness. The death penalty or other forms of cruel, inhuman or degrading punishment should never be applied.

## 3. Exercise effective control to prevent abuses

(i) Leaders of all parties should put in place a strict chain-of-command control, specifying the responsibility of any commander for the conduct of the forces working under him. They must issue strict orders instructing their forces to abide by the principles of international humanitarian law, in particular those relating to the humane treatment of civilians and others taking no part in hostilities. They must exercise effective control to prevent human rights abuses.

(ii) Any commander or armed guard suspected of committing or ordering abuses such as deliberate and arbitrary killing, torture or ill-treatment should be removed from any position of authority and all duties involving contact with detainees or others at risk of human rights abuses.

(iii) The transitional government and the leaders of all parties should state publicly the measures they are taking to prevent field commanders and armed guards from committing human rights abuses, including any special

steps they are taking to prevent rape and sexual abuse of women and children.

#### **4. End deliberate and arbitrary killings**

All parties must ensure an immediate end to deliberate and arbitrary killings and the threat of such killings.

#### **5. Prevent torture and ill-treatment of detainees**

No one should be tortured or subjected to cruel, inhuman or degrading treatment or punishment. All detainees should be treated at least in accordance with minimum humane standards. These standards include basic provision of adequate water, food, clothing, shelter, hygiene and medical care. Such basic standards are particularly vital in the light of the harsh climatic conditions.

#### **6. Prevent hostage-taking, the holding of prisoners of conscience and unacknowledged detention**

(i) All civilians detained solely because of their ethnic or national origin, political beliefs, sex, colour or language, or held as hostages for the purpose of extracting money or negotiating prisoner exchanges, should, be unconditionally released with adequate protection for their safety following their release.

(ii) All parties should identify all facilities being used for detention under their control or those of any forces allied to them. All such locations should be declared immediately and be open for regular inspection by the UN Special Rapporteur on Afghanistan and international bodies, including the International Committee of the Red Cross (ICRC).

(iii) Detainees should be given immediate and regular access to family and doctors without fear of reprisals against the detainees or visitors. The names of prisoners and where they are being held should be made public. All parties should state the reason for each detention and what measures are being taken to protect prisoners' rights in the following areas:

- the right not to be detained solely on account of ethnic identity, religion or political views;
- the right not to be kept in unacknowledged detention;
- the right not to be tortured in any way;

— the right to have family visits and access to medical treatment;

#### **7. Clarify the fate of unacknowledged detainees**

All parties in Afghanistan should take steps to clarify the whereabouts and fate of unacknowledged prisoners. They should respond immediately to inquiries about those who have gone missing after being detained by the armed guards of the various warring factions, and provide information about such people to relatives and international organizations, particularly the ICRC.

#### **8. Allow unimpeded access to international organizations**

All parties should give unimpeded access to all areas under their control, including all places of detention, to fact-finding and other missions dispatched by humanitarian and intergovernmental organizations, including the UN Special Rapporteur on Afghanistan, the ICRC and UN High Commissioner for Refugees.

#### **To the international community**

Amnesty International urges members of the international community to address those states which have over the years supplied arms to the various warring factions in Afghanistan. These arms have been used and are still being used to abuse the human rights of Afghan civilians.

#### **9. Take collective action to halt human rights abuses**

The international community should express concern to the governments of the USA, Russia, Pakistan, Saudi Arabia and Iran for their supply of arms to Afghanistan over the past decade, which has exacerbated the human rights catastrophe in the country. Amnesty International urges these governments to acknowledge their responsibility for the current human rights crisis in Afghanistan, and to act collectively to bring abuses to an end.

#### **10. Ensure that arms are not used to commit human rights abuses**

Amnesty International also calls on the international community to ensure that governments which supply military equipment and training to any of the forces in Afghanistan obtain guarantees that the arms are not used to commit or facilitate human rights abuses. These guarantees should be reinforced by a monitoring process.

#### **11. Support the promotion of human rights**

Amnesty International urges the international community to initiate, support or facilitate education and training programs in Afghanistan designed to promote awareness of human rights.

#### **To intergovernmental bodies**

##### **12. Implement UN resolutions promoting human rights**

As called for in General Assembly Resolution 49/207, the UN should ensure that the UN Special Mission to Afghanistan and the UN Special Rapporteur on Afghanistan exchange relevant information and consult and cooperate with each other. The UN should ensure that the reports of the Special Mission include information about human rights violations and abuses, and that this information is reflected in the report of the Secretary-General to the General Assembly and the Security Council. The UN should also implement the provisions of Resolution 49/207, which call on it to help draft a Constitution for Afghanistan which should embody human rights principles.

##### **13. Protect the human rights of women**

The UN Secretary-General should provide the Special Rapporteur on Afghanistan with all necessary assistance in intensifying efforts to address human rights abuses against Afghan women.

##### **14. Ensure that field personnel report human rights abuses**

The UN should ensure that all international field personnel, including those engaged in civilian and humanitarian operations, report through proper channels any human rights abuses they may witness or serious allegations that are reported to them. It should also take appropriate steps, including preventive measures, to address reported violations.

##### **15. Protect the rights of refugees**

Amnesty International appeals to members of intergovernmental organizations such as the Organization of Islamic Conference to condemn the human rights situation in Afghanistan and to become actively involved in trying to end the abuses. Amnesty International urges all governments, particularly those in Pakistan and Iran, to respect fully the rights of Afghan refugees and offer them adequate protection, both at border posts and in refugee camps.

