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# AFGHANISTAN

## Paying for the Taliban's Crimes:

### Abuses Against Ethnic Pashtuns in Northern Afghanistan

*You are Pashtun. You don't belong in this area. You must leave for Kabul, and leave [this area] for us.*  
Jamiat commander speaking to Pashtun villager in Baghlan province.

*The Taliban did the crimes, but the punishment was for us.*  
Pashtun elder, describing the abuses his village faced at the hands of Hizb-i Wahdat fighters.

*I've complained only to Allah. Who hears our complaints? We will only get in more trouble if we complain.*  
*We have no power. Whoever has the guns has the power. We are sick of the guns, of the commanders.*  
*Take them all away and let us farm.*  
Elderly Pashtun villager whose house was looted by Jamiat forces.

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## SUMMARY

Since the collapse of the Taliban regime in northern Afghanistan in November 2001, ethnic Pashtuns throughout northern Afghanistan have faced widespread abuses including killings, sexual violence, beatings, extortion, and looting. Pashtuns are being targeted because their ethnic group was closely associated with the Taliban regime, whose leadership consisted mostly of Pashtuns from southern Afghanistan.

Directly implicated in many of the abuses are the three main ethnically-based parties and their militias in northern Afghanistan—the predominantly ethnic Uzbek Junbish-i Milly-yi Islami, the predominately ethnic Tajik Jamiat-e Islami, and the ethnic Hazara Hizb-i Wahdat—as well as non-aligned armed Uzbeks, Tajiks, and Hazaras who are taking advantage of the vulnerability of unprotected and selectively disarmed Pashtun communities.

In response to reports of abuses against Pashtuns, Human Rights Watch sent a team of four researchers to northern Afghanistan in February and March 2002. The team visited dozens of Pashtun villages and communities in four northern provinces (Balkh, Faryab, Samangan, and Baghlan) and also met with representatives of the Afghan interim administration, diplomatic representatives, and humanitarian workers.

Widespread looting and extortion of Pashtun communities was documented throughout the region. A typical pattern of attacks emerged in the Shoor Darya region of Faryab province. Local villagers said armed Uzbeks associated with the local Junbish faction took away their guns (but not those of members of other ethnic groups) in mid-November and proceeded to violently loot their villages, taking livestock, stored grains, household goods, carpets, money, and jewelry over the course of the next few weeks—a period described by one villager as “forty days of terror.”

In many Pashtun villages, the looting was accompanied by severe beatings of Pashtun men and sometimes women. M.J., an elder of the Pashtun village of Spin Kot in Balkh province, described a typical beating, committed in this case by Hazara soldiers: “One was twisting my head and two were kicking me in the back. They were beating me with a shovel, questioning me about guns and money. They beat me there for

about two, two and a half hours.” The beatings finally stopped when M.J. showed the soldiers where he had hidden his money. A.S., a wealthy livestock owner from the Shoor Darya region, was almost beaten to death by two Junbish soldiers who wanted money from him: “At first they choked me with my turban. I lost consciousness, and they tied my hands. Then they started beating me with a kardoom [a cable with a metal ball at the end]. I can’t remember how many times they hit me, on my back, my legs, my hands. They broke my arm with the kardoom.” The beating stopped when A.S. agreed to give the men money and hand over his motorbike.

Cases of abductions for ransom were documented throughout the region. Junbish soldiers arrested M.K and his friend, both Pashtun villagers from Hassan Khel in Samangan province, in late December, and kept them for a week in a basement, beating them with wire cables, until the men agreed to pay money.

Raiders also killed Pashtun civilians during the looting. In the village of Bargah-e Afghani, located in the Chintal district of Balkh province, Hazara gunmen killed thirty-seven Pashtun men after tying most of them up, beating them in front of their families, and demanding money to spare their lives. In the nearby village of Yengi Qala, Hazara gunmen killed four men and two elderly women during looting. Junbish soldiers beat to death two Pashtun boys, aged fifteen and eighteen, in the village of Deshdan Bala in Balkh province. A village elder, Lal Jan, was severely beaten and then taken away by Uzbek gunmen in the Shoor Darya valley of Faryab province: he is presumed dead.

Women and girls were also raped during the looting raids. In Balkh city, Hazara gunmen gang-raped a fourteen-year-old Pashtun girl and her mother, before beating her father unconscious and looting the home. On January 16, 2002, three Hazara soldiers raped a sixteen-year-old girl in Chintal district. In Kunduz province, Jamiat soldiers beat thirty-year-old P.M. unconscious, and then raped his wife. Human Rights Watch received reports of other cases of rapes, and many women described how they had to fight off attackers or hide young female relatives out of fear of rape.

The most severe looting-related violence has subsided in some areas, but Pashtun communities throughout the north remain extremely vulnerable to serious human rights

abuses. Human Rights Watch documented several cases of abuse that occurred during our visits. In one village in Shoor Darya, the sudden arrival of Human Rights Watch researchers scared off two Uzbek gunmen who had come to extort money from the village elders. In another village in Samangan province, a village elder told Human Rights Watch that he had been forced to give up twelve of his sheep to a local Junbish commander on the morning of our visit. On February 20, 2002, N.M., from Qona Qala village in Baghlan province, was beaten by a local Jamiat commander who wanted money: "They hit me with a stick and a rifle butt. The [commander] was holding me, and the son beat me for thirty minutes.... While I was being beaten, my wife came to ask them to spare me. They kicked her hard." In Samangan province, the Human Rights Watch team was informed that Junbish soldiers had abducted a Pashtun man from the market the day of our visit, presumably to seek ransom from the family later.

The chairman of the Afghan interim government, Hamid Karzai, has taken some positive steps to address the anti-Pashtun violence in northern Afghanistan, most notably by appointing a three-person independent commission to investigate the issue. But his capacity for addressing the violence is limited, as real power in northern Afghanistan rests with commanders who are associated with the three main parties, including those implicated in the abuses. Leaders of those parties who hold positions in the interim government have on occasion taken corrective action. For example, General Abdul Rashid Dostum has removed some abusive Junbish commanders from power, most noticeably in Faryab province, and has placed new commanders among threatened Pashtun communities to protect them—but other Junbish commanders continue to carry out abuses with seeming impunity. An Afghan national army that could guarantee the security of all Afghans is only in the conception stage, there is no national police force, and a security vacuum exists in the meantime.

The international community needs to act to stop the violence against Pashtuns in northern Afghanistan, a task that for the foreseeable future cannot be handled solely by the Afghan authorities. Both the signatories of the Bonn Agreement and the United Nations Security Council have entrusted the U.N. with a great deal of responsibility in helping Afghanistan achieve a civilian representative government. The U.N. Security Council needs to expand the

mandate of the International Security Assistance Force (ISAF) for Afghanistan to include areas outside Kabul, most urgently northern Afghanistan. Efforts at accountability for past and current abuses should be accelerated, and the capacity of United Nations agencies in Afghanistan and the interim government to monitor human rights abuses must be bolstered. The United Nations should work to identify vulnerable minority populations, including those who are displaced from their homes, and make particular efforts to ensure the delivery of humanitarian assistance to these communities. With international financial support, the U.N. should assist the Afghan government in establishing impartial, multiethnic commissions at the local level to resolve grievances and disputes between communities over land, property, and access to water resources.

## RECOMMENDATIONS

### To the International Community:

- Support the expansion of the mandate and duration of the International Security Assistance Force (ISAF) in Afghanistan to include areas outside Kabul, most urgently northern Afghanistan. Pledge troops and other support for an expanded ISAF.
- Support the timely creation of an Afghan national army that is representative of Afghanistan's diversity, is professional, and respects the rights of civilians.
- Insist that Afghan commanders and combatants responsible for war crimes or other serious human rights violations are not allowed to serve in any capacity in law enforcement or military roles.
- Immediately cease any direct or indirect military support, financial support, or technical cooperation with commanders and forces that are implicated in war crimes or serious human rights violations.
- Increase funding for human rights monitoring in Afghanistan, including the Afghan Human Rights Commission that is to be established under the provisions of the Bonn Agreement, and the various human rights monitoring mechanisms of the United Nations.
- Establish permanent training programs in human rights and humanitarian law for Afghan police and military forces.
- Support efforts to establish accountability for past and current abuses committed in Afghanistan, including efforts at promoting international justice as well as the strengthening of Afghan institutions of justice that respect internationally recognized norms.
- Publicly denounce human rights abuses against ethnic Pashtuns and other communities and urge respect for the rights of all Afghans as one of the principle objectives for the international community in Afghanistan.
- Provide international protection and assistance to ethnic Pashtuns who flee Afghanistan for fear of persecution, as well as those who are internally displaced. In particular,

urge neighboring countries such as Pakistan, Iran, Tajikistan, and Uzbekistan to open their borders to asylum seekers from Afghanistan.

- Ensure that humanitarian assistance reaches Pashtuns and other communities in northern Afghanistan that have been internally displaced as a result of ethnically-targeted violence, including urban displaced persons and persons living in unregistered displaced persons' settlements.

### To the United Nations Security Council:

- Expand the mandate of the ISAF in Afghanistan to include areas outside Kabul, most urgently to northern Afghanistan.
- Establish a committee of experts to investigate past and current crimes against humanity, war crimes, and other grave abuses committed in Afghanistan, and to recommend appropriate measures of accountability.
- Establish an effective and comprehensive U.N. human rights monitoring presence throughout Afghanistan, as envisioned under the Bonn Agreement.

### To the Afghan Interim Administration:

Human Rights Watch appreciates that the Afghan Interim Administration is for the moment a relatively weak body, with only limited effective authority outside Kabul. In order to adequately address the tasks it faces, the Interim Administration will need extensive support from the international community.

- Work toward the timely establishment of an Afghan national army that is representative of Afghanistan's diversity, is professional, and respects the rights of civilians.
- Ensure that former commanders and combatants responsible for war crimes or other serious human rights violations are not allowed to serve in any capacity in law enforcement or military roles.
- Prosecute commanders and combatants responsible for war crimes or other serious human rights violations.
- Initiate a national process to resolve competing land and property claims between ethnic

communities in Afghanistan, and to foster better relations between ethnic communities.

**To Junbish-i Milly-yi Islami, Jamiat-e Islami, and Hizb-i Wahdat:**

The three main ethnically-based armed militias in northern Afghanistan are also represented in the interim government. In particular, Defense Minister Mohammad Qasim Fahim is in command of the Jamiat forces; Deputy Defense Minister Abdul Rashid Dostum is in command of Junbish; and planning minister and co-chairman of the Interim Cabinet Haji Mohammad Mohaqiq is the senior leader of Hizb-i Wahdat in northern Afghanistan. As such, these officials bear a special responsibility to ensure compliance by the respective forces under their command to implement the following recommendations:

- Respect international humanitarian law by prohibiting all attacks on civilians, including looting, extortion, beatings, killings, and sexual violence, and prosecuting those responsible for such abuses.
- Investigate the actions of commanders and soldiers accused of involvement in attacks against Pashtuns or members of other communities, and inform the Afghan Interim Administration of the result of such investigations and the identity of the persons responsible for such attacks.
- Fully cooperate with criminal investigations and prosecutions by Afghan interim authorities.
- Suspend from active duty and disarm any personnel who have been accused of attacks against Pashtuns or civilians, pending the outcome of investigations.
- Meet with Pashtun civilian leaders to work out strategies for better relations among the different ethnic communities in northern Afghanistan, and publicly condemn all acts of violence targeting Pashtun communities.
- Support the creation of national Afghan civilian and military institutions, and work toward the demobilization and disarming of factional militias.

**A NOTE ON THE USE OF NAMES, DATES, AND TERMS USED IN THIS REPORT**

Many Afghans use only one name, and Afghans who use two names do not necessarily use the same last name across generations, as is the practice in the West with family names.

Because of the overlapping use of several different calendars in parts of Afghanistan (including both the lunar Muslim and solar Afghan calendars, as well as the Western calendar) and the fact that many rural Afghans do not keep careful track of dates, it is difficult to establish the exact dates of many of the incidents documented in this report. Many witnesses dated events with a loose reference to the religious calendar, such as "around the twentieth day of [the Muslim holy month of] Ramadan." In writing this report, we have tried to be as accurate as possible in estimating the time and occurrence of each incident, but the reader should take most of the dates in this report as approximations rather than as exact dates. Similarly, ages of victims and witnesses in the report are often approximations, as rural Afghans often do not know their exact age.

The Afghan national currency is *Afghani*. Most Afghans count money in terms of *laks*, with one lakh equaling 100,000 Afghani. There are two forms of Afghani currently in circulation: one issued by the former Jamiat-dominated government in Faizabad, referred to as *Daulati Afghani*, a second issued by General Dostum of Junbish, referred to as *Junbish Afghani*. The two versions have widely different exchange rates: at the time of this writing, *Daulati Afghani* trade for 38,000 to the U.S. dollar, while *Junbish Afghani* trade at 72,000 to the U.S. dollar.

## INTRODUCTION

### The Return to Warlordism in Northern Afghanistan

On November 9, 2001, the Taliban fled from northern Afghanistan's largest city, Mazar-i Sharif. This ended more than two years of brutal Taliban rule in this part of Afghanistan that began with the massacre of thousands when the Taliban first took control of Mazar-i Sharif in August 1998. The Taliban's fullscale retreat left Mazar-i Sharif and surrounding areas in the hands of three rival commanders and their soldiers—the predominantly ethnic Uzbek Junbish-i Milli-yi Islami of General Abdul Rashid Dostum, the predominantly ethnic Tajik Jamiat-e Islami led in Mazar-i Sharif by Ustad Atta Mohammad, and the smaller ethnic Hazara Hizb-i Wahdat, led in the north by Haji Mohammad Mohaqiq.<sup>1</sup>

On February 3, 2002, the three parties signed a U.N.-backed agreement establishing a 600-person security force for the city. The force, headed by Junbish commander Majid Rouzi, is to include 240 officers from Jamiat, and 180 each from Junbish and three Hazara parties, including Hizb-i Wahdat. Since the agreement went into effect, the remaining troops have begun withdrawing to their respective bases on the city's outskirts, although it remains uncertain whether they will fully comply with the withdrawal agreement.<sup>2</sup> Even in Mazar-i Sharif, the balance of military fire-power remains firmly in the hands of the three ethnic parties, and not the lightly armed 600-person security force they have agreed upon.

Outside of Mazar-i Sharif, competition for territory between the factions remains acute and skirmishes initiated by low and mid-level commanders present recurrent security problems. During the last two weeks of February, for example, fighting between Junbish

and Jamiat forces broke out at least twice in Sholgara, south of Mazar-i Sharif, and in Khulm, to its east.

In other parts of the north, commanders affiliated with the three major parties have established de facto authority over large areas. Jamiat forces have taken effective control of Baghlan province, while Junbish is dominant in Faryab, Jowzjan, and most of Samangan province. Kunduz and Balkh, the province that includes Mazar-i Sharif, remain contested, and at the time of Human Rights Watch's visit, gaining the support of ethnic Pashtun commanders was becoming a decisive factor in this power struggle. In Balkh, a realignment of Pashtun commanders—many of whom supported General Dostum in the pre-Taliban period—with Jamiat was underway, while their counterparts in Kunduz were mainly allied with Junbish.<sup>3</sup> This represents, however, only a rough overview of the territorial fragmentation of northern Afghanistan; at a local level, and on a district level in cities, the picture is considerably more complex. In many districts of Balkh province, for example, Junbish, Jamiat, and Hizb-i Wahdat forces control villages within the same vicinity, creating an intricate patchwork of shifting alliances.

### The Major Parties

*Junbish-i Milli-yi Islami-yi Afghanistan* (National Islamic Movement of Afghanistan, hereinafter known as Junbish) brought together northern, mostly ethnic Uzbek, former militias of the communist regime who mutinied against President Najibullah in early 1992. It also included former leaders and administrators of the old regime from various other ethnic groups, mainly Persian-speaking, and some Uzbek mujahidin commanders. In 1998 it lost all of the territory under its control, and some of its commanders defected to the Taliban. Its founder and principal leader remains General Abdul Rashid Dostum, who rose from security guard to leader of Najibullah's most powerful militia. This group took control of Mazar-i Sharif in alliance with other groups in early 1992 and controlled much of Samangan, Balkh, Jowzjan, Faryab, and Baghlan provinces. A coalition of militias, Junbish was the strongest force in the north from 1992 to 1997, but was riven by internal disputes. Junbish became largely inactive in 1998, until Dostum returned to northern Afghanistan in April 2001. General

<sup>1</sup> John Ward Anderson and Molly Moore, "For Now, Rival Warlords Put Aside Bitter Feuds of Past," *Washington Post*, November 12, 2001.

<sup>2</sup> As of late February 2002, the security force had closed down approximately 70 to 80 percent of the unauthorized armed posts in Mazar-i Sharif. Human Rights Watch interview with a U.N. official, Mazar-i Sharif, February 23, 2002. However, armed gunmen who did not belong to the security force were still evident in significant numbers throughout the city.

<sup>3</sup> Human Rights Watch interviews with U.N. officials, Mazar-i Sharif, February 2002.



Dostum currently serves as deputy minister of defense in the interim government.

*Jamiat-i Islami-yi Afghanistan* (Islamic Group of Afghanistan, hereinafter known as Jamiat) is one of the original Islamist parties in Afghanistan, established in the 1970s by students at Kabul University where Jamiat's leader, Burhanuddin Rabbani, was a lecturer at the Islamic Law Faculty. Although Rabbani remains its official head, Jamiat's most powerful figure was its military commander, Ahmad Shah Massoud, until his assassination by suspected al-Qaeda elements on September 9, 2001. As the dominant faction of the Northern Alliance that controlled the key supply routes, Jamiat has received significant military and other support from Iran and Russia. Massoud was succeeded as defense minister of the Islamic State of Afghanistan, the administration established by the Northern Alliance, by Mohammad Qasim Fahim. Fahim retains that post in the interim government. Both Massoud and Fahim were ethnic Tajiks from the Panjshir Valley, the dominant group within Jamiat.

*Hizb-i Wahdat-i Islami-yi Afghanistan* (Islamic Unity Party of Afghanistan, hereinafter known as Hizb-i Wahdat) is the principal Shi'a party in Afghanistan with support mainly from the Hazara ethnic community. Hizb-i Wahdat was originally formed by Abdul Ali Mazari in order to unite eight Shi'a parties in the run-up to the anticipated collapse of the communist government. Its current leader is Mohammed Karim Khalili. The leader of its Executive Council of the North, Haji Mohammed Mohaqiq, commanded the party's forces in Mazar-i Sharif in 1997. Hizb-i Wahdat has received significant military and other support from Iran, although relations between Iranian authorities and party leaders have been strained over issues of Iranian influence and control. The party has also received significant support from local Hazara leaders.

