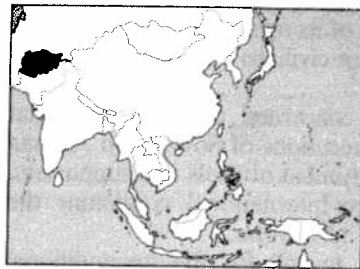


AMNESTY INTERNATIONAL REPORT 1986

COUNTRY	SECTION
DOSSIER	1

This report covers the period
January to December 1985



Afghanistan

Amnesty International was concerned about reports of extrajudicial executions of civilians as armed conflict continued in Afghanistan. Systematic torture and ill-treatment of people suspected of supporting armed opposition groups by the *Khedamat-e Etela'at-e Dawlati (Khad)*, State Information Service, continued to be reported. Amnesty International remained concerned about the detention of political prisoners without charge or trial, and about political trials which did not conform to internationally recognized standards for fair trial. The death penalty continued to be imposed frequently.

Heavy fighting continued throughout 1985 between Soviet and Afghan government troops on the one side and armed opposition groups on the other. The armed conflict and the continuing government refusal to allow international observers access to the country made the collection and verification of information relating to human rights difficult. The special rapporteur appointed in 1984 by the UN Commission on Human Rights to examine the human rights situation in Afghanistan made four unsuccessful requests during 1985 for access. The International Committee of the Red Cross, which had been permitted two brief missions inside Afghanistan in 1980 and 1982, by the end of 1985 had still not received authorization to undertake any protection activities in the country.

Amnesty International received reports of extrajudicial executions in a number of provinces during 1985 by Soviet troops supported by Afghan military personnel. Some of the reported victims were armed opponents of the government who had been detained, but many others were apparently suspected only of sympathizing with armed

AMNESTY INTERNATIONAL REPORT 1986

This report covers the period
January to December 1985

206

Amnesty International Report 1986

opposition groups, or allegedly killed in reprisal for attacks on government forces or to intimidate the local population. These reports were difficult for Amnesty International to verify. A series of reports alleged that a large number of reprisal killings had occurred in late December 1984 in Chardara district of Kunduz province: one report listed 25 households in one village from which many family members had been killed. In April Soviet troops operating from Jalalabad were widely reported to have killed hundreds of civilians in at least 10 villages in Laghman province: Amnesty International received accounts from separate groups of newly departed refugees about killings in Qarghai and Haider Khani. The organization was unable to assess the number of killings or the precise circumstances in which they occurred, but on the basis of its own interviews and other reports believed that large numbers of civilians had been extrajudicially executed.

Amnesty International was also concerned about reports that opposition groups had carried out executions of Soviet and Afghan soldiers, *Khad* agents and other government officials and supporters. As a matter of principle, Amnesty International condemns the torture and execution of prisoners by anyone.

Amnesty International continued to call for the unconditional release of prisoners of conscience Professor Habiburrahman Halah, Professor Hassan Kakar, Shukrullah Kohgadai and Dr Osman Rustar. They had reportedly been members of a discussion group at Kabul University seeking peaceful solutions to the armed conflict, and had been sentenced to seven, eight, seven and 10-year prison terms respectively in 1983. All four continued to be held in Pul-e Charkhi prison, Kabul. Amnesty International received a report that Professor Kakar had been offered release by a *Khad* official if he agreed to speak on television in support of the government, but had refused to do so, following which his conditions of imprisonment worsened.

Amnesty International also continued to investigate the cases of 35 alleged members of the *Afghan Mellat*, Afghan Social Democratic Party, who had been arrested in 1983. It received reports that they had been tortured during interrogation by the *Khad*, and had been sentenced to between five and 18 years' imprisonment, although details of the charges and conduct of the trial were not known. Three of the prisoners were reported to have been released. Amnesty International subsequently received the names of another 50 alleged *Afghan Mellat* members arrested at the same time and reportedly still imprisoned.

Amnesty International received information about some other political prisoners during 1985, but believed that they were only a

AMNESTY INTERNATIONAL REPORT 1986

This report covers the period
January to December 1985

Amnesty International Report 1986

207

small part of the total number held. In June the government announced that certain categories of prisoners would be released or have their sentences reduced and in July 400 people were reported to have been released from Pul-e Charkhi prison, Kabul, and others from provincial prisons. However, prisoners who had committed "grave counter-revolutionary crimes" were excluded. Amnesty International received no reply to its request for the names of those released and details of the offences excluded.