## ENDNOTES

<sup>1</sup> People who are detained for their beliefs or because of their ethnic origin, gender, colour or language who have not used or advocated violence.

<sup>2</sup> See, for example, *Afghanistan: Torture of political prisoners* (AI Index: ASA 11/04/86), *Afghanistan: Unlawful killings and torture* (ASA 11/02/88), *Afghanistan: Reports of torture and long-term detention without trial* (ASA 11/01/91), *Afghanistan: Unfair trial by special tribunals* (ASA 11/03/91), *Afghanistan: New forms of cruel, inhuman or degrading punishment* (ASA 11/02/92), *Afghanistan: Political crisis and the refugees* (ASA 11/01/93), *Afghanistan: Incommunicado detention and "disappearances"* (ASA 11/01/94), *Afghanistan: The human rights crisis and the refugees* (ASA 11/02/95), *Women in Afghanistan: A human rights catastrophe* (ASA 11/03/95), and *Afghanistan: Executions, amputations and possible deliberate and arbitrary killings* (ASA 11/05/95).

<sup>3</sup> In this report, these two factions are referred to as *Hezb-e Islami* (Hekmatyar) and *Hezb-e Islami* (Khalis).

<sup>4</sup> From April 1992 until May 1993, the forces of *Shura-e Nezar*, General Dostum and *Hezb-e Wahdat* were allied, fighting another alliance led by *Hezb-e Islami* (Hekmatyar).

### Captions

Cover: Relatives grieve over the body of a young boy killed in a rocket attack on Kabul  
c. Seamus Murphy/Panos Pictures

### Introduction

1. Iraqi weapons confiscated by Saudi Arabia during the Gulf War were reportedly sent to Afghanistan via Pakistan
2. Refugee children waiting for medical treatment near Jalalabad, 1994
3. Refugees at Sir Shahi camp, Jalalabad province. The civil war has driven millions of Afghans from their homes.

### Chapter 1

4. Kabul, late 1994. The fighting has devastated many residential areas in the city.  
c. Seamus Murphy/Panos Pictures
5. *Taliban* fighters in Kabul, 1995  
c. Steve Dupont
6. *Hezb-e Islami* fighter in Jalalabad  
c. Jeremy Hartley/Panos Pictures

### Chapter 2

7. A Mujahideen fighter, Kabul: Iran reportedly continues to supply favoured Mujahideen groups with weapons.  
c. Zed Nelson/Panos Pictures
8. Afghan rebels firing a 75mm recoilless rifle, 1988  
c. Katz Pictures
9. Truck-loads of weapons being transported to Afghanistan from Pakistan in March 1992
10. A Stinger missile belonging to the forces of Jalauddin Haqqani, a Mujahideen commander associated with *Hezb-e Islami* (Khalis), in Gardez, April 1993.

11. A Soviet-made missile launcher flying the flag of *Hezb-e Islami* (Hekmatyar) in Charasyab, May 1994. These have been used to bombard residential areas of Kabul.
12. Armed guards of the transitional government in Kabul, 1995  
c. Steve Dupont
13. *Taleban* fighters with one of the many Russian-made T62 tanks now used by the warring factions and (*top left*) a Dashaka machine gun, Kabul, 1995.  
c. Steve Dupont
14. Armed guards of the *Hezb-e Wahdat* holding anti-tank rocket launchers which have frequently been used by young armed guards in deliberate and arbitrary attacks on residential areas, Kabul, 1995.  
c. Steve Dupont

### Chapter 3

15. A child injured in the fighting receives first aid at a clinic in Kabul, January 1994  
c. David Stewart-Smith/Katz Pictures
16. An armed guard of the transitional government with a Kalashnikov assault rifle, Kabul 1995. Most of the warring factions have access to unlimited supplies of light weapons.  
c. Steve Dupont
17. Hajera Zeray, the wife of Dr Saleh Muhammad Zeray, her eight-year-old daughter, Jamila, and her 12-year-old son, Arsala, were killed in their flat on 3 February 1995; all had had their throats slit. [3 photos]
18. Mir Wais Jalil, an Afghan journalist working for the *BBC World Service*, was abducted and killed on 29 July 1994 in an area reportedly under the control of *Hezb-e Islami*.
19. Mina Keshwar Kamal, a founding member of the Revolutionary Association of the Women of Afghanistan. She was assassinated in her house in Quetta in February 1987, reportedly by members of *Hezb-e Islami* (Hekmatyar)

### Chapter 4

20. Mohammad Sediq was one of three businessmen who "disappeared" in 1994; his body was later found in a well [Abbas to give details of where]

21. Armed men in Kandahar province. Japanese-made vehicles such as this have often been used by armed groups carrying out abductions  
c. Afghan Media Resource Centre
22. Ahmad Ershad Mangal (*right*) "disappeared" on 1 November 1989 in Peshawar
23. Jamiatullah Jalal, a noted Afghan intellectual who was working for a peaceful solution to the civil war, "disappeared" on 18 February 1995 in Peshawar

## Chapter 5

24. The body of an executed prisoner sentenced to death by an Islamic court
25. An Islamic court pronounces the death penalty on two men accused of murder, March 1993