## Warlordism and the International Community

For the past two decades, international power politics have directly contributed to the growth of warlordism in Afghanistan. This occurred during the mujahidin war against Soviet occupation (1979-1989), the internecine factional fighting that followed the withdrawal of Soviet troops and the collapse of the pro-Soviet government (1992-1996), and the conflict between the Taliban government and the Northern Alliance that

continued up to the collapse of the Taliban government (1996-2001). Outside powers such as Russia, the United States, Pakistan, Iran and others have directly and indirectly provided support for the warlords that they saw as advancing their interests.<sup>4</sup> The abusive records of many warlords and their forces were often overlooked as international powers sought to advance their strategic interests in Afghanistan: During the mujahidin war, for example, the United States provided extensive support for some of the most extremist and abusive of the Islamist forces fighting in Afghanistan, ignoring ideology and human rights norms in their proxy confrontation with the Soviet Union.

During the U.S.-led military campaign against the Taliban and al-Qaeda that commenced on October 7, 2001, the international coalition again relied significantly on Afghanistan's anti-Taliban warlords to achieve its military objectives.<sup>5</sup> The U.S. and its allies rearmed anti-Taliban forces, provided them with tactical support through U.S. special forces liaisons with them on the ground, and gave aerial bombing support. Afghan anti-Taliban forces did most of the fighting on the ground, and took military control of the areas they conquered.

In the process, ethnically based factions and individual warlords came, again, to virtually monopolize power in Afghanistan. Allowing the warlords to carve up the Afghan countryside among themselves may not have been the aim of U.S. policy during the anti-Taliban war, but it was an almost unavoidable consequence of the U.S. reliance on Afghan anti-Taliban forces. Ahmed Rashid, one of the best known authorities on Afghanistan, analyzed the impact of U.S. support on the renewed rise of warlords in Afghanistan:

<sup>4</sup> See Human Rights Watch, "Crisis of Impunity: The Role of Pakistan, Russia, and Iran in Fueling the Civil War in Afghanistan," A Human Rights Watch Short Report, vol. 13, no. 3 (C), July 2001.

<sup>5</sup> See Human Rights Watch, "Dangerous Dealings: Changes to U.S. Military Assistance After September 11," A Human Rights Watch Short Report, vol 14, no. 1 (G), February 2002, pp. 6-8; Susan B. Glasser, "U.S. Backing Helps Warlords Solidify Power," *Washington Post*, February 18, 2002.

*In the 1980s, Washington backed anti-Soviet Afghan militias which in victory produced the factionalism that brought the Taliban to power. Now, the same forces, which with U.S. backing ousted the Taliban, are threatening to return the country to warlordism all over again.*

*Warlords whose armies acted as proxy U.S. ground forces in the Taliban campaign are now refusing to disarm or accept the writ of the country's fledgling interim government. They are even defying the Americans, say Western diplomats....*

*In the north, Gen. Rashid Dostum, also heavily armed by the Americans, is protecting former Taliban leaders and his own commanders, who are carrying out widespread pillaging and looting, making it impossible for U.N. agencies to start humanitarian relief. Dostum loyalist Hawaz, who was armed and trained by U.S. Special Forces in October as backup for the U.S. bombing campaign of Mazar-e-Sharif, was killed near there on Jan. 2 while looting villagers.... Gen. Dostum has refused to discipline Commander Hawaz's men, even though interim Prime Minister Hamid Karzai appointed Gen. Dostum deputy defense minister in a bid to co-opt him.<sup>6</sup>*

Territorial control by ethnically-based parties influenced the U.N.-sponsored talks in Bonn that resulted in an agreement for the constitution of an interim government on December 5, 2001. The Panjshiri Tajik leadership of Jamiat, the dominant element within the United Front (Northern Alliance), secured the three most critical government departments: defense, interior, and foreign affairs. Hizb-i Wahdat received control of the planning department, whose head—Haji Mohammad Mohaqiq—was also designated one of five deputy chairmen of

<sup>6</sup> Ahmed Rashid, "Fledgling Afghan Government Faces Scourge of Warlordism—Local Leaders Who Ousted Taliban With Aid of U.S. Are Restoring Old Fiefs," *Wall Street Journal*, January 16, 2002.

the Interim Cabinet.<sup>7</sup> Discontent over the allocation of portfolios proved to be a major source of friction among the major parties. Gen. Abdul Rashid Dostum and Ismail Khan, the military governor of Herat and an ally of Jamiat leader Burhanuddin Rabbani, immediately denounced what they characterized as the marginalization of their ethnic parties and regions, respectively.<sup>8</sup> Dostum was subsequently offered, and accepted, the post of deputy defense minister, while Ismail Khan pledged to recognize the Interim Administration while proclaiming autonomy for five western provinces.<sup>9</sup>

The current competition and realignments involving armed parties in northern Afghanistan is in part driven by their desire to consolidate authority prior to the convening of the emergency Loya Jirga (Grand National Assembly). The Bonn Agreement itself provided that within six months of the assumption of office by the Interim Administration, an emergency Loya Jirga would be convened to appoint a transitional administration, which would in turn lead Afghanistan for up to two years, until a "fully representative government can be elected through free and fair elections."<sup>10</sup> The Special Independent Commission for the Convening of the Emergency Loya Jirga, whose members were designated in late January, includes distinguished Afghan civil society representatives; under the terms of the Bonn Agreement, it has final authority for "determining the procedures for and the number of people who will participate," including establishing "criteria for the inclusion of civil society organizations and prominent individuals" and adopting and implementing procedures for "monitoring the process of nomination of individuals to the Emergency Loya Jirga to ensure that the process of indirect election or selection is transparent and fair."<sup>11</sup>

<sup>7</sup> "Afghan Deputy Leaders Reflect Afghan Ethnic Mix," Reuters, December 5, 2002.

<sup>8</sup> Peter Baker, "Afghan Factions Criticize Accord: Some Leaders Vow to Boycott Regime," *Washington Post*, December 7, 2001; "Key Afghan Warlords Reject Bonn Deal," BBC World News, December 6, 2001.

<sup>9</sup> "Afghan Warlord Given Top Job," BBC World News, December 24, 2001.

<sup>10</sup> Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions ("Bonn Agreement"), December 5, 2001, Art. I, Sec. 4; "Kabul Sets June Meeting Date for Council on Ruling Nation," Associated Press, April 1, 2002.

<sup>11</sup> Bonn Agreement, Art. IV, Sec. 2.

Despite these provisions, many Afghans interviewed by Human Rights Watch remained apprehensive about the prospects for a transparent selection process under the prevailing security conditions.

### Abuses Faced by Pashtuns

In northern Afghanistan, one ethnic group was effectively left out of the new power arrangement: the ethnic Pashtun minority that had been closely identified with the Pashtun-dominated Taliban. Most of the Taliban leadership had been Pashtuns from southern Afghanistan. As soon as the Taliban collapsed, Pashtun communities were quickly disarmed across northern Afghanistan, and soon faced widespread abuses at the hands of the three ethnic militias—Junbish, Wahdat, and Jamiat—as well as by armed Uzbeks, Tajiks, and Hazaras taking advantage of the imbalance of power created by the sudden disarming of Pashtun communities.

Throughout northern Afghanistan, Pashtun communities faced widespread looting, beatings, abductions, extortion, and incidents of killing and sexual violence. In some communities, these abuses continued for months. While the wave of violence and abuse against Pashtuns has somewhat diminished since the first months following the fall of the Taliban, Pashtun communities continue to face serious and regular abuses. In addition, Pashtun communities have been stripped of their assets, impoverished, and displaced by the abuses, and face a difficult future.

A team of four Human Rights Watch researchers traveled to northern Afghanistan in February and March 2002 to investigate the human rights situation in northern Afghanistan. The team visited dozens of Pashtun villages and communities in Balkh, Faryab, Samangan, and Baghlan provinces. The team also met with Afghan government representatives, members of the diplomatic community, and humanitarian aid workers to gather additional information.

The abuses documented in this report represent only a fragment of the overall abuses suffered by ethnic Pashtuns in northern Afghanistan since the fall of the Taliban regime. In almost all of the villages visited, Human Rights Watch researchers were approached by dozens of villagers who offered us more accounts of abuses similar to the ones documented in this report. Everyone in the village would try to get the researchers' attention, or give the researchers

detailed list of the goods that had been looted from their homes. Because of time and resource constraints, our researchers were able to interview only a fraction of those victims, but their accounts are representative of the suffering of many more.

Our research was also geographically selective. There are hundreds of Pashtun villages and communities throughout northern Afghanistan, and it would have been impossible to visit them all. Instead, we visited clusters of villages in the different northern provinces that represented the major concentrations of Pashtuns in northern Afghanistan. All of the Pashtun villages we visited had been affected by the looting and violence, indicating just how widespread and serious the abuses faced by Pashtuns in northern Afghanistan were.

Human Rights Watch researchers received credible reports of sexual violence against ethnic Pashtun women and girls. While the reports of sexual violence were widespread, Human Rights Watch was able to confirm only a small number of specific cases due to the difficulties inherent in documenting such attacks. According to independent studies, Afghan women symbolize their families' and societies' honor, with Pashtun communities, in particular, placing a high value on women's chastity.<sup>12</sup> Historically, some of these communities have sanctioned "honor" killings in which a woman is killed by her own relatives for bringing "dishonor" upon the family by conduct perceived as breaching community norms on sexual behavior—including being a victim of sexual violence.<sup>13</sup> This deep stigma may explain why most women and men were unwilling to provide details of specific incidents. In addition, some of the women and girls were unavailable since families had sent them to secure locations because of a fear of further sexual violence. Women doctors in the north confirmed that because of the shame associated with sexual

<sup>12</sup> Hafizullah Emadi, *The Politics of Women and Development in Afghanistan*, (New York: Paragon House, 1993), p. 22; Anna M. Pont, "Eat What You Want, Dress the Way Your Community Wants: The Position of Afghan Women in Mercy Corps International Programme Areas," *A Mercy Corps International Report*, (May 1998), pp. 2-4.

<sup>13</sup> Emadi, *The Politics of Women*, pp. 16, 23; Benedicte Grima, *The Performance of Emotion Among Pashtun Women*, (Karachi: Oxford University Press, 1998), pp. 150-154, 163-165; Human Rights Watch interview with Dr. S., aged 40, Mazar-i Sharif, February 23, 2002.

violence, many Pashtun families do not seek medical attention for victims of rape, even if they are severely injured, except when a woman becomes pregnant.

### Displacement of Pashtuns

Targeted violence against ethnic Pashtuns has led to the internal displacement of thousands across northern Afghanistan, with most moving from rural areas toward cities and towns that have larger concentrations of Pashtuns and where they believe there is greater security. Although some have taken up residence in private homes, others live in camps for internally displaced persons (IDPs) or in abandoned villages. Displaced ethnic Pashtuns face ongoing security problems; Human Rights Watch documented two cases in which members of armed groups abducted IDPs, in Mazar-i Sharif and on the outskirts of Baghlan city. Both displaced Pashtun communities and those who remain in their places of origin also reported persistent difficulty in securing humanitarian assistance. Pashtun villagers frequently said that they were systematically denied access to humanitarian aid by local authorities or non-Pashtun residents on the basis of their ethnicity.

Since early January 2002, newly displaced Afghans—the majority of whom have been Pashtuns—have sought refuge in Pakistan, mostly at the Pakistani border town of Chaman. While Pakistan's borders have been officially closed since the fall of 2000, the government of Pakistan has allowed vulnerable refugees, identified as such by Pakistani border guards, to enter at Chaman in fixed daily quotas starting from November 2001.

On several occasions the numbers of new arrivals to Chaman were far larger than the daily entry quotas set by the government. Human Rights Watch has repeatedly criticized Pakistan's official border closure policy, and the policies that have prevented entry at Chaman, because they obstruct the right to seek asylum and can endanger the lives of refugees.<sup>14</sup> Families waiting to enter at Chaman were left to subsist beyond the reach of U.N. or nongovernmental organization (NGO) assistance workers, in squalid and dire conditions in a "no-man's land"

<sup>14</sup> See, e.g., "Refugee Crisis in Afghanistan: Pakistan, Tajikistan Must Reopen Borders to Fleeing Afghans," Human Rights Watch Press Release, November 11, 2001.

located just outside the Killi Faizo transit camp.<sup>15</sup> Even with the difficulty in gaining entry to Pakistan, 47,000 Afghans sought refuge in Pakistan through Chaman between January and March 8, 2002.<sup>16</sup>

The human rights abuses perpetrated against Pashtuns documented in this report, together with a worsening humanitarian situation in certain areas, were at the root of this recent refugee flight. Pashtun refugees consistently reported fleeing because of ethnic persecution. By early January, for instance, Pashtun families described fleeing the southwestern city of Herat because of harassment, telling officials of the U.N. High Commissioner for Refugees (UNHCR) that "the soldiers were looting in the city and forcing people belonging to the Pashtun tribe to pay them money."<sup>17</sup> Four weeks later, another wave of Pashtun refugees arrived at the border. "They claim that they were persecuted because of being Pashtuns," UNHCR spokesperson Kris Janowski said.<sup>18</sup>

In late February 2002, ethnic Pashtun refugees told UNHCR they decided to "seek

<sup>15</sup> Once they are allowed to enter, refugees are processed and given humanitarian assistance in the Killi Faizo camp before being transferred to one of several permanent camps located in the area. In early December 2001, approximately 2,000 refugees were trapped in the no-man's land, subsisting without adequate food or water, and sleeping in freezing temperatures at night. See "Refugees Trapped in No Man's Land," BBC News, December 4, 2001. In January 2002, 13,000 newly arrived refugees were again trapped. See "Number of Afghan Refugees in No-man's Land Rises," UNHCR News Release, January 11, 2002. In both the December and January cases, the government of Pakistan eventually temporarily lifted the quota to allow the Afghan refugees to enter, but only after weeks of waiting, during which many refugees fell ill because of the harsh conditions. On February 21, the government of Pakistan again decided to close the border to all new arrivals at Chaman. This time, more than 10,000 refugees were left waiting to enter Pakistan.

<sup>16</sup> See "UNHCR Gets Green Light To Register Afghans Fleeing Hunger and Insecurity," UNHCR News, March 8, 2002.

<sup>17</sup> "New Influx of Afghan Refugees Arrives at Chaman Border Crossing in Pakistan," UNHCR News, January 29, 2002.

<sup>18</sup> "Thousands of Afghans flee persecution to Pakistan—UNHCR," Agence France Presse via NewsEdge Corporation, January 29, 2002.

safety after being robbed and intimidated in ethnically mixed villages in northern Afghanistan, often at the instigation of local commanders.”<sup>19</sup> U.N. Spokesperson Yusuf Hassan commented that UNHCR had “a substantial number [of new refugees] who have said that they have been forced off of their land, that their houses have been looted, that they have been violently attacked...and some of them say their relatives have been killed in what appears to be increasing attacks against Pashtuns in Afghanistan.”<sup>20</sup> Still other refugees from the camp for internally displaced persons at Spin Boldak, south of Kandahar, said the area was “teeming with gunmen and bandits” since the collapse of the Taliban regime.<sup>21</sup>

## THE LEGACY OF TALIBAN ABUSES

Any understanding of the current abuses committed against Pashtuns in northern Afghanistan must take account of the severe abuses that the Taliban regime committed against non-Pashtun ethnic groups in northern Afghanistan, even though many ethnic Pashtuns living in northern Afghanistan did not participate in abuses against their neighbors. The brutality of Taliban rule in northern Afghanistan has left many communities targeted by them with grievances that, in the absence of judicial mechanisms for accountability and redress, are being addressed in a vigilante fashion.

While the current abuses have taken place against the background of a legacy of Taliban atrocities, it would be a mistake to view the attacks against Pashtun communities solely as reprisals for past abuses. Local commanders and their soldiers, not the civilian communities most affected by Taliban abuses, carried out the majority of the abuses documented in this report. These actions have taken place, moreover, in a broader context of insecurity for civilians, in

which northern Pashtuns are acutely vulnerable because of their present lack of protection.

Northern Afghanistan, in contrast to the largely Pashtun south, is a complex ethnic mosaic. Groups with a long history of settlement in the region—Tajiks, Uzbeks, Hazaras, Turkmen, and Persian-speaking Arabs—are interspersed with the descendants of more recent arrivals, including nineteenth and early twentieth century refugees from Central Asia and Pashtuns whose settlement was promoted by successive Kabul-based governments.<sup>22</sup>

The mainly Pashtun Taliban movement pragmatically accommodated non-Pashtuns in some parts of the north, but in other areas curtailed their access to vital land and water resources.

In large parts of northern and central Afghanistan, Taliban rule was extended through the cooptation of non-Pashtun commanders. After its initial conquest of the central Hazarajat region in September 1998, for example, the Taliban withdrew most non-local forces from several districts and left them under the nominal control of Hazara commanders who had changed their allegiances.<sup>23</sup> In other areas of the north, such as Balkh and Kunduz, Taliban rule expanded with the critical support of local Pashtun commanders,<sup>24</sup> and Pashtun

<sup>22</sup> The Pashtun presence in the north dates to the 1880s and early 1890s, when Amir Abdur Rahman Khan, the Durrani Pashtun ruler in Kabul, forcibly relocated thousands of Ghilzai Pashtuns and members of other rival tribes from southern Afghanistan to the north. Later settlers, such as the Shinwari Pashtuns who began moving to Kunduz from eastern Afghanistan in the late 1940s, came voluntarily. Both the forced and voluntary migrants were allocated land by the central government, a development that fostered tensions with communities that consequently lost access to farmland and pastures. Louis Dupree, *Afghanistan* (Princeton: Princeton University Press, 1980), pp. 188 and 419; Asger Christensen, “Afghanistan: Can the Fragments be Put Together Again?,” *Nordic Newsletter of Asian Studies, Nordic Institute of Asian Studies*, 2001, no. 4.

<sup>23</sup> Chris Johnson, “Hazarajat Baseline Study – Interim Report (Part I),” U.N. Office for the Coordination of Humanitarian Affairs, March 2000, p. 5 and Appendix D.

<sup>24</sup> Human Rights Watch, “Afghanistan: The Massacre in Mazar-i Sharif,” A Human Rights Watch Short Report, vol. 10, no. 7 (C) (November 1998), p. 3;

<sup>19</sup> UNHCR spokesperson Kris Janowski, “Afghanistan: Dramatic Increase in Numbers at Chaman Border,” UNHCR News, February 19, 2002.

<sup>20</sup> Louis Meixler, “Thousands of Ethnic Pashtuns Fleeing Northern Afghanistan,” Associated Press, February 21, 2002.

