

Human Rights Watch Briefing Paper
On the Precipice: Insecurity in Northern Afghanistan
June 2002

I. Introduction

Eight months after the collapse of the Taliban, northern Afghanistan remains on a dangerous precipice. Factional rivalries periodically erupt into open hostilities, jeopardizing civilian security, aid delivery, and the resettlement of displaced communities. The absence of a coherent, accountable administration in Balkh province—which includes Mazar-i Sharif (“Mazar”), the region’s major city—has meant that robbery, rape, and other violent crimes are committed with impunity. Amid a recent spate of such attacks against international aid workers, a number of international non-governmental organizations (NGOs) have begun reevaluating their operations in northern Afghanistan. Forcible recruitment of young men, militia domination of camps for internally displaced persons (IDPs), and continued sexual violence have led to a general climate of insecurity, with members of ethnic minorities being especially vulnerable.

At the heart of the conflict are the competing ambitions of two ethnically-based armed parties, the predominantly Uzbek Junbish-e Milli (“Junbish”), led by General Abdul Rashid Dostum, and the predominantly Tajik Jamiat-e Islami (“Jamiat”), led in the north by General Atta Mohammad and backed by Defense Minister Mohammad Qasem Fahim. Dostum and Atta were uneasy allies in the coalition campaign to unseat the Taliban, and the capture of Mazar was delayed by disputes between the two commanders. Immediately after occupying Mazar, the two commanders, along with the leaders of three ethnic Hazara parties, effectively partitioned the city and established a patchwork of militia posts and patrols.

On February 3, 2002, all five parties operating in Mazar signed a United Nations-backed agreement establishing a 600-person mixed security force for the city drawn from each of the parties.¹ In practice, the mixed force has existed alongside two autonomous police forces: the police department, headed by a leader of the Hazara Hizb-i Wahdat party, and the police security department, which is headed by Atta’s brother Fida Mohammad and is the most powerful of the three. Alongside these forces are unauthorized military posts maintained by each of the factions—over half reportedly belonging to Jamiat—which were to have been replaced by the mixed force.

Most of the territory west of Mazar, extending through Jowzjan and Faryab provinces, is held by Junbish. And with the exception of Samangan province, the territory to the east of Mazar is largely controlled by Jamiat commanders. The faultline between the two parties runs through the southern part of Balkh province and neighboring Sar-e Pul province, and these areas have seen repeated outbreaks of fighting during the past six months.

II. Attacks on humanitarian NGOs

¹ The force, headed by Junbish commander Majid Rouzi, was to include 240 officers from Jamiat, 180 from Junbish, and a further 180 from each of the three Hazara parties.

In recent weeks, international humanitarian NGOs operating in the north have faced a dramatic upsurge in violent attacks, including cases of rape, looting, and firing on their vehicles. NGOs in the region believe that the rapid rise in the number of isolated attacks is an indication of their growing vulnerability amid the existing security vacuum. The attacks have had a chilling effect on the ability of women NGO staff, in particular, to participate in relief and recovery operations. During a press briefing on June 25, Manoel de Almeida e Silva, the spokesperson for the special representative of the secretary-general, reported that many NGOs in northern Afghanistan had “removed female staff from undertaking field missions as a temporary measure.”² The withdrawal of women aid workers from field missions in turn prevents those aid agencies from communicating effectively with Afghan women about their assistance needs.

What follows is a summary of the major reported incidents, based on information gathered by Human Rights Watch from officials of humanitarian aid agencies in the north.

