

AFGHANISTAN

Grave abuses in the name of religion

1. Introduction

Amnesty International has for years consistently expressed its concern about the human rights abuses perpetrated by all sides in the conflict in Afghanistan. These have included the killing of tens of thousands of civilians in deliberate or indiscriminate attacks on residential areas, deliberate and arbitrary killing of thousands of men, women and children by armed guards during raids on their homes, unacknowledged detention of several thousand people after being abducted by the various armed political groups, torture of civilians including rape of women, routine beating and ill-treatment of civilians suspected of belonging to rival political groups or because of their ethnic identity. In a major report published in 1995, Amnesty International documented these and showed how the arms and ammunition sent by foreign powers to their favoured warring factions were being used to commit serious human rights abuses.

This report focuses specifically on human rights abuses by the Taleban, a relatively new force in this tragic conflict, which now controls about two thirds of Afghanistan's territory and the seat and mechanisms of government in the capital, Kabul. It in no way seeks to condone the serious abuses by other groups, on which Amnesty International has commented widely in the past, or to make comparative judgements. Nor does it confer recognition on one party or another. The abuses being inflicted by the Taleban represent yet another layer of suffering in the continuum of abuses to which Afghan civilian populations have been subjected over the past 17 years of armed conflict.

Since the emergence of the Taleban as a military and political force in late 1994, Amnesty International has received continued reports of abuses perpetrated by the Taleban militia in areas they control. These include reports of indiscriminate killings, arbitrary and unacknowledged detention of civilians, physical restriction of women for reasons of their gender, beating of women, beating and ill-treatment of detainees, deliberate and arbitrary killings, amputations, stoning and executions.

In Taleban controlled areas, thousands of women have been physically restricted to their homes under Taleban edicts - which ban women from going to work or leaving home unaccompanied by a close male relative and girls from going to school - fearing physical assault by the Taleban guards if they leave home without a reason acceptable to them. Scores of women have been beaten in the streets for not wearing a *burqa*, or exposing their ankles. In some areas, children have been brutally slapped for playing with their toys in the street. Hundreds of men, possibly over one thousand, have been taken prisoner and continue to be held in arbitrary and unacknowledged detention, while dozens of men have been beaten in the streets to make them attend Friday prayers in the mosque. Torture and ill-treatment of the detainees has occurred frequently with some prisoners being held in metal containers for months. A number of prisoners have died while digging trenches in mined areas, or as a result of torture. Scores of people have been killed deliberately and arbitrarily on suspicion of anti-Taleban

activity. At least one man has been shot dead in Kabul for not attending prayers at the mosque, and one woman has received Kalashnikov bullet injuries in the city of Farah for appearing in public unattended by a male relative. Dozens of people have been subjected to cruel, inhuman or degrading punishments such as amputation and stoning ordered by the Taleban courts. Over a dozen people are believed to have been executed.

Immediately after the arrival of the Taleban in Kabul on 27 September 1996, Amnesty International received disturbing reports of an increase in serious human rights abuses against the civilian population. In a statement issued on 2 October, the organization highlighted Taleban abuses against Kabul civilian population, and called upon the governments with influence upon the Taleban to insist that the Taleban respect human rights.¹

In holding the Taleban and other warring non-governmental entities accountable for human rights abuses during the conflict, Amnesty International has stressed their obligation to abide by minimum humanitarian standards set down in the laws of armed conflict. However, as the Taleban consolidate their hold on the governmental machinery in Afghanistan, implementing their social and political programs and seeking recognition as a government from the international community, they must be reminded of the additional responsibilities and obligations that come with this in the field of human rights.

The ongoing conflict in Afghanistan has made it very difficult to gather and corroborate information from all areas inside the country. The problem is exacerbated by the Taleban's approach to journalists and independent monitors. Amnesty International has received reports that journalists have been threatened or intimidated for filing reports which Taleban authorities do not wish to be publicised. Amnesty International's own communications with the Taleban have, until recently, remained unanswered.

This report is primarily based on testimonies received by Amnesty International from victims of human rights abuses, or from those who have witnessed or are intimately acquainted with such abuses. For security reasons, these sources have not been identified in the report. Where published material has been used the source has been given.

2. Political background

In recent years, the Taleban (plural of Taleb which literally means religious student) led by Mullah Mohammad Omar have been one of three major warring sides in Afghanistan controlling now about two thirds of the country. The other two were the Jamiat-e Islami (Society of Islam) alliance led by President Rabbani which included the forces of Shura-e Nezar (Supervisory Council) of Commander Ahmad Shah Masood; and an alliance of Junbesh-e Melli Islami (National Islamic Movement) led by General Abdul Rashid Dostum as well as Hezb-e Islami led by Gulbuddin Hekmatyar and the Shi'a party Hezb-e Wahdat. In response to the Taleban's

take-over of Kabul and additional territory in September 1996, the other armed groups opposed to the Taliban formed a new alliance calling itself the Defence Council. It comprises forces of the ousted government, Ahmad Shah Masood, General Abdul Rashid Dostum and the Shi'a party, Hezb-e Wahdat and controls the remaining third of the country. Its members have stated that they would go to the aid of each other if attacked by the Taliban.

2.1 The Taliban

The Taliban, many of whom received religious training in Islamic schools in Pakistan, emerged as a new military and political force in November 1994 when they captured the city of Kandahar from other Mujahideen (soldiers of Islam) groups. The Taliban's first significant advance was the capture in February 1995 of Maidan Shahr followed by the capture of the headquarters of Hezb-e Islami in Charasyab south of the capital, Kabul. In early March 1995, Taliban forces entered the Karte Seh district in western Kabul and disarmed Hezb-e Wahdat militia who had been in control of the area. The Taliban's presence there brought them face to face with President Rabbani's government forces. Government troops attacked Karte Seh on 10 March using artillery, jet fighters and helicopter gunships. The government's advance which also involved fierce house-to-house fighting in the district pushed the Taliban out of the area to Charasyab which was also bombed and shelled by the government forces. The Taliban then withdrew further south to Maidan Shahr. Heavy fighting continued between government and Taliban forces over the control of the city. These actions involved a high toll of civilian life, some of the killing resulting from apparently indiscriminate attacks. Amnesty International condemned the government's actions on 16 March 1996.

On 5 September 1995, the Taliban captured the city of Herat from the forces of Herat governor, Ismael Khan, who was allied to the Government of President Rabbani. The appointment of Pashtu speakers at all levels, including the Customs Department caused problems of communication and resentment among the Dari speaking population of Herat.

On 15 September 1995, newspapers in Pakistan reported that the Taliban had warned diplomats, members of humanitarian organizations and all foreigners based in Kabul to leave or take shelter in safe locations. On 20 October, Taliban forces threatened to bombard Kabul if the forces of President Rabbani did not surrender within four days. After a lull of several months Kabul was again subjected to indiscriminate bombing on almost a daily basis and civilians were the main victims. Deadly rocket attacks on Kabul reached their peak in June 1996 when over 50 civilians died and over 100 were injured (these attacks coincided with Hezb-e Islami leader Gulbuddin Hekmatyar resuming the post of prime minister in a peace deal with President Rabbani).