<sup>21</sup> “UN Appeals to Pakistan on Refugees,” Agence France Presse via NewsEdge Corporation, January 16, 2002.

communities in these areas were correspondingly privileged under Taliban rule. Ethnic Uzbek refugees from Balkh province, interviewed by Human Rights Watch in Pakistan during August 2001, described a pattern of encroachment on their land by ethnic Pashtuns, with the support of the local Taliban-sanctioned administration.<sup>25</sup> According to U.N. staff who were then based in northern Afghanistan, such encroachment was often legitimized by the manipulation of land deeds.<sup>26</sup>

The Taliban also exacted ruthless reprisals against minority communities that were perceived to have supported its rivals. In several cases, its forces carried out large-scale summary executions of Hazara, Uzbek, and Tajik civilians or systematically destroyed homes and means of livelihood—effectively preventing the return of displaced populations. In some depopulated areas, such as Robatak, on the border between Samangan and Baghlan provinces, or in the lower Bangi valley in Takhar province, new migrants—Pashtuns and Gujjars, respectively—settled on land that had formerly been occupied by Hazaras or Tajiks and Uzbeks.<sup>27</sup>

What follows is an overview of cases documented by Human Rights Watch and other independent observers in which Taliban forces carried out targeted reprisals against non-Pashtun minorities:

- **Yakaolang and Bamiyan districts, June 2001:** After retaking central Yakaolang, Taliban forces under the command of Mullah Dadaullah burned about 4,500 houses, 500 shops, and public buildings. As they retreated east, they continued to burn villages and to detain and kill Shi'a Hazara civilians in villages and side valleys in eastern Yakaolang and the western part of Bamiyan dis-

trict. Several refugees described witnessing the subsequent movement of ethnic Pashtun pastoralists into the valleys, and the grazing of large herds of sheep on their farmlands.<sup>28</sup>

- **Zari, Balkh province, May 2001:** After a week-long occupation by General Abdul Rashid Dostum's forces, Zari—a mainly Uzbek-populated area—reverted to Taliban control. While most civilians fled to the hills south of central Zari, many of those who remained or who returned reportedly were killed by Taliban forces reoccupying the district. Refugees also reported the arrests of civilians who returned to Zari and their transportation as prisoners to Kandahar, and the burning of some homes.<sup>29</sup>
- **Yakaolang district, January 2001:** Taliban forces massacred over 170 Shi'a Hazara civilians after retaking control of Yakaolang district from the United Front factions Hizb-i Wahdat and Harakat-i Islami. The victims were herded to assembly points in the center of the district and several outlying areas, and then shot by firing squad in public view.<sup>30</sup>
- **Khwajaghar, Takhar province, January 2001:** Taliban forces summarily executed at least thirty-one ethnic Uzbek civilians while retreating from Khwajaghar, in Takhar province.<sup>31</sup>
- **Robatak pass, May 2000:** Taliban forces summarily executed at least thirty-one Ismaili Hazara civilians near the Robatak pass, northwest of the town of Pul-i Khumri. These were men taken during sweep operations throughout Samangan and neighboring provinces in late 1999 and early 2000.<sup>32</sup>
- **Northeastern Afghanistan, July 1999:** A series of Taliban offensives was marked by summary executions, the abduction of women, forced labor of detainees, the burning of homes, and the destruction of other

Michael Griffin, *Reaping the Whirlwind: the Taliban Movement in Afghanistan* (London: Pluto Press, 2001), p. 177.

<sup>25</sup> Human Rights Watch interviews with N, aged forty-five, and K.H., aged thirty-five, (ethnic Uzbek refugees from Zari), Quetta, Pakistan, August 17, 2001.

<sup>26</sup> Human Rights Watch e-mail communication with a former humanitarian worker in northern Afghanistan, January 23, 2002.

<sup>27</sup> Human Rights Watch e-mail communication with a former humanitarian worker in northern Afghanistan, January 23, 2002; confidential field report by an international NGO, November 15-17, 2000, on file at Human Rights Watch.

<sup>28</sup> Human Rights Watch, "Afghanistan: Ethnically-Motivated Abuses Against Civilians," A Human Rights Watch Backgrounder, October 2001.

<sup>29</sup> Ibid.

<sup>30</sup> Human Rights Watch, "Massacres of Hazaras in Afghanistan," A Human Rights Watch Short Report, vol. 13, no. 1(C) (February 2001), pp. 5-8.

<sup>31</sup> Human Rights Watch e-mail communication with a human rights investigator, March 2001.

<sup>32</sup> Human Rights Watch, "Massacres of Hazaras in Afghanistan," pp. 8-10.

property and agricultural assets, including fruit trees, one of the mainstays of the local economy.<sup>33</sup> According to one human rights researcher, in Khwajaghar, near Taloqan, 3,000 houses were systematically destroyed in July, and in Shamali, north of Kabul, detainees were used for mine clearance.<sup>34</sup> The affected populations were mainly Uzbek and Tajik.

- **Dara-i Suf, July-August, 1999:** Taliban forces bombed the town of Dara-i Suf, a Northern Alliance-held, predominantly Hazara enclave in Samangan province, with incendiary cluster munitions; ground forces burned down the entire central market and destroyed wells and homes.<sup>35</sup>
- **Mazar-i Sharif, August 1998:** After capturing Mazar-i Sharif, Taliban troops rounded up and summarily executed at least 2,000 civilians, the majority of them ethnic Hazaras. Thousands more, including ethnic Uzbek and Tajik men, were detained. The Taliban governor, Mullah Manon Niazi, made inflammatory speeches in which he held Hazaras collectively responsible for the murder of Taliban soldiers in Mazar-i Sharif in 1997 and ordered them to become Sunni Muslims or risk being killed. Many civilians were also killed in aerial bombardments and rocket attacks as they tried to flee the city. There were reports that in certain Hazara neighborhoods women were raped and abducted by Taliban troops.<sup>36</sup>

The grievances of Hazara, Tajik, and Uzbek communities in large parts of the north run deep and must be addressed. International financial support will be needed to facilitate the return and rehabilitation of communities that were displaced as a result of conflict-related violence. The

<sup>33</sup> U.N. Special Rapporteur of the Commission of Human Rights, "Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World: Report on the situation of human rights in Afghanistan submitted by Mr. Kamal Hossain, Special Rapporteur, in accordance with Commission resolution 1999/9," E/CN.4/2000/33, January 10, 2000, pp. 12-13.

<sup>34</sup> Human Rights Watch interview with a human rights investigator, Islamabad, May 2001.

<sup>35</sup> Human Rights Watch interview and e-mail communications with a witness in Islamabad who investigated the incident, November 2000-May 2001.

<sup>36</sup> Human Rights Watch, "Afghanistan: The Massacre in Mazar-i Sharif."

victims of the Taliban's abusive reign deserve justice, and the perpetrators of war crimes, crimes against humanity, and other serious human rights abuses must be brought to account before fair and impartial courts. Equally vital is international support for the creation of mechanisms that can impartially resolve disputes between communities over access to land, water resources, and property that underlie many of the communal conflicts in the north.

Despite the cycle of abuses between non-Pashtuns and Pashtuns in northern Afghanistan, tensions between the communities themselves are not unsolvable. Human Rights Watch researchers found a significant number of cases in which Tajik farmers had sheltered Pashtun families who had fled from their homes, and one case in which Hazara elders successfully interceded with Hizb-i Wahdat forces that were attacking internally displaced Pashtuns in their area.

## BALKH PROVINCE

### Chimtal District

#### *Bargah-e Afghani*

At around 11 a.m. one day in the first week of December, a group of about 300 armed Hazaras arrived at the remote Pashtun village of Bargah-e Afghani, located in the Chimtal district of Balkh province.<sup>37</sup> Just two days prior to the arrival of the Hazara fighters, the villagers of Bargah-e Afghani had handed over their firearms to Manzullah Khan, an Uzbek commander of Junbish, and in return had received a written confirmation from him that they had been disarmed. Manzullah Khan had also placed twelve of his soldiers in the village after its population was disarmed, but the soldiers ran away when the Hazara fighters attacked the village.<sup>38</sup> Most of the villagers quickly fled the village, but the Hazara fighters killed thirty-seven men who stayed behind, the largest documented killing of civilians since the fall of the Taliban. Of the thirty-seven killed, seventeen were local

<sup>37</sup> Witnesses estimated the date of the attack as occurring between the seventeenth and the twentieth day of Ramadan, corresponding to between December 2 and December 5, 2002.

<sup>38</sup> Human Rights Watch interview with village elder K. W., aged forty-five, Bargah-e Afghani, February 24, 2002.

villagers, and the remaining twenty were ethnic Pashtuns who had resettled in the village.

A.S., a thirty-six-year-old farmer from Bargah-e Afghani remained in the village with his wife and six children during the attack. At about 12:30 p.m., a group of Hazara soldiers entered his home and detained him, tying his hands behind his back. When they took him outside, his wife tried to stop the Hazara soldiers, but they beat her away. Outside, the men began beating A.S.:

*My hands were tied, and they were beating me with their AK-47 assault rifles. They were accusing me of being Taliban and Al Qaeda.... They told me that I had come from Pakistan and should give them money. I gave them 30 lakhs [about U.S. \$42]. They threw the money away, saying it was not enough. They looted everything, even my naswar [snuff] box. They took two kilims [handwoven flatweave rugs], my wife's watch and two other Japanese watches, a tape recorder.<sup>39</sup>*

The Hazara gunmen ultimately released A.S., but he then witnessed the summary executions of three Pashtun men from the village and later recovered the body of a fourth executed villager:

*At first, [twenty-five to thirty-year-old] Abdul Matin was accompanied by his family. They were crying, "Please save him, do not kill him." The Hazaras were trying to get the women away from him. Then, when they brought Abdul Matin and separated him from his wife, in that instant they shot him with about ten bullets.*

*Then Abdul Hakim [aged fifty] asked them, "Why did you kill him?" They then shot Abdul Hakim also. Said Alam [aged thirty], the brother of Abdul Hakim, ran up. He asked them, "Why did you kill my brother?" Then they shot Said Alam with at least thirty bullets. I later heard that Asadullah [the twenty-*

*year-old brother of Abdul Matin] was also killed by Hazara soldiers, and went to bring back his body.<sup>40</sup>*

S., the twenty-year-old relative of Asadullah and Abdul Matin, was at home when the Hazara soldiers came to arrest her brother. She said that the soldiers had killed Abdul Matin almost immediately after they came to the family compound. They then tried to shoot her fourteen-year-old brother, Sharifullah, but she managed to push the gun away and make it fire in the air. The soldiers then beat her unconscious. The soldiers took Asadullah with them to carry looted goods to their car, and shot him about one hour later.<sup>41</sup>

Twenty-seven-year-old S.W. was at home with his shepherd, twenty-year-old Sardar Mohammed, a Pashtun who had resettled in the village after fleeing from Faizabad in Badakshan province. Hazara soldiers came to his home three times during the attack, first looting his home and then shooting and killing Sardar Mohammed:

*They entered my home and tied my hands. Then they asked me for weapons—I did not have any weapons.*

*I had some carpets. They loaded the three carpets on my back, loosened my handcuffs and told me to bring them to their car. Then I returned to my home. Another team of soldiers came. The group had stolen a bicycle from a neighboring house, and they told me to carry it to [the edge of the neighboring] Turkmen village. There, they brought their truck and were using me as a porter. All of the expensive items were carried by me and some others to the vehicles. They themselves were also carrying things. I went back and forth three times. ...*

*Then, I was in my room. Four soldiers entered the house. One of the soldiers came to me, a second went towards the shepherd, who was sitting against the*

<sup>40</sup> Ibid.

<sup>41</sup> Human Rights Watch interview with S., aged twenty, Bargah-e Afghani, February 24, 2002. S., like many Afghans, uses only one name.

<sup>39</sup> Human Rights Watch interview with A.S., aged thirty-six, Bargah-e Afghani, February 24, 2002.



*wall [of the courtyard]. [The soldier] shot six bullets at him, and he died at this place. ... They did not come near him, they shot him from a far distance [across the courtyard].... He was just sitting there, being quiet.<sup>42</sup>*

G.D., aged forty-five, was hiding in his cow shed together with twenty-five-year-old Mohammed Umar when a group of eleven Hazara fighters entered:

*Eleven Hazaras came into the compound. They came inside the cow shed and found Mohammed Umar hiding behind a clay pot. They asked him for weapons and money. He replied that he was a poor farmer. They tied his hands, and one soldier hit him with his weapon on his head. Then Mohammed fell down and lost consciousness. Another soldier instantly fired at him [emptying] a clip of thirty bullets. Then they left the compound.<sup>43</sup>*

G.A., the thirty-year-old sister of Amir Khan, aged twenty, and Zafar Khan, aged thirty, told Human Rights Watch how Hazara soldiers detained and beat her two brothers, demanding money and drugs before killing them:

*About twenty people came. They entered into the rooms and brought the men out, beating them. They had tied their hands behind their backs with their handkerchiefs. They were beating them, saying, "If you have money, give us money, If you have opium, give us opium." Each of my brothers was beaten by four gunmen, they were beating them with weapons. They were screaming, and I was crying. They beat them until they killed them....*

*We [women] went back inside the home and they followed us, demanding money. I told them that I didn't have any money. Then they took the men ... to*

*another neighborhood, to see if they could find money from neighbors. Then they brought them back and shot them.<sup>44</sup>*

Two other witnesses gave similar accounts of additional incidents in which the Hazara soldiers killed Pashtun civilians. M.J. watched a group of about twenty Hazara soldiers tie up her father, fifty-year-old Mohammed Khan, and her uncle, fifty-two-year-old Sher Khan. The soldiers began beating the men, demanding money: "Then they shot them inside our compound, and only then did they loot our jewelry."<sup>45</sup> The Hazara soldiers proceeded to loot six carpets, four pairs of kilims, three Iranian carpets, a gas light, a sewing machine, a tape recorder, household goods, and a tractor from the compound: "They put all the looted goods on the back of the tractor and left."<sup>46</sup>

M., aged sixteen, witnessed the beating and killing of her father, seventy-year-old Safdar Bey, and her brother, twenty-six-year-old Amir Khan:

*Six men came to our house, they were Hazaras. When they entered into the house, they beat us and looted our household goods. When they were beating my father, I was holding him, trying to stop them from killing him. They beat me [away] with their weapons. The beating lasted for about one and one half hours. Amir Khan, my brother, was also there. They also held him and were beating him. They tied their hands behind their backs, and their feet were also tied. They had bruises all over their bodies.*

*The Hazaras were asking us for 2,000 to 3,000 lakhs [about U.S. \$2,800 to \$4,200]. If we didn't pay the money, they would kill [my father and brother].*

*I saw the killing. At first, they beat them with their weapons, very forcefully. Then they shot them with about thirty bullets.*

<sup>42</sup> Human Rights Watch interview with S.W., aged twenty-seven, Bargah-e Afghani, February 24, 2002.

<sup>43</sup> Human Rights Watch interview with G.D., aged forty-five, Bargah-e Afghani, February 26, 2002.

<sup>44</sup> Human Rights Watch interview with G.A., aged thirty, Bargah-e Afghani, February 26, 2002.

<sup>45</sup> Human Rights Watch interview with M.J., age unknown, Bargah-e Afghani, February 26, 2002. M., like many Afghans, uses only one name

<sup>46</sup> Ibid.

*Then they fired at them with [a heavier weapon]. Amir Khan was laid down on the ground, and they stabbed him with their bayonets.... They fired at both of them at the same time, but [my father] Safdar Bey only died two days later. Amir Khan died instantly. They were [shot] in the courtyard inside our compound.*

*Then, they entered inside our rooms and searched them. We had carpets, kilims, a sewing machine—they took all of these. Some golden coins were also taken, as well as four pairs of earrings, four rings, our clothes, six watches. But they didn't abuse us anymore. They also found 2,000 lakhs [about U.S. \$2,800].<sup>47</sup>*

Twenty-year-old A.A. was detained by two Hazara fighters in the street, and ordered to walk back to his home. While he was walking in front of the two fighters, he was suddenly attacked by them and nearly killed: "When I was walking [home], one of them hit me with the bayonet of his gun. It entered in the back of my head and came out of my mouth. I lost six teeth. I lost consciousness."<sup>48</sup> A.A.'s father carried him to the hospital in Shiberghan, where he barely survived his injuries. His face was still heavily bandaged when Human Rights Watch interviewed him more than two months after the attack.

*Los Angeles Times* reporter Geoffrey Mohan interviewed a Hazara commander named Rajab about the attack. Rajab, who is believed to control a significant area of Chimalt district, admitted that killings took place in Bargah-e Afghani, and claimed that the attack was in retaliation for earlier incidents of attacks against Hazara villagers by Pashtuns:

*Yes, that's right, something happened [in Bargah-e Afghani.] ... But when the Taliban first came, there were about 2,000 Hazara families in Chimalt [district]. These Pushtun people killed about 300 Hazara people and put 500 in jail. They looted the Hazara people's*

<sup>47</sup> Human Rights Watch interview with M., aged sixteen, Bargah-e Afghani, February 26, 2002.

<sup>48</sup> Human Rights Watch interview with A.A., aged twenty, Bargah-e Afghani, February 24, 2002.

*houses. They looted my house and knocked down the walls.... They killed about 300 people, and we killed maybe 10. We took cattle from dead people, but it was cattle they had taken from us.... No one knows who did this, but these people who are living in Bargah now, they oppressed people, they looted houses, they raped people.<sup>49</sup>*

The Pashtun village of Bargah-e Afghani is adjacent to a Turkmen village, Bargah-e Turkman. Human Rights Watch also went to speak with the Turkmen villagers about their treatment in the time of the Taliban as well as the events during the attack. The Turkmen villagers claimed that Pashtuns from Bargah-e Afghani had looted their village when the Taliban first came to power. While the Taliban were in power, their Pashtun neighbors had to provide troops for the Taliban, and had demanded that the Turkmen village provide them with ten to fifteen men to fight on a monthly rotation.<sup>50</sup>

Following the deadly attack, security conditions improved for the Pashtun population in Bargah-e Afghani. Manzullah Khan, the Junbish commander to whom the villagers had originally handed over their weapons and who had sent the Uzbek soldiers who had fled during the attack, returned Junbish soldiers to the village following the attack. The village has not been attacked since.

### *Yengi Qala*

Yengi Qala is a large village in Chimalt district, with a mixed population of ethnic Pashtuns, Tajiks, and Hazaras. According to an ethnic Pashtun village elder of Yengi Qala, sixty-two-year-old S.M., about half of the Hazara population of the villages surrounding Yengi Qala fled the area when the Taliban came to power in northern Afghanistan, at least in part because some of the Hazara villagers had actively resisted the Taliban advance.<sup>51</sup> According to an ethnic Tajik shopkeeper in the town, a group of

<sup>49</sup> Geoffrey Mohan, "Vengeance is Taking its Toll in Wake of Taliban," *Los Angeles Times*, March 2, 2002.

<sup>50</sup> Human Rights Watch interview with A., aged fifty-two, February 26, 2002. A., like many Afghans, uses only one name.

<sup>51</sup> Human Rights Watch interview with S.M., aged sixty-two, Yengi Qala, February 26, 2002.

four Pashtun families who had resettled in Yengi Qala did continue to abuse the non-Pashtun population during the Taliban period, but the majority of Pashtun villagers were not involved in such abuses: "The Pashtuns who committed these crimes were mostly immigrants [i.e., from elsewhere] and they are no longer here now. They looted the Hazaras' mattresses, their goods, even their windows and doors."<sup>52</sup>

Almost immediately after the fall of the Taliban in Mazar-i Sharif on November 9, 2001, Hazara fighters who had left the area during the Taliban reign began returning to their villages around Yengi Qala. On the morning of November 12, at about 6 or 7 a.m., Hazara fighters began heading for Yengi Qala. On the way to Yengi Qala, the Hazara fighters came across a sixty-year-old Pashtun servant named Ismail, who was on his way to Shiberghan with a donkey laden with sacks of flour. Hazara fighters shot Ismail, and dumped his body in a nearby river.<sup>53</sup>

Sixty-two-year-old S.M., an ethnic Pashtun village elder in Yengi Qala, saw the Hazara fighters approach after he had finished his morning prayers, and immediately fled the village towards Jar Qala, together with most of the Pashtun villagers. When S.M. returned home two days later, he found his home looted, with even the windows removed from the walls:

*They took my four cows, six bokhars [1,400 kilograms] of wheat. They looted everything from my house, you can see they even took the window frames.... They [also] took eight pairs of kilims, about nineteen new mattresses, twelve sleeping sets [mattresses with sheets and blankets, rolled together], and twelve more blankets. They broke all of the boxes [used for storing valuables] and took all of our clothes. In the women's boxes, there was also jewelry. They took a machine to produce cotton seed oil, my radio, two tape recorders, forty antique tea pots, and many other things.*<sup>54</sup>

<sup>52</sup> Human Rights Watch interview with T.S., aged thirty-two, Yengi Qala, February 26, 2002.