- **May 29:** Five gunmen broke into the Mazar office of Goal, an Irish humanitarian aid organization, around 9:30 p.m. They quickly overpowered the two guards at the entrance to the compound, hitting one on the head with a pistol and then chaining one in a basement and the other in the bathroom. The intruders appear to have proceeded directly to the organization’s safe and carried it away. According to witnesses interviewed after the robbery, the gunmen wore uniforms and spoke in Uzbek.
- **June 6:** At about 2:30 a.m., armed men broke into and robbed the Mazar office of an international humanitarian NGO. Employees of the NGO who were present in the compound during the raid were reportedly bound and beaten. According to witness accounts, a pickup truck arrived at 4:00 a.m. to receive the intruders and took them to an unknown destination.
- **June 8:** An international NGO vehicle was ambushed by seven armed men ten kilometers west of Khulm, in Balkh province. Upon stopping the vehicle, the gunmen confirmed by radio in Dari that they had seized the passengers. One woman international staff member was taken from the vehicle and gang-raped, while an Afghan employee of the NGO was badly beaten. The gunmen looted the vehicle, taking the passports of the two international staff and a large sum of money that they were carrying, before allowing it to proceed. Khulm is in a Jamiat-controlled area, but the political affiliation of the assailants, if any, is not known. Six of the gunmen were believed to be ethnic Tajiks, and one Hazara.
- **June 14:** A vehicle convoy belonging to an American NGO and carrying seven international staff was fired on at a checkpoint in Dehdadi district, southwest of Mazar-i Sharif, while delivering bread to an IDP camp. At least ten shots were fired at the convoy, wounding one Afghan staff member in the leg. Although the convoy had reportedly driven past the checkpoint without stopping, some of the vehicles were clearly marked as NGO property and all were fired upon. The NGO subsequently evacuated its international staff and shut down its operations in northern Afghanistan.

² United Nations Assistance Mission in Afghanistan (UNAMA), “Press briefing by Manoel de Almeida e Silva, Spokesman for the SRSF for Afghanistan,” June 25, 2002.

- **June 16:** A truck carrying a Swedish Committee for Afghanistan (SCA) team was shot at in northeastern Takhar province, on the road from Pul-e Begon to Rustaq, at 10:45 a.m. The vehicle was stopped about seven to eight kilometers from Rustaq by a group of people demanding a ride, at least one of whom was an armed soldier. After the team rejected the request and began to drive away, shots were fired at the vehicle. Two of the nine passengers sustained bullet injuries, one in his hand and the other on his shoulder. According to SCA, the truck was rented but clearly marked as one of its vehicles.³

According to humanitarian aid officials in Mazar, both the May 29 and June 6 robberies appear to have been planned and executed on the basis of inside information.⁴ In the case of the Goal robbery, the police criminal investigation department posted a guard overnight at the compound after the incident was reported, and as of June 2 an investigation was officially underway at the central police station in Mazar. But according to international humanitarian aid workers in Mazar, the record of local authorities in investigating and prosecuting attacks on NGOs and U.N. agencies has been dismal.

The recent violence against international NGOs followed a series of attacks on directors of Afghan NGOs and local employees of the United Nations earlier in the year. During February alone, more than half a dozen such cases were recorded by international officials in Mazar-i Sharif, including attempted killings, kidnapping, and hijacking of vehicles.⁵ Some of these attacks took place in the homes of the intended victims, and in two cases, female family members were raped. “No one has been charged in any of the cases of attacks on NGOs,” a Mazar-based international humanitarian official told Human Rights Watch. “They [the authorities] just blame each other.”⁶

A senior international official cited the case of Shah Sayed, an Afghan employee of the Food and Agriculture Organization (FAO), who was taken from his home and shot by unidentified gunman on April 10. “The killing has become a political football between Jamiat and Junbish,” the official said. “There has been no progress.”⁷

On June 20, the Kabul-based Agency Coordinating Body for Afghan Relief (ACBAR), representing sixty-six Afghan and international humanitarian NGOs, appealed directly to U.N. Security Council to ensure security for their aid operations. The letter stated, in part:

Our workers have been attacked and sexually assaulted, our property has been repeatedly looted, and our convoys carrying life-saving goods have been shot at, hijacked and stolen. Some NGOs have already terminated their services. Other NGOs are strongly considering withdrawal....

³ Swedish Committee for Afghanistan, “Two Swedish Committee for Afghanistan (SCA) staff members shot and wounded in Northern Afghanistan,” Peshawar, June 21, 2002.

⁴ Human Rights Watch interviews with international humanitarian officials, Mazar-i Sharif, June 2002.