On 11 September 1996, Taleban forces captured the eastern city of Jalalabad and the surrounding areas bordering Pakistan. On 26 September, government forces withdrew from their positions in Kabul and moved to areas north of the city.

On 27 September, Taleban forces entered Kabul. Among their first acts was to execute and hang former president Najibullah, who since the fall of his Soviet-backed government in April 1992 had sheltered in a UN compound, and his brother Shahpur Ahmadzai. The Taleban announced strict edicts along the lines of those they had imposed in other parts of the country. These included banning women from working or going out of their home unaccompanied by a male relative, banning girls from going to school, ordering men to grow long beards and pray in the mosque five times a day. They also banned music, photography, and children's games such as kite flying. These bans were imposed arbitrarily and enforced to different degrees in different parts of the city. Punishments included severe beating and possible execution.

The Taleban advance towards areas north of Kabul continued for several days. Forces of the ousted government were pushed out of the towns of Charikar and Jabol-us-Siraj. The frontline reached the village of Gulbahar at the mouth of Panjshir valley, the stronghold of Ahmad Shah Masood. Fighting continued for several days amid reports of indiscriminate attacks, house burning and deliberate and arbitrary killing of civilians. Taleban militia attempted to cross the Salang tunnel north of Kabul but were stopped by the forces of General Dostum. The Taleban withdrew from the positions they had captured north of Kabul. A second front was opened in western Afghanistan where the militia held territory bordering the area controlled by General Dostum.

For most Kabulis the arrival of the Taleban meant an end to some of the severest hardships they had endured during the previous years. There was now an end to the Taleban rocket attacks on residential areas of Kabul which had killed civilians on an almost daily basis. Food and other supplies could now reach the city through routes to the south and southeast. Also with the Taleban being the only warring faction in control of these routes, traders paying duty on goods they imported from Pakistan had just one controlling authority to deal with, resulting initially in a decrease in prices. Consequently, certain quarters - including some foreign aid agencies - began to speak of a trade off between peace and stability and human rights. Many argued that human rights violations including those of women's rights, were a price worth paying for the restoration of peace and stability. However, this peace appeared to be short lived; days after the Taleban takeover of Kabul the UN and other international agencies, including the International Committee of the Red Cross began to evacuate some of their staff from Kabul. The Taleban's advance to the northern areas of the country had come to a halt while local resistance against Taleban rule had also begun, and Kabul was once again at risk of bombardment by forces loyal to the ousted government.

2.2 International opinion

Immediately after arriving in Kabul, the Taliban sought international recognition as the new government of Afghanistan. Despite signs that recognition might be forthcoming from the US, Pakistan and others, this process faltered amid continued reports about the Taliban's abuse of women's rights. Indeed, a number of governments and organisations throughout the world - Islamic and Western - have questioned some of the Taliban's actions and policies affecting human rights since taking over Kabul. Islamic parties in Pakistan, such as the Jamaat-i-Islami party and Jamiat Ulema-i-Pakistan party, have criticised the Taliban policies on women which they see as painting a negative picture of Islam. The governments of Germany and the US and the European Union have made statements pressing the Taliban leadership to respect human rights, particularly those which relate to women. Iran has opposed Taliban positions on the rights of women. Russia and India have also made statements expressing concern about the situation in Afghanistan. So far no country has recognized the Taliban as a government.

2.3 Taliban's political links

For centuries, and particularly in the past two decades, Afghanistan has been a battlefield in proxy wars between foreign powers with vested interest in the country. The same is true today. At one end of the spectrum, there are countries who support the recently formed Defence Council which comprises anti-Taliban forces. These are believed to include Iran, Central Asian states, as well as Russia and India. At the other end are countries which support the Taliban. These are believed to include the United States, Saudi Arabia, and Pakistan.

As always, the main losers of foreign backed wars in Afghanistan have been the civilian population who have had no active part in the hostilities. They have seen their homes destroyed, their sons and daughters killed, their future ruined and their dignity as human beings taken away from them. They have seen one foreign-backed faction after another ravage their lives and homes in disregard of the most basic principles of human rights and humanitarian law.

Amnesty International believes that governments who support these warring factions, particularly those that have supplied arms to this conflict, have a responsibility for their conduct in the field of human rights; they are answerable for the policies and practices of these groups which violate fundamental human rights.

The United States has denied any links with the Taliban. The US Assistant Secretary of State Robin Raphel was reported in *International Herald Tribune* on 5 November 1996 as saying that during the Cold War, Afghanistan was a "crucible of US strategic interest" but now the United States has little influence there, supports none of the warring factions and has no plan for bringing the conflict to an end. The report reads:

“As long as the rival factions think they can prevail and establish control over all of Afghanistan - and as long as such outside countries as Pakistan and Iran continue to encourage them to believe they can win - there is no prospect for a negotiated settlement, Ms. Raphel said. ‘We know none of them can win, but they don’t know it,’ she said. ‘Sadly, what needs to happen is a military stalemate that goes on long enough so that the various factions conclude they can’t win.’”

However, many Afghanistan analysts believe that the United States has had close political links with the Taleban militia. They refer to visits by Taleban representatives to the United States in recent months and several visits by senior US State Department officials to Kandahar including one immediately before the Taleban took over Jalalabad. *The Guardian* commented:

"Senior Taleban leaders attended a conference in Washington in mid-1996 and US diplomats regularly travelled to Taleban headquarters. Such visits can be explained by any government's need for contact with opposition groups, but the timing raises doubts as does the generally approving line which US officials take towards the Taleban."²

Recent accounts of the origin of the *madrasas* (religious schools) which the Taleban attended in Pakistan indicate that these links may have been established at the very inception of the Taleban movement. In an interview broadcast by the BBC World Service on 4 October 1996, Pakistan's then Prime Minister Benazir Bhutto stated that the *madrasas* had been set up by Britain, the United States, Saudi Arabia and Pakistan during the *Jihad*, the Islamic resistance against Soviet occupation of Afghanistan. She said Pakistan alone must not be held responsible for what has come out of the *madrasas*.

The history of the *madrasas* is shrouded in secrecy as are *madrasas*'s syllabi for the Taleban. Traditionally, pupils of *madrasas* learnt to recite the Koran. However, at the time of their emergence in 1994 Taleban 'students' were able to operate sophisticated military technology including tanks and air planes. Observers concluded that either foreign technical staff were operating the Taleban's sophisticated military equipment or the Taleban were given military training in the *madrasas*.

The training and assistance provided to the Taleban fits the pattern of support from outside for all the armed groups operating in Afghanistan today. The continued interference of external powers in Afghanistan has continued to severely undermine the UN's efforts to bring peace to the country.