<sup>53</sup> Human Rights Watch interview with S.M., aged sixty-two, Yengi Qala, February 26, 2002.

<sup>54</sup> Ibid.

During the looting in the village, the Hazara soldiers killed three more people, including two women and the mentally disabled nephew of S.M. According to S.M., who did not personally witness the killing but spoke to several eyewitnesses, his forty-year-old mentally disabled nephew Said Nabi Shah was killed after being tied up and beaten by the Hazara fighters: "[The Hazara fighters] entered into my brother's compound, and they tied my brother's son up by the hands. They were beating him, pulling him up to a hill near the village. There, they shot and killed him. When we found his body, his hands were bound with his turban."<sup>55</sup>

S.M. vehemently denied to Human Rights Watch that he or other Pashtun village leaders had been involved in anti-Hazara abuses during the reign of the Taliban, and claimed to have personally protected Hazara villagers in the area from Taliban atrocities. He felt that he had been targeted for abuse simply because he was a Pashtun village elder: "When you are the elder of a village, when things change, people always blame you [for the past.] The other fault of mine is that I am Pashtun and the Taliban are also Pashtun. The Taliban did the crimes, but the punishment was for us."<sup>56</sup>

Two elderly women were also killed. Noor Bibi, aged about sixty, and her sister, seventy-year-old Goldaneh, were abandoned by their relatives when they fled the village, "because they were too old to be taken along." When the relatives returned to their homes, they found the two elderly women shot dead in their home.<sup>57</sup> Human Rights Watch could not find any direct witnesses to the killings, but the neighbors said they took place during the period that Hazara forces were looting homes.<sup>58</sup>

Villagers also blamed two additional killings on Hazara fighters belonging to Hizb-i Wahdat. Around November 23, right after dusk, thirty-year-old Alauddin went to visit his sister, who had been ill. He left his sister's home later that night, together with Dad Mohammed, the sister's twenty-eight-year-old son. A number of Hizb-i Wahdat soldiers took away the men from right outside the sister's home, and the bodies of the two men were found three days later. J., the

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Human Rights Watch interview with J., aged thirty-five, Yengi Qala, February 26, 2002. J., like many Afghans, uses only one name.

<sup>58</sup> Ibid.

thirty-five-year-old brother of Alauddin, described how the bodies were found: "The bodies were found with their hands tied behind their backs, and both were shot in the head. Alauddin had also been shot in the left shoulder. Dad Mohamed had been shot twice in the head. There were also bruises on their bodies, I guess from rifle-butts."<sup>59</sup>

Many other villagers also suffered looting at the hands of the Hazara forces. M.A., who was over sixty, said a group of six Hazara fighters came to his home around December 5 or 10, 2001, at 2 p.m. He recognized their commander as Abdullah Chatagh of Hizb-i Wahdat. They demanded M.A. hand over his AK-47 assault rifle, and then started looting and beating: "They took my four cows, our rugs and kilims, and 360 lakhs [about U.S. \$500]. They said, 'you're Pashtun,' and started beating me with rifle butts on my back, legs, and arms."<sup>60</sup> When asked if he made a complaint about the looting, M.A. replied that he thought a complaint would be useless and expressed the feelings of many:

*I've complained only to Allah. Who hears our complaints? We will only get in more trouble if we complain. We have no power. Whoever has the guns has the power. We are sick of the guns, of the commanders. Take them all away and let us farm.*<sup>61</sup>

T.S., a thirty-two-year-old ethnic Tajik shopkeeper, narrowly escaped execution at the hands of the Hazara forces, under the control of Commander Zahi:

*Commander Zahi[’s forces] arrived and said they suspected us of being Talibs [Taliban supporters] and protecting the Talibs. They then collected eight of us, Tajiks [and other non-Pashtuns] and lined us up. They told us to get in one line. When we got in line, they fired above our heads. They wanted to shoot a second time, but their weapon jammed so we managed to escape. Zahi was with two bodyguards, he was riding a horse.*

<sup>59</sup> Ibid.

<sup>60</sup> Human Rights Watch interview with M.A., aged over sixty, Yengi Qala, February 26, 2002.

<sup>61</sup> Ibid.

*The other [Hazara] soldiers were behind them, farther away.*<sup>62</sup>

Following the Hazara attack, the Tajik population of the village contacted the Mazar-i Sharif based Jamiat commander Ustad Atta Mohammad and requested protection for their village. At about 8 p.m. that same day, two truckloads of weapons were sent by Jamiat to the village "to distribute to Jamiat supporters," according to T.S. "Then we could bring peace back to our village," T.S. continued, "and we invited the Pashtuns who had escaped to return to the village."<sup>63</sup> S.M., the Pashtun village elder whose house was looted, confirmed that relative peace had returned to the village, and that they were now living under the protection of a Jamiat commander, Ghazi Shojaeddin.<sup>64</sup>

A second villager confirmed that security had improved since Jamiat took over security, stating, "Security is now better because Jamiat is protecting us against Hizb-i Wahdat since about twenty days. But it is only inside the village. We are still afraid to go outside [the village], or to go out at night."<sup>65</sup> He added that they could still not travel on the roads "because the [Hizb-i Wahdat soldiers] will stop cars on the road and demand money and threaten us."<sup>66</sup>

However, although most Pashtun villagers in Yengi Qala were loathe to speak about abuses by their new protectors, armed Tajiks have also carried out abuses against Pashtun civilians. J. told Human Rights Watch that armed Tajiks had also looted Pashtun homes during November and December 2001.<sup>67</sup> Around December 10, 2001, three armed Tajiks took forty-two-year-old A.M., an ethnic Pashtun, from his home to an old cemetery: "They held a gun to my temple and asked for money, I thought they were going to kill me. Then a villager passed by on the road and saw us, so they let me go after I gave them 150 lakhs [about U.S. \$210]. They didn't beat me, they didn't have to. I knew they would kill me if I didn't pay them."<sup>68</sup>

<sup>62</sup> Human Rights Watch interview with T.S., aged thirty-two, Yengi Qala, February 26, 2002.

<sup>63</sup> Ibid.

<sup>64</sup> Human Rights Watch interview with S.M., aged sixty-two, Yengi Qala, February 26, 2002.

<sup>65</sup> Human Rights Watch interview with J., aged thirty-five, Yengi Qala, February 26, 2002.

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> Human Rights Watch interview with A.K., aged forty-two, Yengi Qala, February 26, 2002.

### *Rape in Chimtal District*

Human Rights Watch received second-hand reports that women and girls had been raped and kidnapped in Chimtal district, but we were able to confirm only one case of rape in the district. This does not mean that rape or abductions did not take place on a larger scale, but points to the difficulty of confirming cases of rape in a society where such abuses are considered “unspeakable.”

A Pashtun school administrator in Mazar-i Sharif told Human Rights Watch that three Hazara soldiers raped a sixteen-year-old female relative of hers in Chimtal city on January 16, 2002. A group of four soldiers came to the home while the girl was bathing. The men tied up her father in the front room, and three of the soldiers raped his daughter in front of him and looted the home. The girl has been forced to leave her village, “because everyone heard about [the rape] and it was shameful for the family.” Her father and brother refuse to see the rape victim, and have even threatened to kill her for bringing shame on the family. The school administrator stressed that there were other cases of rape, but that in most cases the families affected tried to keep the information private:

*There are more rape and sexual violence cases against Pashtuns.... This is because the other [ethnic groups] have weapons now, and the Pashtun do not have weapons to defend themselves. Pashtun communities in particular are least likely to seek medical care in the event of sexual violence because of social stigmatization. ... The social stigma is so severe that in some cases families have killed their female family members [who were raped].<sup>69</sup>*

### **Charbolak District**

Soon after the fall of the Taliban in Mazar-i Sharif on November 9, 2001, Junbish troops took over a sizable military base located in the Charbolak district on the main Shiberghan-Mazar-i Sharif highway. Human Rights Watch visited three Pashtun villages in the district that had suffered abuses, including looting and beatings, from Junbish soldiers stationed at the

<sup>69</sup> Human Rights Watch interview, Mazar-i Sharif, February 19, 2002.

military base. The abuses occurred in late November and December, and took place during a “disarmament campaign” in which the Junbish soldiers were supposedly looking for weapons.

According to people in all three villages, their security situation had improved significantly since the initial attacks. A former Taliban commander, Mohammed Wali, who is from Charbolak district, has switched allegiance to Junbish after the fall of the Taliban, and has provided protection for the Pashtun villages in the area. In return for the protection, each of the villages is providing a number of men to Commander Wali to serve as soldiers.

### *Nauwarid Janghura*

Around November 15, 2001, at about 4 p.m., a group of about thirty to forty armed Uzbek men entered the Pashtun village of Nauwarid Janghura.<sup>70</sup> In fear of their lives, most of the villagers ran away when they saw the Uzbek soldiers approaching, leaving behind only a few men, some children, and a few women.

Seventy-five-year-old B.M. remained in the village, too old to flee quickly. He saw the Uzbek soldiers enter the homes of the villagers, carrying out carpets and other valuables. When they came to his compound, the soldiers took him outside and began beating him:

*They pulled me towards a hole in my yard. They threw me in the hole and pointed their guns at me, ordering me to tell them where the guns, jewelry, money, and valuable things were hidden. They were swearing at me, saying we were al Qaeda defenders, that we were al Qaeda members. I was swearing to Allah that we were not al Qaeda, but just Pashtun villagers. I told them that I had passed my seventy-fifth birthday in this village, I had not come from another country, but they kept abusing me.*

*When they first pushed me in the hole, they hit me with their AK-47 assault rifles on the back of my head and I lost*

<sup>70</sup> One witness dated the attack to about ten days after the fall of the Taliban in Mazar-i Sharif on November 9, 2001, while a second witness stated that the attack occurred prior to the beginning of Ramadan on November 16, 2001.

*consciousness. Then they were standing on my back, threatening to shoot me and beating me with the butt of their weapon, and kicking me.... When they finished beating me, they thought I was dead and they left me. After a while, I woke up and saw that the thieves were leaving and returning to their base.*<sup>71</sup>

When B.M. returned to his home, he found most of his valuable possessions gone. Among the missing items he was able to remember were two carpets, three mattresses, three blankets, jewelry, the clothes of his female relatives, and about 200 lakhs [about U.S. \$280].

Thirty-year-old B., a Pashtun farmer who had been imprisoned by the Taliban for three months in 1999 on suspicion of supporting the Northern Alliance, also stayed in the village. The Uzbek soldiers tied his hands behind his back, beat him with their weapons while demanding money and guns, and then put him in one of their jeeps. While the Uzbek soldiers continued to loot, B. managed to open the door of the jeep and run away. He returned at midnight to find his home looted: the soldiers had taken five carpets, three pairs of kilims, four Iranian carpets, a water pump, jewelry, and about 240 lakhs [about U.S. \$330]. He was certain that the men were Junbish soldiers: "The soldiers who were here belonged to [General] Dostum. They had a fighting base near the village and were known to the people as Junbish."<sup>72</sup>

A third witness, thirty-eight-year-old J.S., also remained in the village when the Uzbek soldiers first entered. He spoke to the soldiers, whom he said belonged to Junbish. They demanded weapons, and he explained that the villagers only had two old hunting rifles, which they produced and gave to the Uzbek soldiers. The soldiers then began entering the homes and looting, so J.S. decided to leave the area, but remained close enough to the village to observe what the soldiers were doing:

*They began breaking the boxes [used for storing valuables] and searching for money. They also collected the carpets. ... In the evening, they collected all the*

*goods from the houses. They loaded it into two jeeps, and then they left. They remained here for about four hours, looting. ... We returned at midnight to the village. When I came back to my house, I found [they had looted] four pairs of kilims, 100 lakhs [about U.S. \$130], two ghouris [carpet bags used to load goods on a donkey], my wife's clothes and jewelry. We had six boxes in our compound. They had broken them all open and stole everything.*<sup>73</sup>

### Kakrak

Around December 10, 2001, a force of several hundred Junbish soldiers began a large sweep operation in the Pashtun villages around their base, including Khanabad, Kakrak, and other villages. The supposed aim of the sweep operation was to search for weapons, but the efforts of the soldiers were focused on thoroughly looting the villages. Human Rights Watch researchers visited two of the affected villages, but were informed that other villages in the area had been similarly looted.

According to twenty-five-year-old A.K., about 200 Junbish soldiers arrived at about 2 p.m., at Kakrak village, spreading out all over the village. A group of around twenty to thirty soldiers came to his compound and tied him up, ordering the women to leave the compound. A.K. was beaten for a short time by the soldiers, and then managed to flee. When he returned home that night he found his home looted:

*They stole our clothes and one expensive turban I had, forty lakhs [about U.S. \$56], earrings, about two kilos of silver jewelry and coins, three watches from the women and my watch, two pairs of kilims, three mattresses, four blankets, a cooker, and a light.... They left their old shoes, turbans, and clothes, and took our new ones.*<sup>74</sup>

The Junbish soldiers occupied the family compound of the village mullah in Kakrak, establishing a temporary base for their operations in the area. They remained at the mullah's compound for about seven days, continuing to

<sup>71</sup> Human Rights Watch interview with B.M., aged seventy-five, Nauwarid Janghura, February 25, 2002.

<sup>72</sup> Human Rights Watch interview with B., aged thirty, Nauwarid Janghura, February 25, 2002. B., like many Afghans, uses only one name.

<sup>73</sup> Human Rights Watch interview with J.S., aged thirty-eight, Nauwarid Janghura, February 25, 2002.

<sup>74</sup> Human Rights Watch interview with A.K., aged twenty-five, Kakrak, February 25, 2002.

loot and abuse the Pashtun civilians in the area, until a senior Pashtun commander now loyal to Junbish, Mohammed Wali, came to the village and ordered the soldiers to leave.

On the first night the soldiers stayed in Kakrak, at about 11 p.m., they entered the neighboring compound of G.R., a sixty-year-old Pashtun farmer. They tied up the elderly man, and began brutally beating him in front of his family, demanding money:

*They came at 11 p.m. and tied my hands. Then, they began beating and kicking me, and hitting me with their weapons. They were telling me to show them my dollars. I told them I did not have any dollars. Then, they carried me to another room and threw me down. They beat me with wooden sticks, my hands were still tied.*

*I told my female relatives to bring me money, and they brought me 200 lakhs [about U.S. \$280]. Then they untied my hands.<sup>75</sup>*

### Khanabad

During their week-long presence in the area, the Junbish soldiers also looted many of the other Pashtun villages in the area. The case of D.J., a twenty-five-year-old father of six from Khanabad, is typical. D.J. and his two brothers had just returned fifteen days earlier from Pakistan, where they had sought refuge from Taliban repression while working as construction workers. They had brought home with them a significant amount of money they had earned in Pakistan.

D.J. told Human Rights Watch that three Junbish soldiers first came to his home on December 13, demanding weapons and money. "I gave them my weapon. Then they asked for money. I gave them one hundred lakhs [about U.S. \$130]. Then they stole one of my wife's earrings [and left]."<sup>76</sup> The next morning, at 8 a.m., the same three soldiers returned, demanding more money. This time, they beat D.J. and his mother until they told the soldiers where the money was hidden:

<sup>75</sup> Human Rights Watch interview with G.R., aged sixty, Kakrak, February 25, 2002.

<sup>76</sup> Human Rights Watch interview with D.J., aged twenty-five, Khanabad, February 26, 2002.

*Two soldiers held me, one by my feet and the other by my hands. They laid me face down. The third was beating me and stabbing me with [the barrel of his gun]. When I tried to stand up, they stabbed me with the end of the rifle, wounding me [pointing to a scar on his chest]. They were beating my mother in the same room. They kept saying to give them money and weapons.... I can't count how many times I was beaten on my back. They beat me for about two hours, they kept saying I had a beard and was a Talib.<sup>77</sup>*

Finally, D.J. showed the soldiers where the family had hidden their money. The soldiers stole 200,000 Pakistani rupees [about U.S. \$3,300], a relative fortune that the three brothers had managed to save while working in Pakistan. They also stole two valuable carpets, a tape recorder, a valuable turban, jewelry, and two watches from the family.<sup>78</sup>

The neighboring compound of S.K., aged thirty-four, was similarly looted. A group of about twenty Junbish soldiers first came to his home at about 4 p.m. on December 12, and found his twenty-five-year-old brother G. returning from burying his mother's valuables in the yard. G. told Human Rights Watch:

*My mother had given me some expensive things in a bag and told me to bury it in the ground. I dug a hole in the ground and covered the bag. At that time, about twenty soldiers came to me. They asked what I was doing there.*

*Then they tied my hands. They beat me some thirty times with the backs of their weapons. I was absolutely frightened and thought they would kill me. So I confessed that I had buried some money and showed them the place.<sup>79</sup>*

The soldiers dug up the bag and took away the 600 lakhs [about U.S. \$840] and the video

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Human Rights Watch interview with G., aged twenty-five, Khanabad, February 25, 2002. G., like many Afghans, uses only one name.

camera it contained. They then entered the family compound and stole a hunting rifle and two tractor batteries. The soldiers then left, but returned in the night to continue looting. Afraid that the soldiers would rape his female relatives, S.K. hid the women in his barn. The soldiers beat S.K. and his father, demanding money, and only stopped when S.K. paid them 20 lakhs [about U.S. \$28]. Thirty minutes later, another group of five Junbish soldiers came to the compound and took away all of the expensive goods that S.K. had brought back from Pakistan, where he had lived as a refugee: four expensive blankets, four pairs of kilims, two tape recorders, a waistcoat, and jewelry worth about 29,000 Pakistan rupees [about U.S. \$500].” The next morning, yet another group of four Junbish soldiers came, demanding 2000 lakhs [about U.S. \$2,800] and threatening to take away S.K.’s tractor and irrigation pump if he didn’t pay. S.K. paid the soldiers 500 lakhs [about U.S. \$700], and they then left.