⁵ Human Rights Watch interview with an international humanitarian official, February 26, 2002. Details of cases on file at Human Rights Watch.

⁶ Human Rights Watch telephone interview with an international humanitarian official, Mazar-i Sharif, June 19, 2002.

⁷ Human Rights Watch interview with an international humanitarian official, Mazar-i Sharif, June 5, 2002.

We believe a limited expansion of ISAF [International Security Assistance Force] is critical. Northern areas are in dire need of reconstruction and emergency support, which they will not receive if insecurity prevails. Without international intervention, political, factional, and ethnic tensions in the North will increase even further.⁸

The NGO attacks were also raised in a June 16 letter to Afghan President Hamid Karzai from Lakhdar Brahimi, the special representative of the secretary-general of the United Nations, who called on the transitional government in Kabul to intervene “strongly and urgently” with the local parties and authorities.⁹ According to United Nations sources, the special representative also raised the issue privately with the leaders of the three major parties in the north: Jamiat, Junbish, and Hizb-i Wahdat.

III. Militia abuses in IDP camps

The competition between Jamiat and Junbish and the establishment of their military posts within or in close proximity to IDP camps has had dire consequences for the security of camp residents. Among the abuses against civilians reported to Human Rights Watch have been forcible relocations, compulsory performance of military support functions, and sexual violence. Two large camps with which these abuses have been associated are Camp 65, in Chintal district, west of Mazar, and Sakhi camp, located east of the city.

Camp 65

Junbish forces partially reoccupied Camp 65, a former military base, amid a heavy buildup of troops and military hardware by the rival parties in and around Mazar in late April and early May. Internally displaced persons whose settlements lay close to the newly established Junbish base were forcibly evicted and their dwellings bulldozed, according to humanitarian aid workers and camp residents; the remains of their demolished homes were clearly visible when Human Rights Watch visited the camp in early June. Most of those who had been evicted—largely ethnic Arabs and Tajiks from Shiram in Sar-e Pul province—relocated on their own to the outskirts of the camp, at a site without easy access to water resources.

When confronted with the order to move, the Shiram population first sought help from the local Junbish commanders. “Some of the elders went to the commanders and asked them not to make us move,” said A, a camp resident. “They [the commanders] said we should seek assistance from aid organizations, who might point us in the direction we need to go.” No offer was made by the commanders themselves to assist in the relocation, he said.¹⁰ The eviction itself was abrupt. “The bulldozer came at about noon,” A said. “In less than one hour they had destroyed

⁸ Letter from Ian Purves, executive coordinator, Agency Coordinating Body for Afghan Relief (ACBAR), to the members of the U.N. Security Council, June 20, 2002.

⁹ U.N. News Service, “U.N. envoy raises concerns about insecurity in northern Afghanistan,” June 17, 2002.

¹⁰ Human Rights Watch interview with A, Camp 65, June 5, 2002.

the homes.”¹¹ Another, older man reported, “They didn’t give us time to remove our mattresses or blankets.”¹²

Concurrently with the establishment of the Junbish presence, male residents of the camp were ordered to serve as night watchmen and dig trenches—in both cases without payment. M, who estimated his age as being between 55 and 60, and S, a man of about 30, went to the base to complain on behalf of the camp population. Both were severely beaten by Junbish troops for their efforts. According to M,

I went to them and said we are poor people, that we are not there to do duty as watchmen or to dig trenches. This was about a day before our homes were demolished. Nobody listened to us. They said, “Don’t disturb us, it’s not your job to come and defend everyone.”

Three soldiers beat me with the back of a gun. They beat me all over [*points to different parts of his body, including the back of his head*]. It went on for half an hour, maybe. Then I lost consciousness. This happened in front of the base. A few [camp residents] were with me. Afterwards, others joined and they carried me home on a blanket.