2.4 Alleged military links

Many Afghans and other commentators believe that Pakistan is helping the Taleban militarily and there is a body of independently made observations that appears to support this view. Foreign correspondents have described the use of Urdu language by the Taleban guards speaking to their superiors on radio telephone systems as a strange practice among a militia with a clear devotion to the Pashtun language. Naturally, Taleban religious students could have learnt Urdu during their long years of stay as refugees in Pakistan and their use of Urdu could therefore be a matter of habit - as was explained by the Pakistan's former Interior Minister, Nasirullah Babar, during a radio interview - but other observations are harder to discount. For example, witnesses reported to journalists seeing Taleban militia armed with heavy and light weapons entering Afghanistan territory from Pakistan immediately before their take over of Jalalabad.

Time magazine in its 4 November 1996 issue published interviews with some of the 26 Pakistanis who had been captured around 13 October 1996 while fighting against forces of Ahmad Shah Masood near the Salang Pass. The captured soldiers said they had been recruited and paid by Pakistan's Inter-Services Intelligence (ISI) to fight alongside the Taleban. One of the prisoners said his Islamic paramilitary unit in Kulty Chawni in Pakistan's Punjab province was under the control of the ISI. His mission, which he said included 1,000 other Pakistani fighters, entered Afghanistan in the month preceding the Taleban capture of Kabul on 27 September 1996. He said he had been transported across the border by Pakistani military vehicles, was at the forefront of the Taleban troops who swept into Kabul on 27 September, and received orders and money from a senior Pakistani officer named Naser stationed in Kabul after the city fell to the Taleban. Another captured Pakistani prisoner said he had signed up for combat with a Pakistani intelligence officer and was given 40 days of training. He was captured at the village of Charikar north of Kabul after it fell back to the forces of Ahmad Shah Masood following an earlier Taleban take-over.

Since the fall of Herat to the Taleban in September 1995, President Rabbani has persistently accused Pakistan of interfering in Afghanistan affairs in support of the Taleban. The Taleban have accused Iran of doing the same in support of the ousted government. Taleban criticism of Iran has intensified in recent weeks amid reports that Afghan fighters of the ousted governor of Herat, Ismael Khan, who fled to Iran after the fall of the city to the Taleban, have been flown from the city of Mashad to join the fighting between the Taleban forces and those of the Defence Council in Badghis province, northwest of Afghanistan.

3. Abuses in Taleban held areas

3.1 Indiscriminate killings of civilians

Over the past five years, tens of thousands of civilians have been killed as a result of indiscriminate rocket attacks by different forces against residential areas in and around Kabul.

Amnesty International has consistently condemned indiscriminate attacks on civilians by all parties in the conflict, including the killing of thousands in Kabul in 1994 during the fighting between forces of Gulbuddin Hekmatyar, General Dostum and those of President Rabbani's government.

Photo caption: April: 1996 Taleban militia beseiging Kabul. Many residential areas in Kabul were hit by rockets launched from positions such as this.

The most recent wave of attacks were launched by the Taleban who, for the past two years, had laid siege to the city. As the Taleban prepared to siege Kabul last year [September 1995], they issued a five-day ultimatum that they would attack Kabul if the forces of President Rabbani did not surrender. Amnesty International issued an urgent appeal on 22 September calling on the Taleban, and all other warring factions, to abide by the principles of international humanitarian law and refrain from deliberate or indiscriminate attacks against the civilian population of Kabul. The Taleban withdrew their threat to bombard the city.

Hundreds of unarmed civilians have been the victims of indiscriminate killings by the Taleban in the last two years. In November 1995, Amnesty International again warned the international community of its growing concern for the safety of the civilian population of Kabul after a renewed bombardment of the city in which at least 57 unarmed civilians were killed and over 150 were injured in the residential areas of the city in three days of indiscriminate rocket and artillery barrages fired from Taleban positions south of Kabul.

In one day alone, on 11 November 1995, at least 36 civilians were killed when over 170 rockets as well as shells hit civilians areas. A salvo crashed into Foruzga Market forcing the shoppers and traders to run for cover. Rockets struck the Taimani district where many people from other parts of Kabul have settled. Other residential areas hit by artillery and rocket attacks were the Bagh Bala district in the northwest of Kabul and Wazir Akbar Khan where much of the city's small foreign community live. A rocket came through a window of the only working private film studio in Kabul while the crew was filming a scene. Nine people in the studio died on the spot, including director Hamyoon Sadozai, one of Afghanistan's best-known film makers. The only survivor was reportedly thrown out of a window by the force of the blast without serious injuries. Among the victims was an 11-year-old girl who had come to watch her father, a famous actor, on the set. Hospital sources in Kabul have described the killings at this time as among the most serious and the bloodiest events since fighting started again around the city in mid-October 1995.

Since that time, rocket attacks continued on an almost daily basis though with irregular intensity. The last victims of Taleban rocket attacks before the take-over of Kabul were at least nine civilians who were killed and more than a dozen who were injured on 25 September 1996.

Scores of civilians have been killed in the fighting north of Kabul since the Taliban captured the city on 27 September 1996. For example, bombs dropped from a Taliban plane on 24 October 1996 killed at least 20 people, mostly children, in the village of Kalakan, north of Kabul. Air raids have also been carried out by the anti-Taliban alliance. In several instances bombs dropped from planes have hit civilian areas with no sign of military activity, killing several people including children.

Civilians have had their houses deliberately destroyed in the ongoing conflict. On 22 October, an entire village was almost completely burnt out by the Taliban forces taking revenge against civilian villagers because of an earlier attack by anti-Taliban forces against Taliban positions in the nearby hills. Between 20 and 30 Taliban guards reportedly torched at least 116 homes in the hamlet of Sarcheshma north of Kabul. Journalists visiting the hamlet on 24 October noted that only four buildings had escaped the mass burning. Eye-witnesses told them that Taliban guards had entered their village several days earlier and ordered all the villagers to hand in their weapons. The villagers protested that it was dangerous for them not to have any weapons to use in self-defence against unexpected intruders but Taliban guards insisted that they should all disarm. The villagers handed in their guns, then the Taliban warned them to report any sign of Ahmad Shah Masood forces trying to enter the village. During the night some of Masood's troops reportedly penetrated the village and began to shoot at the positions held by the Taliban who returned the fire with rocket attacks killing several people. Masood's forces withdrew and Taliban guards entered the village. The villagers told them they had taken no part in the attack, that those who had carried out the attack were soldiers who had entered and then withdrawn from the village, but Taliban guards ignored their explanation and poured petrol on the houses and set them ablaze, burning food and all other belongings before the eyes of the villagers. Destruction of houses as reprisal or punishment is prohibited under international humanitarian law.

Amnesty International has not been able to locate possible victims or witnesses of indiscriminate attacks by anti-Taliban forces in other Taliban-held territory such as Kandahar and Herat but has been informed that in the past forces of the ousted government and other factions have carried out such attacks.

3.2 Ill-treatment of women in the context of restrictions on women's rights

Amnesty International has long been concerned about the situation of women in all areas of Afghanistan who have been victims of abuses for many years by armed guards belonging to the warring factions. The international community, through any influence it can exert, must make serious efforts to ensure that a climate is created in Afghanistan in which women can fully enjoy their human rights, that women are not treated as spoils of war and subjected to rape and other forms of torture.