Reports of torture and ill-treatment of people taken into custody by the *Khad* persisted. During 1985 Amnesty International interviewed over 90 people who had been released from prison in recent years, including several women. All reported having been tortured during interrogation. Torture was said to have taken place principally at *Khad* interrogation centres (see *Amnesty International Report 1984*), but also in Pul-e Charkhi prison and in military detention; in addition to Kabul, reports referred to Bamian, Ghazni, Herat, Jalalabad and Kandahar. Victims of torture included government and police officials, teachers, students, businessmen and shopkeepers. Most were accused of contacts with opposition groups and were tortured to secure "confessions". Forms of torture reported included beating, burning with cigarettes, removal of fingernails, insertion of a bottle in the rectum, sleep deprivation, exposure to cold or to sun, standing in water or snow, mock execution, and witnessing the torture of others. Consistent accounts were given of various forms of electric shock torture: the use of electric shock batons, the application of current by a telephone-like device with wires variously attached to the fingers, toes, ears, tongue and penis, and the use of an electric chair. Several reports referred to the presence of Soviet personnel during interrogation under torture.

Amnesty International was unable to determine how many people were executed in Afghanistan. The official Afghan news media reported 40 death sentences imposed by Special Revolutionary Tribunals. Almost all the accused were said to be members of particular armed opposition groups and to have made confessions. The reported offences in some cases related to specific incidents of murder, and in others included "uprising and commission of anti-government and counter-revolutionary acts", "fleeing from military service, joining the enemy and armed resistance against the government", and armed highway robbery. There were also a number of unofficial reports of executions of members of the Afghan armed forces, and allegations by former prisoners that unreported executions were frequent.

Amnesty International remained concerned that the officially reported death sentences were all handed down by Special Revol-

AMNESTY INTERNATIONAL REPORT 1986

This report covers the period
January to December 1985

208

Amnesty International Report 1986

utionary Tribunals against whose decisions there was no right of appeal to a higher tribunal, in violation of Article 14(5) of the International Covenant on Civil and Political Rights. It appealed to President Babrak Karmal to exercise his power to commute all death sentences, and submitted all reported cases to the UN Special Rapporteur on summary or arbitrary executions. The Afghan Government's representative stated before the Human Rights Committee in July that many persons condemned to death had been pardoned, but Amnesty International had no knowledge of individuals whose sentences had been commuted or of the number of death sentences not officially reported. It was unable to discover the fate of Dr Mohammad Younis Akbari, who had been sentenced to death for subversion and counter-revolutionary activities in May 1984 (see *Amnesty International Report 1984 and 1985*).

The Human Rights Committee, at its sessions on 10 and 12 July, examined the report submitted by the government to the UN Secretary-General on the measures adopted to implement the International Covenant on Civil and Political Rights, to which Afghanistan acceded in 1983. Members of the Committee noted that the government's report referred only to legal measures adopted, not to the actual situation in the country. They asked whether the death penalty was subject to appeal and what official machinery existed for investigating alleged arbitrary killings; how it was ensured that foreign troops complied with the Afghan Government's obligations under the Covenant; what was being done to abolish torture and to remedy alleged cases of torture; and whether the judiciary was fully independent and individuals had the right to legal assistance of their own choosing.

The special rapporteur appointed by the UN Commission on Human Rights, to whom Amnesty International had submitted a statement of its own concerns in the country, reported in February to the Commission. He noted the lack of cooperation from the Afghan Government resulting in his inability to visit the country. However, basing himself on "a cross-section of the direct, personal experience of victims" and on documentation from other individuals and organizations, the special rapporteur concluded that the conflict in Afghanistan had given rise to human rights violations including wilful killing, torture and inhuman treatment, denial of a fair trial, arbitrary arrest and taking of hostages. In his November report to the UN General Assembly he stated that "the government, with heavy support from foreign troops, acts with great severity against opponents or suspected opponents of the regime without any respect for human rights obligations". His report referred to killings of civilians as a result of "acts of brutality committed by armed forces",

"bombardment and massacre following reprisals", and "use of anti-personnel mines and booby-trap toys". The Afghan Government described his reports as "a stark picture of dishonesty, fabrication and gross distortion of facts".