I couldn’t recognize anyone for some time. I spent 1,600,000 Afghanis (\$22) on medical treatment. I took out a loan from the people [of the camp] for treatment.¹³

According to M and other camp residents, he was beaten at about 6:30 in the evening, and regained consciousness at 3:30 the following morning. He was bleeding from the ear and mouth, and vomiting. “We went to a private clinic, by car—we called one from the village,” A. said. “The doctor from the village told us, ‘As soon as you can, get him to a clinic.’”¹⁴

S was beaten in the same manner and remained unconscious for about two hours, A said. The troops’ demand for unpaid labor did not end until two weeks later, he added, after the fighting between Junbish and Jamiat had ended.¹⁵

Sakhi camp

Sakhi camp is a planned community of clay and wood homes that was originally built to house refugees from Tajikistan during that country’s 1992-97 civil war. Its population is now entirely Afghan, of diverse ethnic origins. Although not militarized to the extent of Camp 65, Sakhi camp was described by local residents and humanitarian aid workers as being dominated by men affiliated with Jamiat, including the de facto leader of the camp, Lal Mohammad.

¹¹ Human Rights Watch interview with A, Camp 65, June 5, 2002.

¹² Human Rights Watch interview with Y, Camp 65, June 5, 2002.

¹³ Human Rights Watch interview with M, 55-60, Camp 65, June 5, 2002.

¹⁴ Human Rights Watch interview with A, Camp 65, June 5, 2002.

¹⁵ Human Rights Watch interview with A, Camp 65, June 5, 2002.

Many ethnic Pashtuns in Sakhi camp were targeted by the newly victorious Northern Alliance forces, initially including both Jamiat and Junbish troops, who established a presence in the camp following the collapse of Taliban rule in Mazar. According to residents and aid workers interviewed by Human Rights Watch, Pashtuns living in the camp faced widespread sexual violence and looting by Jamiat and Junbish militiamen. An entire section of the camp housing an estimated 400 Pashtun families was destroyed, and lay in ruins at the time of Human Rights Watch's visit to the camp in early June. Many of the Pashtun residents subsequently fled the camp, with some reportedly heading toward the largely Pashtun town of Balkh.

Pashtun women remaining in the camp who were interviewed by Human Rights Watch said that cases of sexual violence had diminished since the immediate post-Taliban period, largely due to the reduced presence of armed men in the camp. But all spoke of a continued fear of sexual assault. R, a 35-year old Pashtun woman living in Sakhi, described this apprehension:

Pashtun women are still threatened by the [ethnic] Arabs of the camps. These Arabs were armed at the beginning, but now they have been disarmed; their guns have been taken two or three months ago. It is a general harassment against the Pashtuns, but the main targets are the women and girls. We are all afraid of being raped, and until ten days ago, we hardly dared go out of our houses. Now we are going outside more easily. The security is a bit better because the military forces are not coming into the camp anymore.¹⁶

According to the representative of a group of Pashtun families in the camp, sexual violence by armed men continues to take place. He described the most recent report that he had received:

At night, some military men came to a Pashtun house in the camp; they stabbed the man of the family with a knife. He had to go to the hospital because he was seriously wounded. Then they took the wife of this man and raped her. It happened twenty-five days ago. The perpetrators were Arab or Tajik; I don't know exactly, but they were with Jamiat. I have been made aware of this because I am a representative of a group of families, I had to be informed. I have been told that three men had been arrested.¹⁷

Several residents said that camp "leaders" associated with the armed forces that had committed abuses against Pashtuns, including cases of sexual violence, remained in the camp and continued to act as representatives of groups of families there.

IV. Continued abuses against Pashtuns in Faryab

The abuses against Pashtuns in Sakhi camp reflect a much wider pattern of targeted attacks on Pashtun communities by Jamiat, Junbish, and Hizb-i Wahdat forces as Taliban rule unraveled across northern Afghanistan, documented by Human Rights Watch in an April 2002 report,

¹⁶ Human Rights Watch interview with R, 35, Sakhi camp, June 8, 2002.

¹⁷ Human Rights Watch interview K, 52, Sakhi camp, June 7, 2002.