Amnesty International believes that the situation of women in areas controlled by the Taleban deserves particular attention. Under the Taleban's code, women are not allowed to work outside homes or to leave their houses without having a reason acceptable to the Taleban. Women defying these orders have been brutally beaten in public by Taleban guards wielding long chains. Amnesty International condemns such beating and ill-treatment of women. It also considers women detained or otherwise physically restricted under Taleban codes solely for reason of their gender to be prisoners of conscience.

While Amnesty International takes no position on conditionality of aid, the response of many aid agencies to Taleban stricture is illustrative of the grave human rights implications of the Taleban's policies on women. A number of relief agencies have already suspended their programs in areas under Taleban control. In 1995 UNICEF suspended its educational programs in Taleban controlled areas on the grounds that Taleban's opposition to education for girls violates the UN Convention on the Rights of the Child which prohibits such discrimination. In March 1996, a number of non-governmental organisations including Save the Children UK also suspended their humanitarian programme in western Afghanistan. Aid agencies had not been able to come to mutually acceptable agreements with senior Taleban officials to enable them to carry out their humanitarian operations. They have stated that restrictions on women's employment, which for cultural reasons was already limited, had removed from the humanitarian organizations all opportunities to consult and communicate directly with Afghan women. Most recently, the British aid organization Oxfam suspended its program when the Taleban stopped their female staff from working. Oxfam officials said that, as their programs depended on the involvement of women, they would remain suspended until they can get an agreement from the Taleban to allow their female staff back.

Photo caption: A woman in a burqa accompanied by a male relative walking past Taleban tanks which entered parts of Kabul briefly in early 1995.

In recent weeks, the humanitarian work of the United Nations agencies and non-governmental organizations has been severely curtailed by the Taleban authorities, which do not permit women staff to participate in ongoing programs outside of the health sector. Without women staff, agencies are not able to carry out needs assessments, distribution, monitoring and other activities vital to reaching individuals in need. Agencies have noted a dramatic increase in mine-related injuries suffered by women and children following the prohibition of women's participation in mine awareness programs and the closure of schools by the Taleban. Harassment of international and national staff of United Nations agencies, non-government organizations and the international media has increased substantially in the last two weeks. This includes the arrest and unacknowledged detention of staff members, threats of violence and, on several occasions, raids on premises and personal residences of officials by armed Taleban fighters.

Taleban leaders have said very little about the reasons for these restrictions other than stating that the bans would be lifted when security returns to Kabul. They have not explained what risks women pose to the security of areas they control.

The Taleban's record so far shows that even in southwestern Afghanistan where their control has been uncontested for nearly two years - such as in Kandahar - these restrictions have remained permanently in place. In a few areas, young girls between the ages of four and nine are reportedly allowed to attend school; also, some health workers have been allowed to stay in their jobs but this may be more out of necessity than a change of policy. A woman from Kandahar sent Amnesty International her impression of life in the city:

"There is no education and no learning here. All schools and educational centres are closed. There are no female doctors in Kandahar that I know of, so we cannot even go to doctors. I can tell you what happened to Shayesta. She is about 22 years old. She got very ill so she asked her cousin Abdulsalam to take her to a doctor. This was in Jowza 1375 [May/June 1996]. On the way to the hospital, they were stopped by armed Taleban guards several times. In the end, the guards started beating Abdulsalam for taking Shayesta to the doctor. They then warned Shayesta that she would be killed if she appeared in the streets again. Shayesta's illness got even worse, and Abdulsalam's injuries forced him to stay at home for several weeks."

The impact of the Taleban restrictions on women is most acutely felt in cities such as Herat and Kabul where there are significant numbers of educated and professional women, compared with the countryside where women have traditionally been excluded from public life. Kabul University, which has closed since the Taleban took over, reportedly had about 8,000 women students while thousands of professional women worked in different capacities in the city. In Herat about 3,000 women reportedly lost their jobs after the Taleban took control in September 1995. In Kabul, Taleban restrictions appear to be enforced arbitrarily but in different degrees in different parts of the city.

Many women wore *burqa* - a garment covering the body from top to toe with only a small, lace-covered opening to look through - in Kabul but it was not an enforced dress code. Women appeared in public usually wearing scarves that just covered the head. Mujahideen governments in the past repeatedly tried to impose restrictions on women but these were never fully successful. In August 1995, the government of President Rabbani barred a delegation of 12 women from attending the Fourth World Conference on Women in Beijing, saying that issues discussed at the conference were against basic Islamic principles. Nonetheless, women continued to work and study outside their homes. Kabul women demonstrated in the streets in July 1996 against the then prime minister, Gulbuddin Hekmatyar, who announced a series of measures to curb women's rights.

Working women in Herat and Kabul protested in vain against the rigid code the Taleban imposed. A woman from Herat informed Amnesty International that when the Taleban entered the city in September 1995, they closed certain government departments, women's public baths and girl schools. Women who were government employees received their salaries without working for a while, but that too was then cut. Hospitals were closed for two or three days. They then had to open them because they realized female members of the families of Taleban needed medical treatment.

Working women who demonstrated in Herat in late 1995 against restrictions were attacked and beaten by the Taleban. The women said they would not go home and were prepared to die. Taleban leaders agreed to pay the salaries of those women who would stay at home. The women went home but received no salary. Now, they are frightened of leaving home.

Women who show even an inch of a bare ankle or who are found to move about without a reason acceptable to the Taleban have been relentlessly targeted. Amnesty International received the following testimony from eye-witnesses who explained how on 14 July 1996 in the city of Farah, a woman named Turpeki received bullet injuries for appearing in public.

“Turpeki was taking her toddler to the doctor. The child had acute diarrhoea and needed to be seen by a doctor soon. Turpeki was dressed in a borqa. She reached the market area when a teen-aged Taleban guard noticed her. The guard called her. Turpeki knew that if she stopped she would be beaten for appearing in public. She was also frightened that her child might die if she did not hurry. She began to run. The Taleban guard aimed his kalashnikov at her and fired several rounds. Turpeki was hit but did not die. People intervened and took the mother and the child to the doctor. Turpeki's family then complained to the Taleban leaders, but were simply told that it had been the woman's fault. She should not have been appearing in public in the first place; once she did, she should stop, when told so, and not run away.”

Foreign journalists visiting Kabul after the arrival of the Taleban have filed various reports on the beating of women by the Taleban guards. *The Guardian* newspaper on 4 October 1996 published the following report:

“The young woman was carrying her baby, her two friends walking beside her. All three were veiled, their faces completely hidden from view. Suddenly a passing car braked to a halt and two men jumped out. From the style of their turbans, wrapped round their heads with one end loose and hanging almost down to the waist, it was clear they were the Taleban from Kandahar.