S.K. identified the troops as Junbish, and said he knew that they were under the general command of Commander Lal. He also identified the local commander who had been directly in charge of the troops that looted his home as Commander Kara. Following the attack, S.K., a village leader, went to the regional capital, Mazar-i Sharif, to complain to the Balkh district governor, Jamiat appointee Eshaq Raghuzar, about the attack. Raghuzar referred the case to the Charbolak district officials, who visited the village and confirmed the looting and abuse. However, when S.K. went back to Raghuzar to check on the progress of the case, Raghuzar told him that he could do nothing because the responsible soldiers belonged to another militia.<sup>80</sup>

On their first night in Kakrak village, the Junbish soldiers also came to loot the compound of seventy-five-year-old K.M., a wealthy elder of Khanabad village, at about 4 p.m. The commander of the unit said that they had come to search for weapons, but his soldiers proceeded to loot the compound when K.M. told them he didn’t have any weapons. They beat the elderly village leader with their weapons. In the home, the soldiers stole 500 lakhs of Daulati Afghanis [about U.S. \$1,300], four carpets, the clothes of his female relatives, and jewelry. K.M. invited the looting soldiers to share the sundown meal called Iftar, which ends the daylong fast observed during Ramadan. The soldiers shared Iftar with

<sup>80</sup> Human Rights Watch interview with S.K., aged thirty-four, Khanabad, February 25, 2002.

K.M., and then took away his flock of 200 sheep to their military base. K.M. knew the names of the two Junbish commanders who had looted his compound: he blamed Commander Zaker for stealing his household goods, and stated that Commander Kara—the same commander identified by two other villagers for the attacks on their homes—had stolen his flock of sheep.<sup>81</sup>

Uzbek soldiers also looted the family compound of M.H., a fifty-three-year-old cotton trader from Khanabad, on the afternoon of December 12, 2001. M.H. ran away from his home when he saw the soldiers approaching. When he returned home, he found his minivan gone, as well as his business capital—U.S. \$5,000 and 600 lakhs [about U.S. \$830]—in addition to a hunting weapon, twenty silver coins and twenty golden coins, one radio, and five carpets.<sup>82</sup> He told Human Rights Watch that his minivan was stolen by Commander Kara. M.H. has seen Commander Kara and his soldiers driving around in the stolen vehicle, and has complained about the theft to the Charbolak district leadership, but has not been able to secure its return.

Some of the women in the village believed that the soldiers had intended to rape women during the looting spree. K., aged fifty, explained that when the soldiers first came to her house with their commander, they had noticed some of the women in the home as K. was trying to hide them. When the soldiers were leaving, K. overheard them discussing whether they should return for the women. K. moved her younger female relatives to a friendly Uzbek neighbor’s home. Later that night, the soldiers returned without their commander and asked where the women had gone to. K. lied and said they had fled to the city. She told Human Rights Watch that she was certain the soldiers had intended to sexually assault the women.<sup>83</sup>

## Balkh District

### *Balkh City*

At 9 p.m. on about December 25, 2001, sixty-year-old Jamaluddin, a disabled and sickly retired

<sup>81</sup> Human Rights Watch interview with K.M., aged seventy-five, Khanabad, February 25, 2002.

<sup>82</sup> Human Rights Watch interview with M.H., aged fifty-three, Khanabad, February 25, 2002.

<sup>83</sup> Human Rights Watch interview with K., aged fifty, Khanabad, February 25, 2002. K., like many Afghans, uses only one name.



Imam [Muslim cleric], suddenly heard some knocking at the gates of his modest compound on the outskirts of Balkh city. When he went to check the gate, he found thirteen Hazara soldiers who had come from the Hizb-i Wahdat-controlled military garrison nearby. Afraid for his safety and the safety of his daughters, Jamaluddin refused to open the gate, so the soldiers climbed over the wall and broke the windows of the home, and accused Jamaluddin of being a Taliban supporter for refusing to let the soldiers enter.

The soldiers tied up Jamaluddin, and beat him until he lost consciousness:

*When they came, they beat me on my head and legs. Then they tied my mouth, so I couldn't speak. They were abusing us, using bad words, accusing us of being Pashtuns and insulting us.... They beat me with their guns and tied my hands behind me. By the time they left, I was unconscious. My wife untied my hands and woke me up.<sup>84</sup>*

While the soldiers were beating Jamaluddin, they took his wife and three daughters into a separate room. Jamaluddin heard the screams coming from the room. In an interview with Human Rights Watch, his thirty-year-old wife told how she and her fourteen-year-old daughter were gang-raped by the Hazara soldiers:

*They took all the women and girls to another room and started with my fourteen-year-old daughter. She was crying a lot and imploring them not to do this because she is a virgin. But one of the men threatened her with his gun and said he would kill her if she did not undress. He ordered her to remove her shalwar [trousers] and gave her back her shalwar at the end. She was raped three times. The commander raped her twice, and another soldier raped her once. ...*

*We cried and said, "we are poor people with no enemies, why are you doing these things to us?" Their commander said, "You are Talibs and you are Pashtun." These men were Hazara soldiers with a commander; we think they may be from*

<sup>84</sup> Human Rights Watch interview with Jamaluddin, aged sixty, Balkh, February 25, 2002.

*the local police station in Balkh. One man stood and another raped, turn-by-turn.*

*When we asked to go to the bathroom they refused to let us out and instead knocked lightly on the door. Then the two who were inside went out, and the three who were outside came in and forced me next. I was raped five times by the three men that entered next.*

*Then, after raping me and my eldest daughter, they tried to rape [my twelve-year-old daughter]. But, I resisted by keeping my arms around her while they kept trying to hit her. They hit her on the shoulder and head and her shoulder is still painful. ...When they tried to rape my youngest daughter [aged ten] she told them she would rather be killed than raped. They did not rape her. ...*

*I am concerned about the future of my daughters. No one will marry my daughters. There is nothing left for us; marriage and honor is gone. Everyone here knows what happened and makes jokes about us.<sup>85</sup>*

After the beatings and the rapes, the soldiers looted the impoverished family's home before leaving. The soldiers stole a number of special carpets and other weavings that the family's daughters had prepared in anticipation of their oldest sister's wedding, which has now been cancelled due to the rape: "They robbed all the new things and the things we had prepared for the dowry [for my daughter]. They took silver bracelets, two rugs, one carpet, money, and one sewing machine.... We have nothing to eat since we lost everything, including the sewing machine that helped us support ourselves."<sup>86</sup>

Around December 1, 2001, Jamiat commander Sattar and around twenty Jamiat soldiers came to the Balkh city compound of A.,

<sup>85</sup> Human Rights Watch interview with N., aged thirty, Balkh, February 25, 2002. N., like many Afghans, uses only one name.

<sup>86</sup> Ibid.

a twenty-seven-year-old Pashtun who earns his living as a bus driver. Commander Sattar demanded A. hand over his vehicle, saying, "It belonged to you, and now it belongs to me." A. protested and showed Sattar his ownership papers, but was forced to hand over the keys and lost his vehicle. When A. later confronted Sattar and asked for the return of the vehicle, he said Sattar threatened to kill him.<sup>87</sup> A. made a complaint to the Balkh police station, who ordered Commander Sattar to hand the vehicle back, but, according to A., "these are only words on paper—they don't mean anything."<sup>88</sup>

### *Turwai Kai Settlement*

A.K., a thirty-four-year-old resident of the Turwai Kai Pashtun settlement on the outskirts of Balkh city, was approached at his family compound in early December 2001 by three Hazara soldiers whom he believed belonged to Hizb-i Wahdat. The soldiers had obtained a tractor, and demanded money to pay for it from A.K. He refused to give them the money.

A few days later, at about 11 a.m. on December 7, 2001, A.K. was riding his bicycle near the Balkh market when he ran into the same three Hazara soldiers. He explained how he was forced into the jeep by the soldiers and beaten before being shot while trying to escape:

*When they arrested me at the market, they said "Right now, we will settle things."*

*It was about ten days ago, a Thursday. We have two market days, Monday and Thursday, and it was a market day. It was about 11 a.m. I was riding my bicycle, and they stopped me by the jeep. They were three people, they belonged to Hizb-i Wahdat. At first, they told me that they had some work for me. When I stopped my bike, they pushed down on my bike and made me fall down.*

*They then ordered me to get in the jeep. When I got in the vehicle, they beat me with their fists and kicked me. They also beat me with the guns. [As we were*

<sup>87</sup> Human Rights Watch interview with A., aged twenty-seven, Balkh, March 4, 2002.

<sup>88</sup> Ibid.

*driving], I freed my hands and opened the door of the jeep and ran away near the cotton factory. When I ran away, they shot in front of me. Then they shot me near the ear. Then they also hit me in the neck. I screamed to alert the other villagers. When the villagers got alerted, they started shooting at the Hazaras. The Hazaras stopped chasing me and then I was rescued.<sup>89</sup>*

### *Aghab-e Godam Settlement*

Around November 26, 2001, early in the morning, a group of armed Hazara soldiers came to the ethnic Pashtun Aghab-e Godam neighborhood of Balkh city. Sixty-five-year-old F.M., a farm worker, had just finished his morning prayers when he saw a group of eight Hazara soldiers approach. The Hazara gunmen accused him of being a member of al Qaeda, tied him up, and took him to a house in the neighborhood. They collected all of the other adult men they could find in the neighborhood, and took them all into the same room.<sup>90</sup> There, the Pashtun men were subjected to beatings. T., a twenty-six-year-old driver who was also in the group of detained men, recalled:

*Several men were beating me with their guns, asking, "Where did you hide the money?, Where did you hide the guns?, Where is the documentation for your vehicle?" I was hit on my shoulders and my back, they were choking me and kicking me. They were also verbally abusing me, using curse words. I barely remember the first beating, then I got dizzy and can remember nothing more.<sup>91</sup>*

All of the other men in the room were similarly beaten, including the eighty-year-old father-in-law of F.M., who suffered from hearing problems after being hit on the head during the beatings. The Hazara soldiers also began looting: "They brought a bus twice. They took our wheat, our flour, our carpets, everything new

<sup>89</sup> Human Rights Watch interview with A.K., aged thirty-four, Turwai Kai, February 25, 2002.

<sup>90</sup> Human Rights Watch interview with F.M., aged sixty-five, Aghab-e Godam, February 18, 2002.

<sup>91</sup> Human Rights Watch interview with T., aged twenty-six, Aghab-e Godam, February 18, 2002. T., like many Afghans, uses only one name.

they stole. They filled up the bus twice.”<sup>92</sup> F.M. lost three carpets, more than 800 kilos of wheat, and 80 lakhs [about U.S. \$110] to the looting. In addition, the Hazara soldiers slaughtered at least four sheep belonging to the villagers, telling them, “We’ll be eating kebabs tonight.” T., the driver, had his tractor—his most valuable possession—towed away by the Hazara looters, who also took away his small flock of seven sheep.

The Hazara fighters stayed in the village for two days, keeping the men hostage in the room. Other Hazara fighters came over from a nearby Hizb-i Wahdat garrison, removing the handcuffs from the men but not otherwise intervening. On the second day, two female relatives of the men went to Balkh city and found an American soldier, part of the small contingent of U.S. special forces in northern Afghanistan. Through the soldier’s translator, they explained their situation. The U.S. soldier spoke on his radio and put together a larger group of Afghan soldiers, and then went to the neighborhood in military vehicles. They confronted the Hazara looters, and ordered them to leave. The looters left without a fight, but took several motorbikes from the villagers with them.<sup>93</sup>

### *Spin Kot Settlement*

Around December 12, 2001, at about 2 p.m., a group of armed Hazaras came from their ethnic Hazara village to the Spin Kot village near Balkh city. Spin Kot is an ethnic Pashtun village, and was the home village of one of the main Pashtun commanders formerly aligned with the Taliban, Amir Jan Nasser, who had been disarmed right after the fall of the Taliban. At the time the Hazara gunmen came to the village, the Pashtun commanders and most of the population had fled, according to a village elder: “The commanders had left here to go to [Jamiat leader] Ustad Atta to be protected. The other villagers feared being looted and bombarded, so they left the area.”<sup>94</sup>

The armed Hazaras came to the home of forty-five-year-old M.J., and began beating him. They then tied him up and took him with them

<sup>92</sup> Human Rights Watch interview with F.M., aged sixty-five, Aghab-e Godam, February 18, 2002.

<sup>93</sup> Human Rights Watch interview with S., aged forty-six, Aghab-e Godam, February 18, 2002. S., like many Afghans, uses only one name.

<sup>94</sup> Human Rights Watch interview with M.J., aged forty-five, Spin Kot, February 18, 2002.

to their own village. The gunmen then put the tied-up M.J. in a donkey pen, and subjected him to a severe beating:

*One was twisting my head and two others were kicking me in my back. They were beating me with a shovel, questioning me about guns and asking for money. They were threatening me, saying, “You are Pashtun so you are a Talib. We want to kill you, but not just yet. We’ll do it step by step. We want to hurt you more before we kill you.” They beat me there for about two, two and a half hours.... One of them brought a dog and tried to get the dog to bite me. I managed to fend off the dog.*

*The most important thing they were asking for was money. They demanded 1,000 lakhs [about U.S. \$1,400]. I told them I had no money [with me] but that it was at the house. So we came [to my house]. I had to tell them where the money was hidden, in the cans of wheat. They took 220 lakhs [about U.S. \$300] from the cans of wheat.”<sup>95</sup>*

M.J. suffered serious injuries from the beating, including a broken tooth, a wound to his right elbow, and bruises on his back. The armed Hazaras also took a military radio and two AK-47 assault rifles from his home, as well as two carpets, a tape recorder, and a valuable turban. He explained to Human Rights Watch that he had not held any official position in the Taliban government, but that he had been responsible for security in the village because of his position as a village elder.

A second villager, eighty-year-old A.Q., a retired clerk, was also present during the Hazara attack on the village. He said a group of about ten to twelve Hazara fighters came to his home, saying they were from Sarai village. Their commander and three or four of the fighters were uniformed. His wife was crying, and one of the soldiers slapped his wife in the face and kicked her. The Hazara gunmen took away two locked boxes with valuables, including jewelry, his wife’s clothes, and A.Q.’s writing instruments. A.Q. told Human Rights Watch that the Hazara

<sup>95</sup> Ibid.

gunmen told him, "It is our time now, the Pashtun reign is finished."<sup>96</sup>

Following the attack on Spin Kot by the Hazara fighters, the Jamiat party provided a number of AK-47 assault rifles to the villagers, drawing them into the Jamiat fold in return for security for their village.

While the massive looting of entire Pashtun villages has ended in Balkh district, Pashtun civilians continue to face severe harassment and abuse at the hands of roving Hazara gunmen. Most Pashtun men interviewed by Human Rights Watch in the district told us that they did not dare to go to Balkh city out of fear of harassment and abuse. A.J., a nine-year-old Pashtun boy who had a small shop at Balkh market together with his brother, told Human Rights Watch that Hazara soldiers had come to him that morning and demanded 20 lakhs [about U.S. \$28] from them: "They only ask from the Pashtun shopkeepers.... The Hazara soldiers warned my brother two or three times to bring money. They said that if we don't bring the money in one hour, they would break the lock [to the shop] and take away our goods on a trolley."<sup>97</sup>

## Dawlatabad District

### *Pai-e Mashhad Afghani*

Pai-e Mashhad Afghani is a large Pashtun village in Dawlatabad district, home to several hundred Pashtun families. Soon after the fall of the Taliban in Mazar-i Sharif, two Hazara commanders named Anwar and Musa came to the village and collected about twenty AK-47 assault rifles from the villagers. Then, around November 28, a group of about sixty Hazara soldiers, commanded by Commander Baseri of Hizb-i Wahdat, approached the village in three or four pickup trucks. The villagers, anticipating such an attack, had already moved many of the women out of the village. G.M., a fifty-year-old elder from the village, explained how he and the other elders were detained and beaten by the Hazara soldiers:

*They came to my house and tied my hands. They beat me with their weapons. They kept saying, "show us the weapons," that was their excuse....*

<sup>96</sup> Human Rights Watch interview with A.Q., aged eighty, Spin Kot, February 18, 2002.

<sup>97</sup> Human Rights Watch interview with A.K., aged nine, Balkh city, February 18, 2002.

*They beat me for about ten minutes, and then they carried me to the mosque. They collected all of the elders in the mosque, and beat us for about twenty minutes there.... They were threatening us, saying we were Pashtuns and belonged to the Taliban. But we did not belong to the Taliban, we are just farmers.<sup>98</sup>*

When the men were released, they fled Pai-e Mashhad Afghani together with the other Pashtun villagers. For nearly two weeks, the villagers of Pai-e Mashhad Afghani watched from a distance as armed Hazara soldiers systematically looted their village:

*They looted everything in my house. They took six kilims, four rugs, and around 200 lakhs from a [locked] box they carried away.... What happened to me happened to all the families belonging to this mosque [representing 200 families in the village].*

*They stole about 400 sheep and fifty cows that first day [November 28]. Half of the soldiers were searching the families, the other half gathered together the livestock.... Everyone's home was looted over a period of seven to twelve days. Everyday, they would come to the village in the morning [to loot] and leave in the evening. First they brought the Datsuns, but the next days they came with horses and donkeys to carry away the [looted] materials.<sup>99</sup>*

Although the widespread looting of the village had ended by mid-December, most of the Pashtun villagers in Pai-e Mashhad Afghani still did not dare travel outside their village, out of fear of attack. G.M. explained: "Right now, we cannot go to the market [in town]. There are armed people there, and we are disarmed. Only very old men and young boys can go. We were told by the Hazaras that when the Taliban came, we helped them, so now we must suffer. I

<sup>98</sup> Human Rights Watch interview with G.M., aged fifty, Pai-e Mashhad Afghani, February 19, 2002.

<sup>99</sup> Ibid.

cannot go to the market because I am worried that they would jail or beat me.”<sup>100</sup>

The fear of leaving their village held by many Pashtuns is justified. A.B., a fifty-year-old farmer from Pai-e Mashhad Afghani, was walking near his village with two others in early February 2002 when he was suddenly stopped by a jeep that contained two Hazara commanders named Baseri and Olan Shah: “They beat me with their AK-47 assault rifles and made me get into their jeep.”<sup>101</sup> The commanders took A.M. to a Hizb-i Wahdat base near Balkh city, and handed him over to their soldiers who subjected him to a severe beating, using a torture technique called *falanga* that causes extreme pain and can have severe medical consequences<sup>102</sup>:

*Two men tied my feet. Then they held my feet in the air while I laid on my back. Two of them held up my feet, and two others were whipping my feet with wire cables. They beat me like this for about one hour.... They asked for money, about 2,000 lakhs [about U.S. \$2,800]. I signed a document saying I would give them 2,000 lakhs.*<sup>103</sup>

The Hazara soldiers released A.B. after he signed the document promising to pay them money. He has not paid them, and can no longer leave his village out of fear.

### Koter Ma

Human Rights Watch researchers also visited the village of Koter Ma after receiving reports that serious abuses had taken place there. About seventy Pashtun families normally live in Koter Ma, but when Human Rights Watch researchers

<sup>100</sup> Ibid.

<sup>101</sup> Human Rights Watch interview with A.B., aged fifty, Pai-e Mashhad Afghani, February 19, 2002.

<sup>102</sup> 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.