“Paying for the Taliban's Crimes: Abuses Against Ethnic Pashtuns in Northern Afghanistan.”¹⁸ Pashtuns who were recently displaced from the Shoor Darya valley of Faryab province described continued abuses by the locally dominant Junbish forces, including denial of access to agricultural lands, recurrent demands for money, and sexual violence against women and adolescent boys.

B, a Pashtun farmer who estimated his age as sixty, said he abandoned his home near the town of Dawlatabad during the third week of May, after a commander in the district occupied a large portion of his land and allowed his relatives and troops to appropriate other sections of it. “It has been a month since they started cultivating,” B said. He identified the men farming his land as being under the authority of an ethnic Turkmen Junbish commander, who he said controlled the Juma Bazar, Shirin Tagab, and Dawlatabad areas of Faryab.¹⁹

An international aid official who visited the Shoor Darya valley in early June confirmed the general practice of land seizures. The official described having seen fields where Junbish commanders were preventing Pashtuns from harvesting the land that they owned, and said that Pashtuns who remained in the valley were leaving incrementally.²⁰

Internally displaced persons from Shoor Darya also reported ongoing sexual abuse of women. J, a 60-year old woman from Dawlatabad district said that her own family had not experienced sexual violence at the hands of local militiamen, but that it had been common in her area and was the principal reason for her family’s flight:

When the Uzbeks were coming during the night, they were seeking young women to harass them sexually. If they found young women in the houses, they forced them to do bad things. They always had sexual purposes toward them, and the young women could not defend themselves against them. This has happened very often in our neighborhood. They came several times to our house, but they failed to do bad things to the women because we were shouting to alarm the men, and we managed to escape from the house before they did that to us. But in the houses around ours, we know young Pashtun women who have been targeted by that kind of harassment and sexual violence.

Finally, we took the decision to leave because it became too dangerous for the younger women who were living in the house with us.²¹

S, a 25-year old Pashtun woman, also from Dawlatabad district, provided a similar account:

The last time ten Uzbeks came to our house, my father-in-law asked them what they were doing, and they answered, “Where are the women?” When the women

¹⁸ Human Rights Watch, “Paying for the Taliban's Crimes: Abuses Against Ethnic Pashtuns in Northern Afghanistan,” *A Human Rights Watch Report*, Vol. 14, No. 2 (C), April 2002, www.hrw.org/reports/2002/afghan2/

¹⁹ Human Rights Watch interview with B, 60, IDP from Dawlatabad, Shoor Darya, Faryab. Interviewed in Balkh province, June 6, 2002.

²⁰ Human Rights Watch interview with an international humanitarian official, Mazar-i Sharif, June 3, 2002.

²¹ Human Rights Watch interview with J, 60, IDP from Dawlatabad, Shoor Darya, Faryab. Interviewed in Balkh province, June 6, 2002.

of the family heard that, they all escaped. The Uzbeks were looking for me because they knew there was a young woman. I managed to hide myself in a dark closet; they were looking everywhere but they did not find me. After they had left and had looted all they could find, I discussed [the matter] with my father-in-law and we decided to leave.²²

B, interviewed separately, became visibly agitated when asked about the conditions under which he would consider returning to Faryab. “I would prefer to die than to go back there,” he said. “There, even my women are not my own.” Although he would not elaborate on the issue of sexual violence against women—a culturally proscribed subject for many Afghan men—he described a pattern of sexual assault by local commanders involving Pashtun boys in his area.

Boys between the ages of eight and fifteen are raped. They [the commanders] take them with themselves for some nights, then they leave them or bring them back. These boys are now accustomed to it. They go back to the commanders. These boys become powerful in the tribe, and can do whatever they want because they are with commanders. The commander doesn’t take money from them or their families.²³

While the intensive looting of Pashtun communities associated with the collapse of the Taliban has subsided in Shoor Darya, regular demands for money by commanders appear to be compounding the impoverishment of local Pashtuns. The practice, as described to Human Rights Watch, involves the collection of money in each village by tribal leaders who are appointed by the commanders and backed by the threat of force. Various pretexts are used in collecting money, such as keeping the troops properly clothed.²⁴