Each was brandishing a stick. They set about beating the women on the legs as their arms rose and fell, they shouted that the women should never come out in public

dressed in such immoral fashion again. A few inches of bare leg were showing above the women's ankles between their shoes and the bottom of their pyjama-style trousers.

The woman with the baby staggered and swayed beneath the blows, desperately trying to stay upright. None of the three dared to utter a sound as the sticks whipped their legs. Then the men got back in the car and drove off. The incident lasted less than five minutes, but it was sufficiently brutal to leave the women quaking as they limped silently away.”

The Independent newspaper reported on 9 October 1996:

“Since the Taleban militia came to Kabul more than a week ago Farida [a young Afghan woman] has been afraid to leave her flat. .. Three days before, two women, neighbours of Farida, had gone shopping. They were both wearing their *burqas* but a gang of Taleban militia beat them up anyway; the women’s ankles were showing.”

The same article said that a mother who was struggling with two children and her groceries was whipped by the Taleban with a car antenna because she had let her veil slip a fraction.

People have also been ill-treated for their use of cosmetics. A married couple had come from Samangan province to Kabul after the Taleban captured the city to visit their friends in early October 1996. They were stopped in the market by Taleban. One Taleban guard slapped the women in the face while the other beat her husband severely. They were accused of planning to buy cosmetics.

Women who did not have a *burqa* before the Taleban arrived in Kabul have had to spend excessive amounts of money to buy one. In mid-October 1996, a *burqa* reportedly cost as much as \$33, about three times the salary of a senior civil servant. The serious financial burden this imposes on women who have lost their jobs has led to further punishment. An eye-witness reported to Amnesty International:

“A Taleban guard stopped an Afghan woman who had gone out of the house, and beat her severely with a cable rod for not wearing a *burqa*. The woman cried that she could not afford to buy a *burqa* but the guard did not stop beating her. People gathered and the Taleb let her go.”

Female nurses form the backbone of the health system in Kabul. Those who had gone to help their patients in early October 1996, were repeatedly beaten up by the Taleban guards. In one hospital, the Taleban reportedly told all 80 female patients to go home as their modesty could not be preserved in an overcrowded ward.

Amnesty International was informed by a visitor to Kabul of the plight of two Afghan nurses who were assaulted by the Taleban and beaten. The nurses had been told by Taleban officials that they should continue working at the [name withheld] hospital while others had been sent home. On 30 October, the Taleban official in charge of the security of the area - reportedly a 17-year-old youth - came to the hospital. The nurses were not wearing *burqas* as they considered it was not a practical dress for a nurse in a hospital, but they were fully covered with scarves and long coats. The Taleb got very angry. He grabbed the women by their hands dragged them to the tree nearby, broke a tree branch and began to hit them. One of the women tried to run away. The Taleb forced her onto the floor and held her in between his feet while beating her with the stick.

Taleban edicts have also hit hard an estimated 30,000 widows - many of whom are the sole providers for their families - as well as many other women who do not have a close male relative to accompany them in public. Some widows have been allowed to work in areas under the Taleban control, but even for them it is not easy to obtain permission to work. A group of women who were stopped from working for a UN-funded aid project in Kabul told journalists:

“Ten of us went to the Taleban's municipal leaders shortly after they took over here to tell them that if they stopped us from working for good we and our children would die. We cried a lot and told them the lives of more than 1,000 people depended on the food we bring home and that we were worried sick. We told them it was either work or death for us, and they finally gave us permission to work provided we wear proper Islamic dress, which covers us completely, at work and on the way there.”³

However, a number of the widows who have been allowed to work have reportedly been beaten on the legs and feet by Taleban fighters for failing to be fully covered when venturing outside.

In early October 1996, children playing in the street have also been physically assaulted by the guards. One eight-year-old victim was listening to a musical toy with friends in the alley outside his house. According to eye-witness reports given to Amnesty International:

“Taleban guards suddenly appeared. They snatched the toy from the child and bashed it several times against the nearby wall until it was completely smashed. They then grabbed the boy by the arm and slapped him hard in the face several times.”

3.3 Deliberate and arbitrary killings

Amnesty International has documented numerous deliberate and arbitrary killings by all parties in the conflict, some of which have taken place among refugee communities outside Afghanistan. Examples of these cases can be found in earlier Amnesty International documents.

While no killings were reported after the Taleban entered Kandahar in November 1994, their advance to other provinces reportedly resulted in many targeted killings of civilians. Scores of non-combatants have been killed by Taleban guards deliberately and arbitrarily. They include non-Pashtun civilian men whom the Taleban have suspected of anti-Taleban activity, captive soldiers or those who have surrendered to the Taleban as well as civilians killed in retaliation for real or alleged opposition to the Taleban. The following chronology, which is by no means exhaustive, provides a specimen of the reports Amnesty International has received. It is impossible in the circumstances, to confirm and verify each single report. But together they represent a pattern of serious human rights abuses.

An eye-witness reported to Amnesty International about the killing of non-combatants after the fall of Herat in September 1995:

“I saw many dead bodies in Pul-e Dhakab bordering Farah, Nimruz and Helmand provinces. Some corpses were lying under the bridge. People had buried them several times but the animals had pulled them out of their graves. I counted 13 corpses under the bridge but there had been more. They all looked like men. Passengers from the surrounding area travelling in a vehicle told us they had not been fighters. These people had been taken prisoner and then killed in revenge for an earlier attack by Ismael Khan forces against the Taleban positions. They thought the men would have been killed just before the take-over of Herat on 5 September 1995.”

Another report speaks of about 14 Panjshiri fighters who had run away to hide in the mountains after about 20 of their fighters had been killed following an attack by the Taleban. According to local people, the men ran short of food after a few days and came to the town to surrender on [3 or 4 September]. Near a place called Pomp-e Moulavi a group of Taleban guards stopped them. The Panjshiris were unarmed and held their hands up in surrender but Taleban guards shot them dead anyway. They then forbade people from moving the corpses saying people should see the fate of those opposing the Taleban.

An eye-witness from Herat reported to Amnesty International about the killing of captured fighters who had given up fighting in Herat.

“Many people have been killed by the Taleban. I have pictures which show the skeletons. When the Taleban came to Herat, they killed retreating soldiers of Ismael Khan. The military situation had deteriorated and many Ismael Khan troops were fleeing. The Taleban captured these fighters and killed them in groups of 10 or 20. Mullah Yar Mohammed who became the governor of Herat was very intent in killing the retreating forces.”

A group of visitors to Herat in mid-1996 were told by the local people that following the capture of Herat by the Taleban in September 1995, many soldiers of the former Ismael Khan army who had thrown away their weapons were arrested. They were held in custody for several days, but were then all killed. The killings took place in the night. Many ordinary people were also arrested and killed on suspicion of being supporters of the ousted Ismael Khan administration. Taleban guards then began to search for those suspected of anti-Taleban views, especially young non-Pashtun men and this search has continued.