<sup>103</sup> Human Rights Watch interview with A.B., aged fifty, Pai-e Mashhad Afghani, February 19, 2002.

visited the village, most of the homes appeared abandoned. After walking through the abandoned village for ten minutes, the research team finally found a villager who explained what had happened. First, Junbish soldiers came to Koter Ma and collected the weapons from the villagers. The next night, a group of armed Uzbek men belonging to Junbish began looting the village:

*It was the twenty-second day of Ramadan [December 7, 2001]. They came in the evening, at about 7 p.m., and left at 1 a.m. They came without vehicles. They were between twenty and thirty people, armed with rocket-propelled grenades and AK-47 assault rifles. All were Uzbeks, there were no Hazaras. They belonged to Junbish....*

*They came to my house, four of them. At first, they looted all my sheep, I had 120 sheep and goats. They took them all outside. They told me to hold up my hands and not to move. There was a bicycle in the guestroom and they brought it out. They also took six kilims.... They didn't beat me. But I had some women in the house, and the soldiers beat some of the women with their AK-47 assault rifles.*

*They had parked their cars some distance away, and took all of the goods there. From the whole village, about 600 sheep were taken. They also stole about twenty camels. They loaded the camels with looted goods, then tied them all together, and took them away in a chain....*

*Not all of the looting took place on the first night. It happened over a period of twelve days. When we fled the village, they came every day and looted for twelve days.*<sup>104</sup>

When asked what had happened to the other villagers, B. explained that most of them had fled: “After the first night, in the morning most

<sup>104</sup> Human Rights Watch interview with B., aged seventy, Koter Ma, February 19, 2002. B., like many Afghans, uses only one name.

of the men left to go to Jalalabad [a city in eastern Afghanistan with a majority Pashtun population]. A minority stayed here. But after twelve days of looting, all of the villagers decided to leave from here."<sup>105</sup> Three elders of the villagers had gone to Dawlatabad city to seek an intervention from Junbish commander Akbar Khan, but he reportedly told them to leave, saying, "Now is not the time for complaining."<sup>106</sup>

### *Bagh-e Zakhireh*

M.G. is a seventy-year-old Pashtun farmer living in the small Bagh-e Zakhireh neighborhood on the outskirts of Dawlatabad city, formerly home to eight Pashtun families. When visited by Human Rights Watch in mid-February 2002, he had not left his home for months. His home had been emptied of all valuable possessions during several looting attacks, mostly by ethnic Hazaras but also involving some armed Uzbeks and Tajiks. He explained how his home had been repeatedly attacked since early December 2001, and how he had been personally beaten and abused:

*Eight families were living in this area, all of them Pashtun. Four of the families have left, and four are still living here.*

*[Following the fall of the Taliban,] in the first four days, things were peaceful. But after four days, they came here on the pretext of searching for weapons and looted everything they found. Six or seven times they came here with their jeeps to loot.*

*The first time, it was around the twentieth or twenty-fifth day of Ramadan [December 5 to December 10, 2001]. They came at night. About ten or fifteen people came in two Datsuns. They were [ethnically] mixed, most from Dawlatabad, some from elsewhere. They looted everything. At first they beat all of the population living here, and then they looted all of our possessions, like carpets, pots, household goods. They also broke the boxes [used to store valuables.]*

<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

*From my family, they took twelve carpets, anything from the house, such as teapots, jewelry, earrings, kilims, 2 or 3 bokhars [450 to 675 kilograms] of wheat, flour, 121 sirs [850 kilograms] of rice. Four cows were seized in the second attack.*

*During the first attack, about twelve thieves entered. They were beating me with whips, telling me to show them my money. They were saying that we were Pashtun, they were using bad words. They also hit me with their weapons, they kicked me, and punched me with their fists. The beating lasted for about one hour. Then, they twisted my penis and testicles, trying to get me to show them where I had hidden the money. Then I lost consciousness from the pain. When I woke up, I saw that no one was left here, and that nothing was left in my home. ...*

*Two nights later, there was a second attack. It was some of the same people, and some others. Again, we were looted. That time, they beat me, my wife, and my children. Any time they came, they would punch me and tie my hands, then they would kick me and beat me with their weapons, and ask for money.*

*They collected all of the women in a room. Then they broke their jewelry boxes and took the jewelry. When some of the women began to cry, they beat them. They were kicking the women and saying bad words to them.<sup>107</sup>*

I., another farmer from the same village, also confirmed that Junbish, Hizb-i Wahdat, and Jamiat troops had all raided Bagh-e Zakhireh on different days: "Each force came separately, in pick-ups or jeeps.... They took all of the materials from our homes. From me alone, they took fourteen carpets, four cows, ninety sheep, and 360 lakhs [about U.S. \$500]....The problem lasted for forty days, beginning with the change of regime—during the month of Ramadan. They

<sup>107</sup> Human Rights Watch interview with M.G., aged seventy, Bagh-e Zakhireh, February 19, 2002.

came here repeatedly. When they wanted something, they beat us if we said it was ours.”<sup>108</sup>

During one attack in late December 2001, Junbish soldiers severely beat I.’s family, including his young children:

*When they got inside the room, the children shouted too much. To keep them silent, they hit [the children] with AK-47 assault rifles.... They beat another one of my daughters, aged seven. Now her hand is [disabled]. He hit her on the elbow with a AK-47 assault rifle butt.*

*[When the gunmen arrived], the family was separated in different rooms. Then they gathered us [in the living room] and beat us like animals. Then they left the house after four or five hours. They took two carpets, two sheep, one cow, and some silver.<sup>109</sup>*

When Human Rights Watch visited I.’s family in mid-February, I.’s four-year-old daughter Lal Bibi was still recovering from the wound she had received—the gunman’s AK-47 assault rifle’s barrel had penetrated into the girl’s torso and the wound had become infected.

Another attack on the same village came in late January 2002. Representatives from the neighboring Hazara village of Sar-i Deh came, demanding compensation for the use of their land during the Taliban period. According to M.G., the Taliban government had taken the Pashtun villagers’ land, and ordered them to cultivate the land of their Hazara neighbors instead:

*The most recent attack was twenty days ago, it came from the neighboring village. That village wants 3,000 lakhs [worth about U.S. \$4,200] from all of the villagers, that is why some of the villagers have left. We are left here, and cannot go out. The other village, Sar-i-De, is a Hazara village. The Taliban had taken my land, and told me to go farm this land, which belongs to the Hazara people. So now, the Hazara people*

<sup>108</sup> Human Rights Watch interview with I., Bagh-e Zakhireh, February 20, 2002. I., like many Afghans, uses only one name.

<sup>109</sup> Ibid.

*estimate the harvest was 3,000 lakhs because I farmed on their land. But I harvested about 40 bokhars of wheat, worth 800 lakhs. I only harvested there for one season, because of the drought.*

*We were five farmers in the village, and had about 200 dunams of land. It was occupied by the [Taliban] government and they were farming it. The government ordered us to farm this [Hazara] land for one year. ... I once fought against the Taliban, and they beat me black and blue.*

*I don’t know how to resolve this conflict. I have no way other than to sell my house to settle this. They are threatening me every time [I go out.] I am imprisoned here [in my house.] Right now, if I leave here, they will come and steal even the windows and cut my trees.<sup>110</sup>*

The villagers of Bagh-e Zakhireh also said they were unable to gain access to humanitarian supplies because of the harassment they faced from hostile neighbors. According to the villagers, they have been unable to obtain ration cards for the distribution of World Food Programme (WFP)-sponsored humanitarian aid: “When we go to Dawlatabad, they say there are no cards for Pashtuns.”<sup>111</sup> Only the women could go to the market, dressed in old clothes and their burqas to hide their identity.<sup>112</sup>

F., the thirty-year-old wife of I., also said that their village had been ignored in the last two food distributions in the area:

*The U.N. [WFP] brought some aid to the center of the [area], to the head of the villages. This was meant to be distributed to each house but the head of the village said to us that he forgot to give us aid.*

<sup>110</sup> Human Rights Watch interview with M.G., aged seventy, Bagh-e Zakhireh, February 19, 2002.

<sup>111</sup> Human Rights Watch interview with I., Bagh-e Zakhireh, February 20, 2002.

<sup>112</sup> Human Rights Watch interview with F., aged thirty, Bagh-e Zakhireh, February 20, 2002. F., like many Afghans, uses only one name.

*The aid has come [twice], once after Eid [December 16, 2001] and again a second time.*

*We need a [ration] card to get the aid and so we went to the village head to get our names registered. When we went to get the cards, he said he was writing another list to include us on it. We are still trying to get the card, but we are sure we won't get it, because we are being targeted on the basis of our ethnicity.*<sup>113</sup>

### *Other Affected Pashtun Villages in Dawlatabad District*

Human Rights Watch researchers also visited Nagara Khan, once home to some 200 Pashtun families. The village was almost completely abandoned. Three Pashtun men had come to water their crops, and explained that looting and threats had forced all the families to flee.

According to one forty-five-year-old villager who was too afraid to give his name, groups of ethnic Uzbek Junbish soldiers repeatedly came to Nagara Khan over a five-day period immediately after the fall of the Taliban and looted the village. When the villagers turned over only eight guns, the Junbish soldiers took a group of about twenty-five young men from the village into the mosque, accused them of being Taliban, and threatened to kill them.<sup>114</sup> The village elders approached Commander Majid Rouzi, now head of the 600-person security force in Mazar-i Sharif, with a written appeal for help, but he rebuffed them, saying "you did the same thing to us before, now we will do the same to you."<sup>115</sup> The entire village then abandoned their homes, after losing most of their possessions to the looters.

Out of one hundred Pashtun families, more than eighty had left Deshdan Bala by the time of Human Rights Watch's visit in mid-February 2002. J.G. said that the looting in their village had started at the beginning of December 2001: "Armed men came during the days and nights and went through all of the houses, robbing

<sup>113</sup> Ibid.

<sup>114</sup> Human Rights Watch interviews with man aged about forty-five to fifty, and man aged about twenty to twenty-five, Nagara Khana, February 20, 2002.

<sup>115</sup> Human Rights Watch interview, Nagara Khana, February 20, 2002.

things. They made an excuse about looking for guns. I lost six carpets, fifty sheep, three cows, and 4 lakhs [about U.S. \$5.50]. In late December, the gunmen badly beat a number of men in the village with wooden sticks, threatening to kill them if the village did not give them money. Two teenagers died from the beatings: "Abdul Wali [aged eighteen] and Abdul Ghaffar [aged fifteen] did not have money, so they beat them with sticks. They died [from their injuries] within ten days."<sup>116</sup>

N., a twenty-five-year-old ethnic Pashtun, lives in the mixed Pashtun-Tajik village of Hashimabad. The Pashtun villagers in Hashimabad had suffered abuse at the hands of Junbish, Jamiat, and Hizb-i Wahdat, although N. said that Hizb-i Wahdat troops were responsible for most of the abuses. "I lost twenty sheep and one cow. They checked my pockets and beat me with weapons and sticks.... All of the [Pashtun] villagers were beaten, but none were killed or taken away."<sup>117</sup> Because his own home had become unsafe, he moved his family to the home of a friendly Tajik neighbor. For about two weeks, from early December, his family had to hide in a hole in the ground to escape the marauding soldiers. The soldiers only targeted Pashtuns: "None of the Tajik homes in the village were touched."<sup>118</sup>

## FARYAB PROVINCE

### Shoor Darya Valley

The Shoor Darya river valley is located a few miles west of the towns of Dawlatabad and Faizabad in Faryab province. Some thirty Pashtun villages are found along the Shoor Darya valley. Human Rights Watch visited the area in mid-February, and by that time several of the villages were completely abandoned. Human Rights Watch researchers did find some remaining residents in three villages in the area, and spoke to their residents. The villagers in Shoor Darya were very concerned about their security, and in one village specifically requested

<sup>116</sup> Human Rights Watch interview with J.G., Deshan Bala, February 20, 2002.

<sup>117</sup> Human Rights Watch interview with N., aged twenty-five, Deshan Bala, February 20, 2002. N., like many Afghans, uses only one name.

<sup>118</sup> Ibid.



that their names and the names of their village not be used.

### *MK Village*

In MK village (name withheld), the ethnic Pashtun population suffered serious abuses at the hands of the Uzbek Junbish forces who took power in the area following the collapse of the Taliban regime, as well as by armed Uzbek civilians from neighboring Uzbek villages.

Fifty-eight-year-old M.A. was at home on November 10 when the Uzbek looters first came to the village. He had just heard on his radio at 6 a.m. that the Taliban had abandoned Mazar-i Sharif, and at about 10 a.m. saw a group of armed Uzbeks come on donkeys to the river and cross over toward MK village. Most of the other villagers ran away, but M.A. stayed home. Then the armed Uzbeks came to his home:

*They came to me with about six people. ... I was standing outside my home. They asked me for a weapon, and I told them I don't have any weapons. They beat me two or three times with their guns, and then fired once beside me to scare me. Another one stopped them, telling them not to kill me. I told them they could take whatever they wanted, but not to kill me.*

*So they entered my house. They told me to show them the boxes [used for storing valuables]. They broke the boxes and took jewelry worth about 500 lakhs [about U.S. \$700], including some watches. They took four pairs of new kilims, some nice clothes, three pillows with kilim covers, a radio, teapot, and all kinds of household goods.<sup>119</sup>*

The looting continued for almost the entire month of Ramadan, according to M.A. and other villagers: "After that [first day], they came twenty more times, every day during Ramadan until it was finished. Then there was nothing left."<sup>120</sup>

M.J.M., a sixty-one-year-old village elder of MK village, also told Human Rights Watch that

<sup>119</sup> Human Rights Watch interview with M.A., aged fifty-eight, MK village, February 21, 2002.

<sup>120</sup> Ibid.

his property was looted and that he had been repeatedly jailed and beaten by Uzbek soldiers, resulting in the loss of a testicle:

*Just after the fall of Mazar-i Sharif [on November 9, 2001] they came to disarm us, but not the other [non-Pashtun] villages. We are the weakest village here, we've been completely robbed. They took the bread from our plates, from the mouths of our children. I was beaten three times. They just said "you are Pashtun," they did not even say "you are Taliban." When they came [immediately after the fall of Mazar] they beat me with rifle butts. They took me to jail because I would not pay them. They beat me again there. They twisted my testicles, until the left one is completely gone.<sup>121</sup>*

On December 15, 2001, forty-eight-year-old A.M., a resident of MK village, decided to return home from fifteen months of refuge in Iran, confident that the fall of the Taliban had significantly improved the situation in his home area. He traveled by bus from Iran to Dawlatabad, the nearest town to MK village, but was arbitrarily arrested, beaten and robbed as soon as he stepped off the bus:

*When the Taliban government fell, I was [a refugee] in Iran. I came home from Iran by way of [the Afghan city of] Herat. There was no man in my home, except for my cousin, and this is why I came home.*

*Three men from Juma Bazaar [an area of Faryab province] were in power in Dawlatabad, their names are Rahmat, Wali, and Taji. When they saw me [arrive in Dawlatabad], they arrested me and took my money, around 500,000 Iranian Toman [5 million Iranian Rial, about U.S. \$840].*

*It was one day before [the Muslim feast day of] Eid of Fitr, the thirtieth day of Ramadan [December 15, 2001], that they arrested and jailed me. I was in Dawlatabad that day, coming from Iran.*

<sup>121</sup> Human Rights Watch interview with M.J.M., aged sixty-one, MK village, February 21, 2002.

*I got off the vehicle and they caught me because they knew I had money. I also had an Iranian blanket and some presents, so they understood I came from Iran.*

*When I got off the bus, three armed persons arrested me and beat me with their weapons. Then they dragged me to the prison. There, they took my bag. My money was in the bag. They also took about 100 lakhs [about U.S. \$140] worth of presents that were in my bag.*

*At the prison that night, Taji and Wali came. They poured some water on my back. Then they started beating me with wooden sticks for a long time. They warned me not to tell anyone that they had stolen my money. They beat me for about four hours like this. I was jailed for five more nights like this.*

*On the sixth night, Hashim Khan, an Uzbek commander from Maymana came and requested my release. Then I came to my house. I found my house completely looted. I just found my family members there. They [armed Uzbeks] looted all of my home's possessions, like kilims, wheat, clothes, everything—nothing was left. Watches and jewelry were also stolen.<sup>122</sup>*

The abuses in MK village were still continuing when a team of Human Rights Watch visited the village on February 21, 2002. As the Human Rights Watch team entered the village, they saw two armed Uzbek men leave the village on motorbikes. M.J.M., a sixty-one-year-old elder of the village, explained what had just happened:

*Just when you came there were two armed Uzbeks here with a written demand from the uluswali [district governor] for 20,000 [Pakistani] rupees [about U.S. \$300]. They went away when they saw your car, they took away*

<sup>122</sup> Human Rights Watch interview with A.M, aged forty-eight, MK village, February 21, 2002.

*the demand, saying “now the foreigners are coming.” I know them by name, but I can't tell you—when there is security, I will go find them myself and bring them to you, but today you can't guarantee my safety. They will jail us if we cannot pay; I was just released from jail last month.<sup>123</sup>*

Some of the villagers of MK village freely admitted that prior abuses committed by their villagers against Uzbek neighbors contributed to the current cycle of abuse directed against their community. One villager explained what had happened, saying that Pashtun villagers had “borrowed” money from Uzbek villagers when the Taliban first came to power:

*We had borrowed some money from the Uzbeks before. When the Taliban took power, at that time the villagers had borrowed some goods from their [Uzbek] shops, and livestock. From that time, they had not repaid these things, so the Uzbeks came to demand that money. To be honest, some of them had taken the money by violence, and others had borrowed money knowing they would not pay it back. They used the arrival of the Taliban to pressure the Uzbeks to give them things.<sup>124</sup>*

A second villager used the same “borrowing” euphemism, saying that “it is true that Pashtuns borrowed money from the Uzbeks when the Taliban came to power, and probably also people from this village [did this.]”<sup>125</sup> But he claimed that the land and property disputes actually went quite a bit farther back:

*Ten years ago, when Junbish first took power, we had similar land disputes and theft of sheep. Then, the Uzbeks had also borrowed money and created land disputes. When the Taliban took power and sharia [Islamic] law began, we demanded our rights from the Taliban.*

<sup>123</sup> Human Rights Watch interview with M.J.M., aged sixty-one, MK village, February 21, 2002.

<sup>124</sup> Human Rights Watch interview with I., aged thirty-five, MK village, February 21, 2002. I., like many Afghans, uses only one name.

<sup>125</sup> Human Rights Watch interview with anonymous male, aged sixty, MK village, February 21, 2002.

*We were given sheep, horses, and camels by the sharia court, because we are nomadic people. Eight or nine years ago, they [Uzbeks] had stolen our livestock and goods. That is why our villagers went to the sharia courts—and why the villagers got back what was theirs by right.*

*When the last change happened [the fall of the Taliban], the Uzbeks wanted their rights again, such as the items given by the sharia courts to us. That is why we had this problem.<sup>126</sup>*

However, many of the villagers who were affected by the looting did not benefit directly from the oppressive nature of the Taliban regime, or participate in abuses against other ethnic communities.

According to the villagers, their security situation improved somewhat when Junbish leader General Dostum appointed a new area commander who had tried to stop some of the low level commanders from looting. But the severe looting jeopardized their long-term ability to support themselves, and incidents of harassment and abuse still occurred: "We are still afraid. We have lost our lands, we are hungry, and we do not dare go out to get food or to get international aid."<sup>127</sup>

### *Haji Mullah Hashim and Khoja Abbas Villages*

The village of Haji Mullah Hashim was home to between 200 and 250 Pashtun families prior to the fall of the Taliban regime, but most of those families had fled by the time Human Rights Watch visited the village on February 22, 2002.