As in many other parts of the north where Human Rights Watch has previously documented abuses against Pashtun communities, Pashtuns from Dawlatabad sharply distinguished between the conduct of the Junbish commanders in Shoor Darya and that of the neighboring Uzbek villagers. B, for example, emphasized that Uzbeks living in his area had not been involved in the violence against Pashtuns and were also victimized by Junbish forces.²⁵

V. Forcible recruitment

In many areas of the north, families are routinely forced to make cash payments to local commanders if they wish to avoid the conscription of their sons into militia forces. Although all three of the cases reported below are from Balkh province, international humanitarian staff in Faryab have recently reported forcible recruitment of men between the ages of eighteen and twenty-five in Junbish-controlled Andkhoy, Maimana, and Qaisar districts.²⁶

²² Human Rights Watch interview with S, 25, IDP from Dawlatabad, Shoor Darya, Faryab. Interviewed in Balkh province, June 6, 2002.

²³ Human Rights Watch interview with B, 60, June 6, 2002.

²⁴ Human Rights Watch interview with B, 60, June 6, 2002.

²⁵ Human Rights Watch interview with B, 60, June 6, 2002.

²⁶ Human Rights Watch communications with international humanitarian officials, northern Afghanistan, May 7-15, 2002.

In one recent case, police belonging to Jamiat severely beat M, a 52-year old resident of T village near Mazar, after his son fled conscription by the police.

Three months ago, they took my 18-year old son as a soldier for the security post in T. After one night there, my son escaped from the post and came to the city to live with our relatives.

M said he then began receiving visits almost daily from the police, asking about his son's whereabouts and demanding that he bring him back to his duty station. The visit culminated in M's detention at the police post at the end of May.

They [the police] took me from my house eight days ago, at 6:00 p.m., and locked me in a room. It was on the rooftop of the post, there was a room there. They came at 9:00 p.m.—four persons, with F [the commander of the post]. They beat me with wooden sticks for around fifteen minutes. They beat me on the back, and on my shoulders and buttocks. They tied my feet together with a turban and beat me on the soles of my feet; two men held my legs up [while the two others administered the beatings].²⁷ I was beaten in F's presence.

M was released soon after his beating, but said the harassment ended when he and six other local residents with similar complaints secured the intervention of the area commander for the police.

[The area commander] told F to stop disturbing me. After that, I brought my son back to this area, and my son is going to school in T. I have had no further problems from him [F].²⁸

D, a recently returned refugee, described the extortion of residents of his village in Balkh province to avoid the forcible conscription of their young men. He told Human Rights Watch that the area he lived in was under the authority of Bari, a Jamiat commander based in Balkh, whose representative in the village was a gunman named J. On Saturday evening, June 1, J came to the mosque at the time of the evening prayers and informed the congregants that Bari had ordered each family to pay 100,000 Afghanis [\$1.40] or send their men to fight under him. According to D, the demand would be renewed every fifteen days. "This [request] was the most recent one," he said. Those young men who were conscripted spent 10 to 15 days each at the army compound in Balkh city, D said, and were fed but not paid.²⁹

D described a similar pattern of extortion in Nawabad, a village in Charbolak district of Balkh province. Villagers from Nawabad had informed him on June 3 that they had collected 2,000,000 Afghanis [\$28] to provide to Jamadar, the local representative of Wali, a Pashtun

²⁷ Beating of the feet, commonly referred to as *falanga*, *falaka*, or *basinado*, is a widely reported form of torture that can have severe consequences, including muscle necrosis, vascular obstruction, and chronic disability and pain. See Action Against Torture Survivors et al., *Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* ("The Istanbul Protocol"), August 1999, for a detailed medical description of the effects of *falanga* torture.

²⁸ Human Rights Watch interview with M, Mazar-i Sharif, June 8, 2002.