Several eye-witnesses have reported that the roads near Herat were scattered with corpses after the take-over of the city by the Taleban. Some dead bodies had been eaten by wild animals. Other eye-witnesses have reported the deliberate and arbitrary killing of some 20 people in a dried up river bed not far from a small market place in Delaram area. Local people have testified that during the incident the Taleban arrested about 300 people on suspicion of being Ismael Khan supporters. Over a dozen civilians were reportedly killed during a raid on the market place to capture people. Taleban then reportedly took the prisoners to the rocks near river Khashrood, shot about 20 of them dead and threw their bodies in to the river bed. Some were released, and others are unaccounted for.

Two labourers aged 16 and 18 who had been detained by the Taleban after the fall of Herat were released after about one month because they could convince them they had had no connection with Ismael Khan forces. They travelled to Kabul passing through the provinces of Herat, Helmand, Kandahar, Zabul and Ghazni which were under Taleban control. They saw many dead bodies lying by the road. They counted about 400 corpses on the way. Local people told them that a large number of those killed had been fighters who had surrendered or civilians.

Even after Herat fell to the Taleban, targeted killings have not stopped there. On 4 July 1996, a visitor to Herat landed at the airport and travelled to the city in a car. About five kilometres from the city, he saw corpses of five men who had been killed recently.

“They had few of their clothes left on them, and had been laid by the road next to each other. They looked like young men. There were signs of bullet injuries on their bodies and their heads.”

The visitor got out of the car and asked the locals why these men were laid there. He was told they had been soldiers in the previous administration of Ismael Khan. They had got rid of their weapons and were living as ordinary civilians in their homes. But the Taleban got to know of their past. They were then arrested and summarily executed. Their bodies were laid by the roadside to deter anti-Taleban activity. He was told no one dares to bury the bodies.

An Amnesty International delegation visiting Afghanistan was informed that on 15 July 1996, at least 30 young men in their twenties were taken out of Herat Prison and summarily

executed. A Taliban official, Amir Khan Mutaqi, was quoted in the Pakistani paper, *The News*, as saying that these killings had not been executions, but killings in armed confrontation. Further investigation by Amnesty International confirmed that those killed had indeed been prisoners. The actual figure of those executed may be higher. Amnesty International is currently investigating reports that several other mass executions have taken place in Herat.

As the Taliban captured areas around Kabul, they deliberately and arbitrarily killed many non-combatants. Davood, an army driver working with the forces of the ousted President Rabbani was reportedly killed around 20 June 1996 in Logar. His vehicle was caught between the fighters of the Taliban and those of Rabbani's. The Taliban forces took over the nearby hill and the government soldiers ran away. Davood's wife living as a refugee in Pakistan told Amnesty International:

"Taliban guards ordered my husband and another man in the car to get out and climb up the hill. They did so. They walked up the hill with their hands on their head. Suddenly, the Taliban fired at them from behind. We knew he had been killed but they held my husband's corpse and did not give it to us. After about 16 days, the area was captured by the government forces again. My husband's corpse was given to us for burial. His hands were on his head and there were about 50 bullet marks on his body. Local people told us my husband and his friend were forced to leave the vehicle and walk up the hill. Then they heard several shots fired at them."

After their arrival in Kabul, the Taliban ordered men to pray five times a day in the mosque. Journalists saw young Taliban guards carrying sticks and lengths of hose pipes herding people into the mosque at prayer times. People objecting to being forced to pray were beaten. At least one man [name and certain details withheld] was reported to have been killed deliberately and arbitrarily by the Taliban in early October in Kabul for not going to the mosque. A family member of the victims told Amnesty International:

"Taliban guards came to his house. They asked him why he had not attended the prayers that day, or the day before and the day before that. He said he was a Muslim and did not think it was necessary to do his prayers in the mosque while he could do them at home. He said he had done his prayers at home. But the guards held him and took him to the street, shouting at him, calling him Kafir (godless). They then threw him on floor and emptied many Kalashnikov bullets into his stomach."

Soon after the fall of Kabul, fighting between the Taliban and forces loyal to the ousted government of President Rabbani spread to fresh areas north and northeast of Kabul. Taliban positions came under attack on 10 October from surrounding villages and the Taliban reportedly took retaliatory measures against villagers, rounding them up, killing several of them whom they

described as residents collaborating with Taleban rivals. In one incident, over a dozen villagers were reportedly rounded up by Taleban fighters, beaten with rifle butts and then taken prisoner.

3.4 Prisoners of conscience and other detainees

Throughout the conflict in Afghanistan, armed groups have held prisoners of conscience. The Taleban are no exception, they have not only taken prisoners of war but have detained hundreds of people, including children and women, solely because of their ethnic origin, because they did not obey religious decrees of the Taleban or because they sympathized or were suspected of sympathizing with the Taleban's opponents. Detainees appear to be held in order to punish, humiliate or intimidate them, or to be used as hostages. In some cases, they have been released after they have paid a bribe. Most are held incommunicado and family members find it hard to trace them. Most detainees are held in the prisons taken over from the previous administration but some have been kept in metal transport containers left behind from the period of the Soviet presence. These containers, without sanitary provisions, have been used by warring factions as both places of detention and as means of punishment; as they are not insulated they become unbearably hot in summer and equally unbearably cold in winter. The families of those taken prisoner are suffering the agony of not knowing where their sons, brothers and fathers are, what has happened to them, or whether they are alive or dead.

Amnesty International considers prisoners held solely on account of their ethnic origin, their religious beliefs or their assumed political convictions to be prisoners of conscience and calls for their immediate and unconditional release.

At least six non-Pashtun men arrested by the Taleban in Charasyab when the area briefly came under their control in early 1995, were reportedly taken to Kandahar and held for about eight months in metal containers in despicable sanitary conditions. They were then taken to the war front near Kabul.

In early 1996, dozens of people were reportedly arrested in Herat and Farah provinces for their assumed sympathies or support for former governor Ismael Khan. Most were released after several weeks or months. The fate of others remains unknown.

In village Gozara in Siavashan Wolaswali east of Herat airport Taleban guards in early 1996 entered houses and reportedly arrested about 200 men. About three of them died in custody following torture. People then found out that they could pay a certain amount money to get their relatives freed. A second Taleban group discovered that the first group had taken money to release prisoners. A fight broke out between the two groups and several people were killed from both sides.

In the first few days the Taleban entered Kabul, their armed militia detained hundreds, possibly over 1,000 civilians during house to house searches throughout the city. They were being held for allegedly sympathising with the ousted president, Burhanuddin Rabbani. Taleban guards cordoned the city's streets and entered homes searching for evidence of cooperation with the former administration. They destroyed whatever they considered to be 'un-Islamic' -- such as tape recorders, cassettes, magazines and toys. They then took away the young men of the family on suspicion of being collaborators. People were also detained from hospitals and bazaars. Families of the victims, almost all young men, have no idea of their whereabouts. Many fear that the prisoners may be sent to clear minefields for the Taleban fighters. Other families have been afraid to go out into the streets, afraid to answer their doors, and afraid that their loved ones would suffer the brutal consequence of being found 'un-Islamic' by the militia.