A fifty-year-old man who wished to remain anonymous explained that he and his relatives had walked to Turkmenistan after the Taliban fell, afraid that Uzbek forces would kill them if they remained at home. He stayed for six days in Turkmenistan, but his application for asylum was rejected and he was forced to return to Haji Mullah Hashim. When he arrived home, he found everything looted: "I had many things in my home, like wheat, carpets, and household

goods. But when I came back home, there was nothing left. Only the stove remained."<sup>128</sup>

After he returned home, armed Uzbek men continued to come to the village almost every day for a period of about forty days. One of the village elders, seventy-five-year-old Lala Jan, disappeared from the village around November 20, 2001, after he was unable to pay 2,000 lakhs [about U.S. \$2,800] demanded from him by Uzbek gunmen. The men beat him severely, and then took him away. The villagers believe that Lala Jan died from the beating, and that the gunmen disposed of his body.<sup>129</sup> The anonymous fifty-year-old man, who returned to the village on the same day that Lala Jan disappeared, said he was also severely beaten by the Uzbek gunmen that day:

*It was 9 a.m. when I returned [to the village]. Three vehicles stopped by my house, and about fifty soldiers got off and moved to the mosque. They called all of the villagers to come to the mosque. When all of the villagers went there, they locked us inside the mosque.*

*Then, the soldiers were calling us out, one or two at a time. They asked us to find them weapons. I told them we do not have weapons, I even swore to God. Then they told me that if I don't have weapons, I should give them money. I explained that I didn't have anything, because I had been looted.*

*They ordered me to lie down. I put my turban in my mouth because of the soil, and to prevent myself from screaming. Then one of them sat on my legs, and the other on my head. Two were standing by my sides. They had their whips and started beating me. It lasted for about thirty minutes, until I lost consciousness. I was in a very bad state.<sup>130</sup>*

Human Rights Watch asked him what had happened to his female relatives during the

<sup>126</sup> Ibid.

<sup>127</sup> Human Rights Watch interview with M.J.M., aged sixty-one, MK village, February 21, 2002.

<sup>128</sup> Human Rights Watch interview with anonymous, aged fifty, Haji Mullah Hashim, February 22, 2002.

<sup>129</sup> Ibid.

<sup>130</sup> Ibid.

period of looting. The witness grew visibly agitated, and suddenly ripped off his turban and threw it down on the floor with great force. He then explained: "For forty days, if there are no men in the village and only women are remaining, what do you think happened? It [rape] is unmentionable for us.... They have dishonored some of our women, but did not kidnap any of them. It would have been better if they killed all of us."<sup>131</sup> His wife then explained that her husband had given her a knife and a grenade, and that she had managed to fend off attackers by threatening to explode the grenade.<sup>132</sup>

The village of Khoja Abbas is adjacent to the village of Haji Mullah Hashim, and its residents suffered abuses similar to those reported by their neighbors. One of the most severe cases involved A.S., a wealthy forty-six-year-old livestock owner who was severely beaten in mid-December 2001 by two members of Junbish. He was still bedridden when interviewed by Human Rights Watch two months later. He told Human Rights Watch about the extensive looting and the severe beating that he endured:

*When the Taliban fell, all of the Uzbek villagers from Faizabad [a town in Faryab province, over the mountains from the village] came to invade the village and looted everything. I was a rich man here—I owned 120 sheep, two camels, two cows, two donkeys, and one motorbike. Now, I cannot even claim back the money that Uzbeks have borrowed from me [prior to the fall of the Taliban]. Right now, I am begging food from the other villagers.*

*It was from the first days of Ramadan that it started. They came not just for one day, the looting lasted for more than twenty days during Ramadan. This village was a rich village, and for that reason thieves would come day and night. One group would leave and others would come.*

*I know the thieves who stole 100 lakhs [about U.S. \$140] from me. One is N.,*

*son of Khalai, he is from Kuh-e Sayyad village. The other is S., son of Nuri. They both belong to Junbish. It is two months since they beat me, but I am still in bed.*

*The day I was beaten, we were two people coming from the city. It was during Ramadan, the last days of Ramadan. I was coming from feeding my sheep and returning to my home. It was around 1 or 2 p.m. Two people came on motorbikes, it was S. and N.*

*At first they choked me with a turban. I lost consciousness, and they tied my hands. Then they started beating me, they beat me with a kardoom, a cable with a metal ball at the end. I can't remember how many times they hit me, on my back, my legs, my hands. They broke my arm with the kardoom. The beating lasted for about one hour. Then they brought me on their motorbikes to my home, and I paid them the money and gave them my motorbike. They ordered me, either you give money or we will kill you. I told them, "I will give you money, please don't kill me."<sup>133</sup>*

The severe looting of villages in the Shoor Darya valley has drastically worsened the ability of the villagers to survive, as most people have lost their livestock and other food supplies to the looters. Despite the deteriorating situation, many villagers complained that they were unable to seek out humanitarian aid. In early January 2002, the villagers of Khoja Abbas sent a group of women to Faizabad to collect humanitarian aid from the WFP distribution center. On the way to Faizabad, Uzbek villagers stopped the women, tore up their WFP food ration cards, and confiscated their seventeen donkeys and camels. In early January, three men from the village again went to Faizabad to collect three bags of wheat for sowing from WFP. The men obtained three bags of wheat from the distribution center, but had two of the bags confiscated on their way

<sup>131</sup> Ibid.

<sup>132</sup> Human Rights Watch interview, Haji Mullah Hashim, February 22, 2002.

<sup>133</sup> Human Rights Watch interview with A.S., aged forty-six, Khoja Abbas, February 22, 2002.

home by Uzbek villagers, who told them, "One bag for you, two bags for us."<sup>134</sup>

The security situation in Haji Mullah Hashim and Khoja Abbas has improved since mid-January 2002, when Mullah Lal, an Uzbek Junbish commander, placed a group of his soldiers inside the villages. The permanent presence of armed Uzbek soldiers has deterred looters from coming to the villages, but most of the Pashtun villagers are still unable to travel outside their village or go to the market in town out of fear of attack.

### Islam Qala

Islam Qala is a large village in Faryab province, located on the road between Dawlatabad and Maymana. According to Pashtun villagers, it was home to about 100 to 200 Pashtun families and 1,000 Uzbek families prior to the fall of the Taliban.

J.M., a thirty-five-year-old Pashtun farmer from Islam Qala, was living as an internally displaced person in Balkh city when he was interviewed by Human Rights Watch in mid-February 2002. When asked why he had fled his home village, he explained that he had been abused and threatened by Uzbek soldiers in Islam Qala:

*[In late December 2001], at 5 p.m., three armed people came to my house.... They were Uzbeks, under the command of Commander Hashim of Junbish. They entered my house and asked for 100 lakhs [about U.S. \$140]. I explained I didn't have this. Since I didn't have the money, they beat me.*

*They tied my feet together. One stood on my neck and the others were using wooden sticks to beat me. I couldn't count the number of hits, but I guess it must have been over one hundred. Then, I lost consciousness ... When I woke up, the soldiers were gone.<sup>135</sup>*

<sup>134</sup> Human Rights Watch interview with A.M., aged forty, Khoja Abbas, February 22, 2002.

<sup>135</sup> Human Rights Watch interview with J.M., aged thirty-five, Balkh city, February 18, 2002.

About three weeks prior to this beating, in early December, J.M. was farming his field when a Junbish soldier approached and demanded his cows. When J.M. refused to hand over the cows, the soldier stabbed him in the chest with his bayonet. Following the second beating, J.M., his wife, and his three children fled with their donkey to the larger city of Dawlatabad that same night. They left behind most of their belongings, including 700 kilograms of wheat, four carpets, three cows, a donkey, and their household goods. Still feeling unsafe in Dawlatabad, they later fled to Balkh city, located two provinces away. "Now, in Islam Qala there are no Pashtuns left," concluded J.M., "They have escaped to many different places."<sup>136</sup>

Seventy-year-old A., a second internally displaced person from Islam Qala located by Human Rights Watch researchers in Balkh city, offered an essentially similar account of the events in his home village. He was stopped at the Islam Qala market in early December 2001 by a group of three Junbish soldiers, who demanded money from him. The soldiers then took him to an abandoned home, beat him with their rifle butts, and took 30 lakhs [about U.S. \$42] from him. "They left me, and that night I arranged to escape," A. told Human Rights Watch. "They started beating us, so we decided to leave. We hear that none of us [Pashtuns] are left in the village."<sup>137</sup>

When Human Rights Watch researchers visited Islam Qala on February 21, 2002, they found almost no Pashtun villagers remaining in the village, except for a few older women and a sickly man who had just returned from medical treatment. S., a fifty-year-old woman who had remained in the village to take care of her ailing mother, told Human Rights Watch that only three Pashtun families remained in the village: "There are no [Pashtun] men living here now. The men cannot come here, because the Uzbeks will beat them if they come home."<sup>138</sup> The only male Pashtun Human Rights Watch found in the village was thirty-six-year-old J.M., who had returned from medical treatment in Mazar-i Sharif six days prior. He also confirmed that

<sup>136</sup> Ibid.

<sup>137</sup> Human Rights Watch interview with A., aged seventy, Balkh city, February 18, 2002. A., like many Afghans, uses only one name.

<sup>138</sup> Human Rights Watch interview with S., aged fifty, Islam Qala, February 20, 2002. S., like many Afghans, uses only one name.

most of the Pashtun families had left after suffering abuses:

*One hundred Pashtun families lived here. When I came back [six days ago], I found nothing. All of the Pashtuns have left, they were all looted. Since I am a sick man, they did not beat me, because I still have health problems.*<sup>139</sup>

## SAMANGAN PROVINCE

### Hazrat-i Sultan District

#### *Shurkul*

G.S., a Pashtun villager from Shurkul, explained that a group of armed men came to their village about four days after the collapse of the Taliban in November 2001, demanding they turn over their weapons. The villagers complied with the demand. Two days later, five or six armed Junbish soldiers returned to the home of G.S. at midnight. They tied G.S. up, and demanded 600 lakhs [about U.S. \$840]: "I was tied and beaten heavily. They beat me with AK-47 assault rifles until I paid them that amount of money."<sup>140</sup>

G.S. explained that the village had continuing problems with a local Junbish commander called Azim. According to G.S., Azim had looted some 500 sheep from the village when Junbish had controlled the area prior to the Taliban period. When the Taliban came to power, he villagers managed to recover seventy sheep from the brother of Azim, after Azim had fled the area. When Commander Azim returned following the fall of the Taliban, he forced the villagers to hand over seventy sheep to him. Commander Azim also came to the home of G.S., and took away 170 sers [1,200 kilograms] of wheat from his compound.<sup>141</sup>

Another commander, Najmuddin of Junbish, had also forced the villagers of Shurkul to hand over sheep. Commander Najmuddin came to Shurkul, and complained that a Taliban

commander who lived in the neighboring village of Shuluktoo had severely looted Uzbeks. Because he could not find the Taliban commander, he demanded that the villagers provide fifty sheep: "We argued that he [Najmuddin] had to deal with [the Taliban commander]. But we were forced to hand fifty sheep to him."<sup>142</sup>

A., a female villager of Shurkul, told Human Rights Watch that when the Junbish soldiers came soon after the fall of the Taliban, they gathered many of the men of the village in one room and beat them: "When they came they collected all of the men and put them in a room, like they were jailed. ... They beat my husband so badly that they fractured his skull and [injured] his shoulder."<sup>143</sup> Later, around December 20, 2001, about seven armed men came to the village in large Toyota Land Cruisers, and demanded 100 lakhs [about U.S. \$140] before beating ten villagers: "Ten of the villagers were beaten with heavy cables and guns. Three of them were beaten so badly that they couldn't walk. They were sent to the hospital."<sup>144</sup>

#### *Khoja Pirshan*

Pashtun families in Khoja Pirshan told Human Rights Watch that they continued to face looting and demands for livestock and money from Junbish commanders in control of their village. They also complained that they had not been able to receive humanitarian assistance because they were Pashtuns.

On the morning of the Human Rights Watch visit, Junbish commander Mohammadi came to the home of an elder of Khoja Pirshan, A.H., with nine soldiers. He confiscated twelve sheep from A.H., and took them to the market in Aibak, the provincial capital, to sell. Ten days earlier, a second group of armed men had come to A.H.'s home and confiscated two cows.<sup>145</sup>

A second villager, B., told Human Rights Watch that Commander Mohammadi and some of his soldiers had come to his home four days earlier, demanding 300 lakhs [about U.S. \$420]:

<sup>142</sup> Ibid.

<sup>143</sup> Human Rights Watch interview with A., Shurkul, February 21, 2002. A., like many Afghans, uses only one name.

<sup>144</sup> Ibid.

<sup>145</sup> Human Rights Watch interview with A.H., Khoja Pirshan, February 21, 2002.

<sup>139</sup> Human Rights Watch interview with J.M., aged thirty-six, Islam Qala, February 20, 2002.

<sup>140</sup> Human Rights Watch interview with G.S., Shurkul, February 21, 2002.

<sup>141</sup> Ibid.

"No reason was given. I said I was hungry, that I didn't even have enough money for my personal consumption." Unable to raise the money demanded, B. ultimately was forced to hand over some of his sheep to Commander Mohammadi.<sup>146</sup>

B. also explained that intimidation prevented the Pashtun villagers from participating in recent humanitarian aid distributions. A local Afghan NGO had been contracted to distribute international humanitarian aid in the region, but Pashtuns did not get their share. According to B.: "We have to go to the district center [to receive the aid]. A Pashtun man was on the list of beneficiaries. He went to the distribution point. He was arrested on the spot: the Uzbek soldiers said he was a Taliban, and didn't deserve assistance. No one feels like they can go there now."<sup>147</sup>

### Aibak District

After receiving reports about abuses in the area of Aibak city, Human Rights Watch researchers visited two Pashtun villages located with an 8-kilometer radius of that city, Hassan Khel and Ghazi Mullah Qurban.

### Hassan Khel

S.G., a resident of Hassan Khel village, said that armed men under the command of Junbish commander Ahmad Khan had come to their village just days after the collapse of the Taliban, and had appropriated 113 bicycles and twenty-nine motorcycles from the village. Ahmad Khan is currently the head of the Samangan military council. Later, an Uzbek commander had come to the village and taken large amounts of sheep and money from the villagers. S.G. personally lost 1,700 lakhs [about U.S. \$2,400] and 680 sheep, and knew two other villagers, A.D. and B.B., who had lost 390 and 300 sheep respectively.<sup>148</sup>

The extent of the looting was confirmed by M., a sixty-two-year-old female resident of Hassan Khel, who also described widespread beatings. She estimated that some 3,000 sheep

<sup>146</sup> Human Rights Watch interview with B., Khoja Pirshan, February 21, 2002. B., like many Afghans, uses only one name.

<sup>147</sup> Ibid.

<sup>148</sup> Human Rights Watch interview with S.G., Hassan Khel, February 21, 2002.

and 200 cows and donkeys had been taken from the village, in addition to motorcycles, tractors, sewing machines, clothes, televisions, and radios: "We are like the displaced. Everything has been robbed from us, including our motorbikes, machines, sheep, and cows. We are from this area and this is our land, but we are now living like the displaced."<sup>149</sup> M. also said that men continued to be arrested and beaten: "We don't know where the men disappeared to, but they come back and tell us they were beaten."<sup>150</sup>

Not only men in Hassan Khel suffered beatings: forty-six-year-old J.B. told Human Rights Watch that she had been taken from her home and beaten, together with her two sons: "I was taken outside the village and the men were beating me. They took my silver jewelry by force. They also beat up my two sons, who are aged sixteen and eighteen. I escaped when they brought another woman."<sup>151</sup>

According to S.G., Junbish troops had set up a permanent position in the village, and continued to harass the villagers. A number of young men had been arrested for "investigation" by Junbish troops. While some of the arrested men had been released after the paying of ransoms, at least three men from the village remained in Junbish custody.<sup>152</sup>

M.K. was one of the men arrested by the Junbish troops. In late December, he and a friend went to the market in town. When they were leaving the market, they were arrested by Uzbek soldiers. They were kept in detention for a week, beaten, and only released after they paid 500 lakhs in ransom:

*Two months ago, we went to the market for shopping. On our return, at the exit of the market, we were arrested and put in jail... [From the bazaar,] we were taken to a basement... We spent one week there. We were beaten, and they threatened to kill us. We were beaten on our legs with cables. We had to pay 500*

<sup>149</sup> Human Rights Watch interview with M. aged sixty-two, Hassan Khel, February 21, 2002. M., like many Afghans, uses only one name.

<sup>150</sup> Ibid.

<sup>151</sup> Human Rights Watch interview with J.B., aged forty-six, Hassan Khel, February 21, 2002.

<sup>152</sup> Human Rights Watch interview with S.G., Hassan Khel, February 21, 2002.

*lakhs each [to be released]. The same armed group also arrested four other men from our village. It was the same story—each man had to pay 500 lakhs.*<sup>153</sup>

M.K.'s twenty-five-year-old son was also arrested in a different village, Chawghay, where he spent two days in detention. "He was beaten a lot, with a stick, not a cable." The son had to pay 130 lakhs [about U.S. \$180] to secure his release.<sup>154</sup> The arrests and extortion were continuing even as Human Rights Watch was visiting the area: as the research team got ready to leave, an agitated man came up to report that his brother A.G. had just been arrested at the market by two armed men.<sup>155</sup>

### *Ghazi Mullah Qurban*

Villagers in Ghazi Mullah Qurban also complained about beatings and looting by Uzbek soldiers, abuses that were still continuing at the time of Human Rights Watch's visit. A villager who was too afraid to give his name told Human Rights Watch: "Every day, they are asking for new things—food, cars. ... Most often, we get a written letter or oral message from the commander, saying these persons should pay this amount of money, or compensate with sheep."<sup>156</sup>

Like many other villages visited by Human Rights Watch, Ghazi Mullah Qurban had been thoroughly looted. Most of the looting took place right after the fall of the Taliban, when most of the villagers fled to a neighboring Uzbek village out of fear of the Junbish troops. As explained by one woman in the village, sixty-year-old B.K., "During Ramadan, a [Junbish] commander came into the village, and we left our homes because we are Pashtuns. We went to an Uzbek village close by. All of the women and men left. They stole all of our things [while we were gone]."<sup>157</sup> According to villagers, at least three cars had been stolen from the village by a Junbish commander and were now being used by Junbish commanders.

<sup>153</sup> Human Rights Watch interview with M.K., Has-san Khel, February 21, 2002.

<sup>154</sup> Ibid.

<sup>155</sup> Human Rights Watch interview with M.A., Has-san Khel, February 21, 2002.

<sup>156</sup> Human Rights Watch interview with anonymous, Ghazi Mullah Qurban, February 21, 2002.

<sup>157</sup> Human Rights Watch interview with B.K., aged sixty, Ghazi Mullah Qurban, February 21, 2002.