²⁹ Human Rights Watch interview with D, Mazar-i Sharif, June 4, 2002.

commander aligned with Junbish. “Jamadar put pressure on the people of Nawabad to pay the money or provide him four men for fighting,” D said.³⁰

VI. Attempts to defuse factional tensions in the north

Tensions between Jamiat and Junbish reached a new peak in late April, with a rapid buildup of troops and heavy artillery in Mazar by both parties and renewed fighting in Sar-e Pul town and in Sholgara district, in the southern part of Balkh province. The immediate catalyst may have been the movement of tanks and troops from the Jamiat-controlled Defense Ministry in Kabul to participate in the National Day celebrations alongside local Jamiat forces in Mazar on April 28, a date commemorating the defeat of the Najibullah government by *mujahideen* forces in 1992. But there was also simmering discontent among Junbish commanders with Jamiat’s gradual extension of its authority westwards.

Both parties began a rapid buildup of troops and military hardware in Mazar. By early May up to 3000 troops from each faction were estimated to be in the city, with large numbers having entered on the pretext of taking part in the National Day celebrations. Others continued to enter Mazar over the course of the week, often in civilian dress and traveling on public buses. They were given arms when they reported to their factions’ bases inside the city. International observers estimated that there were about ninety to one hundred armored vehicles in the city.

Concurrently with the buildup in Mazar, heavy fighting broke out between the two parties on April 29 in Sholgara and Sar-e Pul town. Jamiat reportedly attacked Junbish positions in Sholgara, while in Sar-e Pul, Junbish seized full control of the town and took fifteen Jamiat commanders prisoner. The conflict led to at least twenty deaths before the U.N. negotiated a ceasefire on May 2.³¹

A second agreement brokered on May 5 by U.N. negotiators committed both factions to move their armored personnel carriers and artillery to their respective bases west and east of the city within twenty-four hours, and to dismantle unauthorized posts and bases concurrently with the reorganization of the 600-person police force. The agreement also provided for an investigation by a U.N. commission into the fighting in Sholgara and Sar-e Pul, and authorized such a commission to disarm both factions in Sholgara and to demilitarize Sar-e Pul.³²

Enforcement of the May 5 agreement has been spotty, and reflects the limited capacity of the U.N. to police agreements between rival commanders in the absence of international security forces. By far the most successful aspect of the agreement has been the withdrawal of armored personnel carriers and heavy artillery from Mazar. Jamiat’s tanks and artillery have been withdrawn to Marmul, east of the city, while Junbish, after an initial period of non-compliance, had by late May relocated its equipment to its main base in Shibergan.³³

³⁰ Human Rights Watch interview with D, Mazar-i Sharif, June 4, 2002.

³¹ Human Rights Watch communications with international humanitarian officials, Mazar-i Sharif, May 1-7, 2002. See also Human Rights Watch, “Rise in Factional Fighting Threatens Fragile Peace: International Community Urged to Improve Security for Civilians,” May 7, 2002.

³² Text of agreement dated May 5, 2002, on file at Human Rights Watch.

³³ Human Rights Watch interview with an international humanitarian official, Mazar-i Sharif, June 5, 2002.

The May 5 agreement, based on earlier discussions, also provided for the reorganization of the 600-person police force on district rather than party lines. But as of late June that process had yet to commence.³⁴ According to one international observer, a more specific set of selection criteria for recruitment was also needed; the observer had received complaints from Mazar residents that many of the existing recruits to the force were sixteen years of age or less, contravening international standards and suggesting a lack of good faith by local commanders. In addition, many unauthorized militia posts remain in Mazar. The establishment of such posts in hotels and private residences has prevented United Nations officials from identifying their precise number and location.³⁵

United Nations officials concede that there has been no progress in the demilitarization of Sar-e Pul and Sholgara.³⁶ Sar-e Pul town, as of this writing, remains in Junbish hands, while Jamiat-dominated Sholgara has been the site of continued instability; last week, fighting was again reported to have broken out in the district. Humanitarian aid operations in Sar-e Pul, suspended at the time of the clashes in late April and early May, had resumed by late May, but ultimately remain hostage to the degree of restraint shown by the two parties.