On 10 October, Taleban reportedly took away scores of young boys and men in raids on various mosques where they had been ordered to go and pray five times a day. The Taleban told them that they would have to fight with the Taleban fighters against forces loyal to the ousted government. The Taleban have denied that these men have been detained. However, the men's families still have no idea of their whereabouts and fear that they may have been taken forcibly to the war front.

Amnesty International has received reports that the fate and whereabouts of a number of other Afghans believed to have been detained in Kabul after the arrival of the Taleban are also unknown. Families, who have requested Amnesty International not to disclose their names, have not been able to trace them. The majority of them have simply not returned home although they had been expected to do so. Among them are women's rights activists.

Photo caption: Containers such as these have been used by some of the warring factions, including the Taleban, to detain their prisoners

3.5 Torture and ill-treatment of the detainees

Amnesty International has consistently called on all parties to refrain from torture and ill-treatment of prisoners, as demanded by international humanitarian standards governing armed conflict. However, Taleban guards have without any sign of constraint beaten and kicked people in their custody. Long term prisoners have reportedly been severely tortured and made to do forced labour in life threatening conditions such as digging trenches in mined areas.

Beating during house searches is systematic. In mid-September 1995, Taleban conducted large-scale house to house searches in Herat to collect weapons. Everyone suspected of possessing arms was severely, sometimes fatally, beaten with wire cables, wooden sticks or rifle butts. Amnesty International was informed that in January 1996 alone, at least 50 to 60 people were beaten in Herat and Farah provinces during such searches.

At times, beating is used to force prisoners to pay a fine. In early 1996, such prisoners included officials who had attempted to curb drug trafficking in areas not previously controlled by the Taleban. After the Taleban took over these territories, they reportedly legalised opium cultivation. Opium farmers reportedly gave to the Taleban names of the officials of the department to prevent drug smuggling who had confiscated their crop. These officials were arrested and subjected to beatings until they agreed to pay fines to the aggrieved opium farmers. One such person was a police officer under Ismael Khan. He was arrested by the Taleban after they captured Herat, and was taken to a detention cell where he was beaten for about a week until he agreed to pay a fine. When he payed the fine, he was released.

Frequently people were rounded up and beaten in retaliation for real or assumed acts of insubordination to Taleban control or of support for the Taleban's opponents. In early 1996, over a dozen residents of a particular area of Herat were beaten to punish them for anti-Taleban slogans on the walls of their houses. An eye-witness told Amnesty International;

“In an alley, children had written slogans on the wall calling the Taleban servants of Pakistan. The Taleban went to the alley the next day, searched houses and arrested all male members; they dragged them into the alley and beat them severely.”

Detainees in Taleban custody have been frequently made to do hard labour in sometimes life threatening conditions such as mine clearance. Several people detained in Kandahar in early 1995 were reportedly brought to the front line southwest of Kabul in September 1995 to dig trenches for the Taleban. As the area was mined, many of the prisoners were killed or injured when the mines exploded. Those injured were reportedly simply left to die. One of the survivors succeeded in escaping to Pakistan where he received treatment in a hospital.

Specific groups of detainees appear to have been particular targets for beating and ill-treatment by the Taleban. These include members of religious minorities like Shi'a, of non-Pashtun ethnic minorities, former army officers and journalists.

In early September 1995, following the capture of Nimruz province, Taleban ordered Shi'a residents to leave their homes within three days. When the Shi'a refused to be evicted, Taleban selected three families and gave them the ultimatum to leave or be killed. Several members of the families were severely beaten, forcing the families to migrate to Hazarajat. Other families were similarly threatened and reportedly left for Iran.

A former army officer reported that during his two months in detention in Herat he was beaten for several days at a time. He said that non-Pashtun army officers had a particularly hard time after the fall of Herat as many were detained and ill-treated in Taleban custody. None had dared to raise any objections to torture, inadequate food and insanitary conditions in the detention centres for fear of being killed.

Two Argentine television journalists together with their local interpreter and the driver were reportedly detained for about 24 hours by the Taleban militia around 20 October 1996. They told reporters in Buenos Aires that they had been held incommunicado by the Taleban, beaten with rifle butts and robbed of their equipment and papers. The two journalists were reportedly released after negotiations between UN officials and the Taleban, but their local interpreter and driver both remained in custody. The journalists said they had tried to interview two Afghan women in Kabul, but they were detected:

“Someone reported us, because speaking to women is a moral sin in Kabul. They told us the Taleban were coming. There were about 25 of them, they gave us a terrible beating and then began the hell of 24 hours’ detention”⁴

Photo caption: 1994, An opium poppy field near Jalabad

3.6. Executions, stoning to death and amputations

Over the past two years, dozens of prisoners have been subjected by the Taleban to executions, amputations and in several cases stoning to death. Some of these human rights abuses have been carried out after the victims had been sentenced by Islamic courts set up by the Taleban. Judges in these courts, many of whom are virtually untrained in law, reportedly base their judgements on a mixture of their personal understanding of Islamic law and the prevalent Pashtun code of honour. Amnesty International has received reports that such courts often decide a dozen cases a day, in sessions which may take only a few minutes. There are reportedly no provisions for defendants to be assisted by a legal counsel, the presumption of innocence is dispensed with and verdicts are final, with no mechanism for appeal.

Other victims received these punishments on orders of Taleban commanders. In some cases, the Taleban guards themselves decide on the type of punishment a prisoner should receive.

Testimonies and statements of convicts accepting their sentences before they are carried out have frequently been extracted under torture. An 18-year-old youth, alleged to have killed two Taleban was in February 1996 executed in public in Herat. People had been ordered to congregate in the city’s football stadium, then the gates were closed permitting no one to leave. The convicted prisoner was then brought in and positioned below a waiting crane. People in the audience noticed that he had already been beaten close to death. He had reportedly been made to sign a statement that he agreed with his death sentence. A rope was placed around his neck and he was hoisted up in the air. He reportedly died after some 30 minutes of strangulation.

Some convictions appear to have been based solely on the allegations of the complainants. In July 1996, Turiolai, a man in his late 30s and Nurbibi, a woman in her mid-

twenties were stoned to death in the City of Kandahar. The man's father had married Nurbibi around 15 years ago and Nurbibi, a young widow, reportedly developed an affair with Turiolai lasting a number of years. The Taleban reportedly got to know of the affair, saying they had hidden on a neighbour's roof and had seen the two coupling on their own roof. Based on that evidence the Taleban court sentenced the couple to death by stoning. According to local people, the Taleban had arranged for the stoning to take place on a hill outside the city. They offered free transport to people, but according to several reports, people showed no interest. They then changed the site to the city centre, and this time ordered people to attend. When the time came, people did not throw stones. Taleban threw the first stones, and told ordinary people to join in, which they did. The man reportedly died after he was hit with seven stones, but the woman lasted longer. Members of the woman's family were ordered to be present, and her son was forced to go and check if the woman was still alive. They shouted at him that he should tell the truth. He cried as he told them that she was still alive. The last stone to kill her was a boulder which a Taleb lifted and dropped on the woman's head.