VII. Conclusions and recommendations

The Bonn process that provided for the convening of an emergency loya jirga (grand national assembly) and the selection of a transitional cabinet in Kabul in June 2002 was predicated on the premise of inclusion, that by offering regional authorities a stake in the central government and in the reconstruction of the country, political fragmentation could be overcome. But the prevailing insecurity in northern Afghanistan, and the reluctance thus far of regional warlords like General Dostum and Ismail Khan in Herat to assume the post of vice-president in the central government, put that in doubt. What instead appears to be a much more attractive proposition to them is a decentralized state, with regional authorities enjoying wide autonomy to levy taxes and raise and maintain private armies. Jamiat's attempt to exert its influence across a broader swathe of Afghanistan appears to be a reflection of the same impulse, rather than an effort to create a broadly representative central government.

Defusing tension in the north, securing space for humanitarian operations, and protecting civilians from the predations of armed parties requires a set of strategies aimed at ensuring security, demilitarization, promoting civic accountability, and allowing independent monitoring. Absent such measures, a political process that challenges the power bases of local authorities may pose risks for those who participate in it. One member of the loya jirga commission in Mazar spoke tellingly of this prospect:

All of the members of our office have been threatened, myself several times. "You're going too fast," I've been told. I will tell you about these things after democracy comes to this country. But right now, I don't feel secure.³⁷

³⁴ Human Rights Watch communication with a United Nations official, Kabul, June 25, 2002.

³⁵ Human Rights Watch interview with an international humanitarian official, Mazar-i Sharif, June 5, 2002.

³⁶ Human Rights Watch communication with a United Nations official, Kabul, June 25, 2002.

³⁷ Human Rights Watch interview with a member of the loya jirga commission, Mazar-i Sharif, June 2, 2002.

Recommendations

The government of Afghanistan and the northern provincial administrations should take the following measures:

- Investigate all reported cases of attacks on Afghan and international humanitarian NGOs and their employees. Persons identified as being responsible on the basis of these investigations should be promptly charged and prosecuted for the offenses in a manner consistent with international standards of due process and fair trials.
- Investigate reports of continued attacks against ethnic Pashtuns and other civilians in northern Afghanistan. Suspend from active duty and disarm any personnel who have been accused of attacks against civilians, pending the completion of those investigations.
- Respect the civilian nature of IDP camps. Issue clear instructions to all commanders to desist from forcing IDPs to perform military support functions. Investigate reports of rape and other acts of violence against IDPs by members of armed forces or groups and suspend from active duty any personnel implicated in those attacks, pending the completion of those investigations. Cooperate with United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations High Commission for Refugees (UNHCR) to ensure that the return and resettlement of IDPs is carried out voluntarily and with the informed participation of IDPs.
- Prohibit *ad hoc* forcible recruitment by local commanders and ensure that conscription is carried out only where authorized by, and regulated in accordance with, domestic law. Extortion and intimidation of families seeking to avoid the conscription of their young men should be strictly prohibited and violators should be prosecuted.
- Reorganize the 600-person police force for Mazar along non-party lines, as provided for in the May 5 peace agreement negotiated by the U.N. Develop and enforce selection criteria for recruitment into the forces, including age, education level, and in the case of officers, professional experience. International assistance should be requested and provided for the training of the force in human rights and international policing standards, possibly in coordination with the German-led training program for the national police in Kabul. Screening should be rigorously conducted to exclude personnel implicated in human rights abuses or criminal activities. The mixed force should gradually be expanded to supplant the existing faction-controlled police department and police security department in Mazar.
- Urgently disarm both parties in Sholgara and demilitarize Sar-e Pul, as provided for in the May 5 peace agreement. UNAMA should commit additional resources to the commission charged with investigating the incidents of armed conflict in these districts and monitoring the processes of disarmament and demilitarization.

The United Nations Security Council should:

- Urgently expand the deployment of the International Security Assistance Force (ISAF) to areas outside of Kabul, prioritizing deployment in Mazar-i Sharif. The extended mandate should, at a minimum, include rapid reaction capabilities for the Mazar-based force within Balkh and Sar-e Pul provinces.