The arbitrariness of convictions, sentences and releases was reported to Amnesty International by several former prisoners from Kandahar. They said that the *moulavi* (religious official) presiding over the court had only a vague unschooled knowledge of shari'a and imposed sentences completely arbitrarily. Local people quoted him as saying that he favoured executions and amputations over detention. Most Taleban appear to believe in the deterrence of these punishments. Taleban officials told journalists in Kandahar how they imposed different types of amputations:

"Cutting off both the hand and the foot reflects the gravity of the crime. If it is a minor theft, then maybe just a finger. But if, for example, it is a theft on the highway, or perhaps a repeat offence, we would cut off the foot as well as the hand."⁵

In the belief that this will effectively deter prospective offenders from committing crimes, amputations are carried out in public. In some instances reported to Amnesty International, ordinary Taleban guards have believed themselves entitled to act as both judges and executioners. On 6 April 1996, Taleban arrested Abduallah and Abdul Mahmood, two men from Uruzgan, on charges of theft. Reportedly, they were first severely beaten then the Taleban guards cut off their left hands and right feet. The guards then pressed red hot iron plates against the wounds to stop the bleeding.

Former Afghan president Najibullah and his brother were on 26 September 1996 dragged from the UN compound in Kabul where they had found refuge, without obtaining permission from the UN. They were reportedly beaten severely and then hanged on lamp posts in central Kabul. Noor Hakmal, a Taleban commander who had entered the city from Charasyab, south of Kabul overnight, told Reuters news agency: "We killed him because he

was the murderer of our people." Mullah Mohammad Omar, leader of the Taleban, later exonerated the killers by saying Najibullah had deserved his fate.

Amnesty International takes no position with respect to the cultural, political or religious values which underlie judicial or legal systems. However, the organization opposes the death penalty and cruel punishments such as amputation and stoning in all circumstances. Indeed the prohibition of mutilation, cruel treatment and torture is part of customary international law and is recognized in Common Article 3 of the Geneva Conventions.

Photo caption: A Taleban official informing a crowd in Khost in early 1996 of an imminent public 'execution'

Photo caption: Father 'executing' the killer of his son, on same occasion as previous photograph

The Taleban when confronted with the criticism that amputations and stoning to death violate international norms of humanitarian law, have been uncompromising in their response. In early October 1996, a representative of the self-proclaimed interim administration in Kabul told journalists:

“when the world says the Taleban shouldn't chop off hands of thieves, sentence murderers to death, and stone adulterers, it is interference in our internal affairs.”⁶

These practices give rise to fears for the lives and physical integrity of all those currently detained in Taleban prisons on a variety of criminal charges. On 3 October 1996, Amir Khan Mutaqi, a senior Taleban official, said that about 70 people had been arrested on charges of looting and would be tried under Islamic shari'a. Amnesty International on 8 October 1996 urged Taleban authorities to forbid the imposition of such punishments in areas under their control.

4. Recommendations

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.

The appeals Amnesty International makes to the armed political groups it monitors are purely humanitarian; they do not offer any recognition or status.

To all parties to the Afghan conflict

Amnesty International repeats its call to all parties to the conflict to implement immediately the following recommendations:

1. State publicly and show through their actions 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.
2. Ensure that no civilians or non-combatant become targets of deliberate or indiscriminate killings and that the principle of distinction between civilian and military targets is adhered to at all times.
3. Make clear that they will not tolerate human rights abuses such as deliberate and arbitrary killings; torture, including rape, and ill-treatment; or detention on grounds of their ethnic identity, religion or political opinions.

To the Taleban

Amnesty International considers the Taleban and all other parties to be responsible for human rights abuses in areas under their control. As the Taleban consolidate their hold on the machinery of the government and seek recognition as such from the international community, Amnesty International is therefore urging the Taleban authorities to take all possible steps to ensure that:

1. No civilians or non-combatant become targets of deliberate or indiscriminate killings and that the principle of distinction between civilian and military targets is adhered to at all times.
2. No one is detained solely for reasons of their political opinion, or religious or ethnic identity; women are not detained or physically restricted solely for reason of their gender.
3. No one is subjected to torture or ill-treatment by the Taleban guards.
4. Full respect is given to the human rights of women; in particular no women are subjected to physical abuse.
5. 'Executions', amputations and stoning are forbidden.

To the international community

Amnesty International is urging the governments of the world to make concerted efforts for the protection of civilians against human rights abuses, particularly vulnerable groups such as women and children; to publicly condemn human rights abuses including abuses of women's human rights committed by all parties to the conflict; and in any contacts with the armed factions to raise abuses of human rights documented in Amnesty International's reports and urge compliance with international standards. Regional powers especially have a responsibility to ensure that no military equipment or training which would be used to commit human rights abuses is supplied to the warring factions. The international community should also ensure that all necessary assistance and resources are provided to the UN Special Mission to Afghanistan and the Special Rapporteur on Afghanistan in intensifying efforts for the protection of human rights.

Amnesty International is disturbed by the reports that staff members of the United Nations agencies and non-governmental organizations have been detained, or threatened with violence or have had their premises and residences raided by armed Taliban militia. The organization is urging the governments of the world to condemn such attacks and insist upon the safety and security of both national and international staff members of these agencies.

To intergovernmental bodies

The United Nations should ensure that any dialogue it sponsors on Afghanistan includes human rights considerations. The UN Special Mission to Afghanistan should continue to coordinate closely with the UN Special Rapporteur on Afghanistan in developing a strategy that will bring about a concrete improvement in the human rights situation.

Endnotes

. Some foreign journalists reporting from Kabul as well as some foreign aid officials have objected to Amnesty International's criticisms of the Taleban. Typical of this was a report in *The New York Times* of 4 October filed from Kabul which described a number of incidents including the beating of three women by Taleban guards in the streets for showing their ankles in public but argued that: "To describe this [the situation in Kabul] as a 'reign of terror,' as the human rights organization Amnesty International did in a report earlier this week, may be an exaggeration."

On 7 October *The New York Times* published a letter by Professor Susan Moller Okin of Stanford University in the USA who responded to the newspaper's comment, saying:

"Your Oct. 4 article queries whether Amnesty International's description of this as a 'reign of terror' might not be 'an exaggeration.' Would any other situation in which half a country's population is terrified of being beaten by the other half if it goes to work or shows its ankles in public be seen as anything other than a reign of terror?"

Amnesty International believes that the imposition of physical restrictions on women solely for reason of their gender, beating of women, physical assaults on children, mass arrest for political reasons, custodial violence and amputation, stoning and executions are grave human rights abuses which cannot be justified under any condition.

.*The Guardian*, 9 October 1996. Also see *Financial Times* of the same date.

.*AFP*, 31 October 1996.

.*Reuters*, 22 October 1996.

.*The Guardian*, 15 June 1996.

.*AFP*, 3 October 1996.