## BAGHLAN PROVINCE

### Nahrin District

Nahrin, a mountainous district to the east of Baghlan city, was hit by a series of devastating earthquakes on March 25-27, 2002. Between 800 and 1000 persons were estimated to have died, and several thousand families left without shelter.<sup>158</sup> Human Rights Watch researchers had visited the district four weeks earlier, by which time many of the Pashtun villages in the district were already depopulated due to targeted looting and violence.

### *Qona Qala*

Qona Qala is a Pashtun village with a normal population of some twenty Pashtun families. Most of the Pashtun families fled in the immediate aftermath of the fall of the Taliban in the district, but some have begun to return to their villages.

Forty-year-old L.M., a farmer, briefly fled his home village of Qona Qala when the Taliban government collapsed in Baghlan province, but quickly returned. On December 10, 2001, two armed members of Jamiat approached L.M. while he was farming his field, demanding 50 lakhs [about U.S. \$70] and guns. They then severely beat L.M., and tried to take him away from the village:

*I was farming my land at the time. It was 12 o'clock. Two people came—one had a weapon, another picked up a stick of wood. They hit me on the head and shoulders. My face was bloody. They hit me on the back and legs with the end of the rifle. When they hit me on the head, I collapsed. They broke the stick while beating me. They also beat me with stones. They said they would kill me. They were asking for money or weapons. The beating went on for more than one hour.*

<sup>158</sup> U.N. Office for the Coordination of Humanitarian Affairs (OCHA), "Afghanistan - Earthquake OCHA Situation Report No. 6," March 28, 2002, OCHA/GVA - 2002/0075.



*Then they tried to take me toward the mountains on foot, and they pulled me and beat me. They said, "Hurry up, hurry up!" It was Monday; people were in the bazaar of Nahrin and they were walking up and down the street. The people in the bazaar were trying to look at me, because I was bleeding from the face. So they [the armed men] carried me away from the bazaar, to a pit.*

*Then all of the people who knew me—the villagers, elders, even Qazi Fazl-ul-Haq<sup>159</sup>—came and stopped them. At that time, I was protected by the people.<sup>160</sup>*

The two gunmen also beat L.M.'s seventy-year-old mother N.B., who was still bedridden because of the beating when interviewed by Human Rights Watch researchers two months later. She told Human Rights Watch that two armed men came into her home, and began beating her: "They beat me on the shoulders and my hand with their guns, and even took off my chador [an Islamic garment worn by women]. I asked them why they were beating us. They said they wanted the guns and money. I said that we have no guns and money, because all of those things had already been looted when we left the village after the fall of the Taliban."<sup>161</sup>

N.M., a thirty-five-year-old villager from Qona Qala village in Nahrin district, explained that almost his entire village fled "in fear of being looted and being abused" when the Taliban regime collapsed in mid-November 2001. They stayed in Baghlan city for about forty-five days, and then Jamiat commander M. told N.M. and a few other families that they could return home because "I was not with the Taliban and hadn't bothered anyone." When they returned home, they found that the village had been looted by Jamiat forces: "They [Jamiat forces] looted pots, five kilims, three stoves, and some wood for fuel [from my compound]."<sup>162</sup>

<sup>159</sup> The senior Jamiat commander in Nahrin, recently appointed district administrator (uluswal).

<sup>160</sup> Human Rights Watch interview with L.M., aged forty, Qona Qala, February 28, 2002.

<sup>161</sup> Human Rights Watch interview with N.B., aged seventy, Qona Qala, February 28, 2002.

<sup>162</sup> Human Rights Watch interview with N.M., aged thirty-five, Qona Qala, February 28, 2002.

On February 20, a local Jamiat commander I. beat N.M. and his wife, and insisted that N.M. pay him money:

*Two days before the start of Eid-ul Adha [February 22], [another] neighboring commander, I., came and beat me and my wife, asking for money and weapons. I had just finished my evening prayers. The commander came with his son, brought me from my compound to the mosque, and then beat me. They hit me with a stick and a rifle butt. The father was holding me, and the son beat me—for thirty minutes. The villagers were crying, asking the commander to stop. "He's a poor man," they said, "He did nothing." The commander was asking for money. I said, "What money?" He said the price of 100 sers [about 700 kilograms] of onions, and that I should bring it tomorrow. While I was being beaten, my wife came out to ask them to spare me. They kicked her hard.<sup>163</sup>*

N.M. went to complain to M., the more senior Jamiat commander who had invited him to return to the village. Commander M told him not to provide the 100 sers of onions to commander I., and wrote a note to commander I. (who had come from another district), stating "You are an immigrant villager, and you should not bother your neighbors."<sup>164</sup>

However, commander M.'s limited protection was not sufficient to insulate N.M. from another commander's demands. In a separate incident in mid-February 2002, an ethnic Uzbek, T.M., who was living under the protection of yet another Jamiat commander, D.M., forced N.M. to give him 70 lakhs [about U.S. \$100]. When N.M. asked commander M. to intervene, commander M. told him that commander D.M. was too powerful, and that he could not help.

Because of the two recent attacks, N.M. was still very fearful for his security when interviewed by Human Rights Watch on February 20: "It is not safe, I cannot come out of my compound now. I don't answer the door when someone knocks."<sup>165</sup>

<sup>163</sup> Ibid.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

*Baraki*

Baraki is an ethnic Pashtun village that, according to its displaced residents, numbers about 400 families belonging to two different Pashtun tribes. About 100 families belong to the Naseri tribe, and another 300 belong to the Wali Khel tribe. When the Taliban regime fell, Tajik Jamiat forces looted Baraki. The first cases of looting targeted the Naseri side of the village, but caused Wali Khel villagers to flee as well. The homes of Wali Khel villagers were then also looted. Human Rights Watch researchers visited Baraki on February 28, 2002, and found it completely abandoned. Two Tajik sheep herders nearby told Human Rights Watch that “the villagers had gone away.” Human Rights Watch later located several of the villagers living as internally displaced persons in other villages.

Forty-four-year-old H. was still in his home village of Baraki when a group of about fifty to sixty ethnic Tajik Jamiat soldiers arrived from neighboring Tajik villages on November 12, at about 11 a.m. Most of the soldiers arrived on horseback or on foot. He described how he was beaten at his compound, and the extensive looting carried out by the soldiers:

*When they entered my compound, they beat me with their weapons for a while and then asked me to leave the room. Then I sat in the courtyard of my compound, while the soldiers carried out materials from my home. They didn't even leave me a cup. They took 300 sirs [2,100 kilograms] of wheat, 200 sirs [1,400 kilograms] of barley, 50 sirs [350 kilograms] of rice, five rugs, five kilims, and 200 lakhs Daulati [20 million Daulati Afghani, about U.S. \$720].*

*They hit me with the backs of their weapons and also with whips, like they use for buzkashi [a sport involving horses]. I was beaten about five different times, each time for about five to ten minutes. They asked me what I was doing there.*

Two soldiers were standing by in the courtyard, not letting me escape.

*At first, my family was inside the rooms, but then they were brought out. While the men were beating me in the compound, my family were crying and asking them to stop. The women—my mother, sister, and daughter—were holding me, to protect me, so they were also beaten at the same time.*

*The looting lasted from 11:00 a.m. to 4 p.m. On that day, one team of soldiers collected items and tied them in bundles. Another group came on horses, and carried them to their villages. They even sent their small boys to loot chickens or hens.<sup>166</sup>*

Twenty-year-old N., a Wali Khel tribesman, fled to a neighboring Tajik village, and received shelter and protection in the home of a Tajik family. He explained to Human Rights Watch how the Tajik family had protected him, and how he ultimately decided to leave when he found his home looted down to the roofs and windows:

*Four or five [Pashtun] families were staying in the Tajik village. We weren't rich people; we did not have any animals. The people who had livestock had moved before to Baghlan city. I had some friends in the Tajik village, who were very poor people. I hid in the house of one of them—I was safe there. Sometimes, when I wanted to visit my village, I was accompanied by a Tajik neighbor. There were Jamiat troops in the village [where I was staying], but they could not find me.*

*Sometimes I could visit my village, when there were no soldiers around. When I visited the village, I just saw walls—nothing else; they had looted the roofs and windows. Nothing was left in my house. When I saw the state of the village, I moved here.*

*I left [the Tajik village] together with the other four or five Pashtun families. We*

<sup>166</sup> Human Rights Watch interview with H, aged forty-four, Chimkala, March 1, 2002. H., like many Afghans, uses only one name.

*were helped by our hosts, who carried our belongings on their horses until we got here.*<sup>167</sup>

Many of the Baraki villagers have been displaced to C. (name withheld), a largely abandoned village located on the outskirts of Baghlan city. But even here, they are not really safe. On February 20, five or six armed Jamiat soldiers came to C. and took away thirty-five-year-old M.A., a Pashtun villager from Baraki. According to M.A.: "At first they threatened me, saying I was a Taliban commander, that I had borrowed some money from them, and that I owed them 200 lakhs [about U.S. \$280]. Then they beat me two or three times with their rifle butts, pushed me in a vehicle, and took me to Nahrin."<sup>168</sup>

In Nahrin, M.A. was taken to the compound of Commander Alim with whom he had a long-running dispute. According to M.A., Commander Alim had stolen twenty of his sheep about one year before, when the Taliban temporarily abandoned Nahrin, and M.A. had taken back seven of those sheep when the Taliban had regained control of Nahrin. This time, Commander Alim locked M.A. in a toilet for five or six days, and M.A. was beaten on the first day. Commander Alim told M.A. that this would be his last chance to remain alive, adding, "You belonged to the Taliban; now, it is not your time."<sup>169</sup>

While keeping M.A. in captivity, Commander Alim sent a delegation of Tajik elders to C. The Tajik elders told M.A.'s fellow villagers that commander Alim would release M.A. if they paid 200 lakhs [about U.S. \$160]; otherwise he would be killed. The villagers paid the ransom, and M.A. was released.<sup>170</sup>

### *Lakan Khel*

According to the displaced villagers located by Human Rights Watch, Lakan Khel was a village of some 600 Pashtun families. Almost all of the families fled during the first days of the fall of the Taliban, when their village was looted by Jamiat

soldiers. A few families remained, but continued to suffer severe abuses. One villager who spoke to Human Rights Watch left Lakan Khel in late February 2002; he said that only ten or twelve families remained in Lakan Khel when he left.<sup>171</sup>

M.A., aged forty-eight, remained in Lakan Khel until mid-February. His home, and most of the village, was first looted by Jamiat troops when the Taliban fell: "Jamiat troops entered the village, looted, and beat people." Then, some Jamiat soldiers made M.A. buy one of their AK-47 assault rifles for 100 lakhs [about U.S. \$140]. He later fled to a neighboring Tajik village, but ten days later another group of Jamiat soldiers found him and insisted that he pay them 200 lakhs, and leave the Tajik village, telling him, "You are Pashtun, you belong to the Taliban." M.A. went back to his village, and found it looted: "I found nothing in my compound. They had looted my house, even taken the windows. I just set up a tent inside my compound and stayed there for twenty days."<sup>172</sup>

But his troubles were not yet over. After about twenty days, five Jamiat commanders came to M.A.'s home with some soldiers:

*Once again, they came to me, and invaded my tent. I said to them, "I bought your weapon, I paid you money, what is your aim now? What more do you want?" They said, "You are Pashtun. You don't belong in this area. You must leave for Kabul, and leave [this area] for us."*

*They tied my hands, laid me down on the ground, and beat me on my back with a wooden stick for more than ten minutes. They even beat my small children, asking them where my money was. They also beat the female members of my family, and asked them, "Why don't you leave?" Five commanders came that last time—Kurshed, Sher, Paimda, Taz Amin, and Wakil—they beat me themselves. In total, forty people came*

<sup>167</sup> Human Rights Watch interview with N., aged twenty, March 1, 2002. N., like many Afghans, uses only one name.

<sup>168</sup> Human Rights Watch interview with M.A., aged thirty-five, March 1, 2002.

<sup>169</sup> Ibid.

<sup>170</sup> Human Rights Watch interview with M.N., March 1, 2002.

<sup>171</sup> Human Rights Watch interview with A.K., aged fifty-six, March 1, 2002.

<sup>172</sup> Human Rights Watch interview with M.A., aged forty-eight, March 1, 2002.

*into the compound—five commanders with their followers.*<sup>173</sup>

M.A. was subsequently informed that his life was in danger, and left with his family. He estimates that only about twenty to thirty Pashtun families remained in Lakan Khel when he left in mid-February.

A.K., a fifty-six-year-old villager from Lakan Khel, also remained in Lakan Khel when the Taliban regime collapsed. He reported that soon after the Taliban fell, Jamiat soldiers started looting the village: “They came over a three-day period, and looted each time they came.” Five Jamiat soldiers came to his compound, in which some twenty-five family members were living, and started beating him and demanding money:

*At first, when they started to beat me, they beat me with the front and back sides of their AK-47 assault rifles. They beat me for ten minutes. They jabbed me in the back with their AK-47 assault rifles.*

*They asked me for money—50 or 100 lakhs—and to turn in my weapons. They were threatening me, that they would kill me if I didn't pay. I didn't have money, so they took my two cows. ... They also beat my thirty-year-old son, and my next son, who is twenty-six-years old. They verbally abused the women of my family.*<sup>174</sup>

The soldiers returned again later, taking ten sheep, two kilims, two teapots, and some money. A.K.'s compound was looted so thoroughly that he did not have the means to leave the village, so he decided to stay on: “I was completely looted, and I didn't have anything for traveling here, so that is why I stayed. I had no horses or donkeys to travel on, and I had children with me.”<sup>175</sup> On February 17, 2002, looters absconded with A.K.'s last possessions:

*The looting has continued. Recently, I lost ten sheep. It was five days before Eid ul-Adha [February 22], at 11 p.m. They took my sheep from my barn, inside my compound. We didn't have a dog to bark, and when we woke up, there weren't any sheep. They just left me one sheep—it was lame and crying, and that is why I got up.*<sup>176</sup>

With no possessions left, A.K. finally left his home village and brought his twenty-five family members to a camp for displaced persons near Baghlan city. By the time he left, only ten to twelve Pashtun families remained in Lakan Khel, and A.K. was certain they, too, would soon be forced to leave.

### Jadran

Jadran is the name of a tribe of ethnic Pashtuns, and also the name of at least four villages in Nahrin district inhabited by Jadran Pashtuns. Human Rights Watch spoke to a villager from one of the Jadran villages that had a population of some thirty to forty Pashtun families.

Thirty-five-year-old F.K. explained that the Jamiat commanders had begun collecting the weapons from Pashtun villages as soon as the Taliban collapsed: “In the first days of the fall of the Taliban, they collected our weapons—they requested one or two weapons [from each household.] Only the Pashtuns were disarmed after the fall of the Taliban.”<sup>177</sup> He said that his harvest was looted the night of the Taliban collapse:

*My last harvest was all looted at the time of the change of government [collapse of the Taliban] by Commander Khurshed and his men, and by Commander Gul Rahman. They took 200 sers [1,400 kilograms] of wheat from me. They came with their vehicles and loaded it up. It happened on the first night [following the Taliban collapse]. Between fifty and fifty-five men came to the village.*<sup>178</sup>

F.K. left Jadran in the last week of February 2002, by which time only about five Pashtun

<sup>173</sup> Ibid.

<sup>174</sup> Human Rights Watch interview with A.K., aged fifty-six, March 1, 2002.

<sup>175</sup> Ibid.

<sup>176</sup> Ibid.

<sup>177</sup> Human Rights Watch interview with F.K., aged thirty-five, March 1, 2002.

<sup>178</sup> Ibid.

families remained in the village. He left after his home was thoroughly looted, he suffered beatings, and finally was told by neighboring Tajik villagers that he could no longer farm his land:

*I have been beaten and looted. Even the roof of my house has been stolen. I want to cultivate my land, but am not allowed to. It is not only my land—we have been prohibited from farming all of the lands of the village by the Saka people, who are Tajiks. They say that these lands are their pastures [but] we have our land deeds. But right now, there is nowhere to submit our land deeds.*<sup>179</sup>

#### Other Pashtun Villages in Nahrin District

The situation for Pashtuns in other villages in Nahrin district was similar to those described above. S.M., a displaced Pashtun villager from Usman Khel village, told Human Rights Watch that out of eighteen Pashtun families in Usman Khel, only three remain in the village. He explained that Jamiat soldiers had moved into their family compound: "During the day, these men are with their commander; at night they steal and rob the houses. I had some wheat, and they robbed it from me. They robbed my house after I left, during Ramadan. ...The military men moved into my house after I left, about forty to fifty men live there."<sup>180</sup>

H.K., a fifty-five-year-old father of seven, fled from Dasht-e Qazi: "They took our sheep, our household goods, everything. It was the opposition [to the Taliban], the [now] government forces. They were all Tajiks from the mountains, the high mountain people. They took our goats, our wheat, our barley, our rugs, our kilims. They took 30 sers [210 kilograms] of my wheat, and 20 sers [140 kilograms] of barley. There was shooting in the village. We were afraid, so we left everything behind and they took it. We can't go back because there are people with guns. They demand money and if we can't pay them will kill us."<sup>181</sup>

<sup>179</sup> Ibid.

<sup>180</sup> Human Rights Watch interview with S.M., internally displaced persons camp in Baghlan city, February 25, 2002.

<sup>181</sup> Human Rights Watch interview with H.K., aged fifty-five, internally displaced persons camp in Baghlan city, February 25, 2002.

#### Kilagai Valley

Human Rights Watch researchers visited Ghararaka, a village of some 300 to 400 Pashtun families, located in the Kilagai valley.

According to N., a thirty-five-year-old farmer, a large group of Jamiat fighters from the Andarab and Panjshir valley areas arrived in Ghararaka during the month of Ramadan, and set up a checkpoint on the main road. The Jamiat soldiers focused on locating and looting the homes of wealthy villagers and military people associated with the Taliban, taking cars, furniture, and weapons. N.'s home was also looted by a group of ten to fifteen soldiers: "They brought a truck with them, and took the bed and furniture."<sup>182</sup>

K.L., a seventy-five-year-old village elder in Ghararaka, explained that the Tajiks were seeking revenge for the abuses of the Taliban, but that the Pashtuns had also suffered under the Taliban: "In the time of the Taliban, they hurt the Tajiks, and now [the Tajiks] are taking revenge on us, even though the Talibs put us in jail too. We were hurt as much by the Talibs, but now the Tajiks blame us.... The Tajiks said they wanted to get back what the Talibs took, they said, 'We've lost our money so we want yours.'"<sup>183</sup> He said the soldiers beat the villagers with rifle butts and cables.

M.S., aged thirty-seven, also blamed the Taliban for bringing problems to their village: "We have lived here [in peace] for years, but the Talibs came from Kandahar and made problems. Now [the Tajiks] blame us, they use this as an excuse [to loot]."<sup>184</sup> He said that the Taliban had established a religious school (madrassah) in the village and were "training forty Talibs there."<sup>185</sup>

D.M., aged thirty-five, told Human Rights Watch that the Jamiat soldiers from the Andarab valley had come to the village and demanded money from villagers on a regular basis: "They asked everyone, 'you are Pashtun, give me 10

<sup>182</sup> Human Rights Watch interview with N., aged thirty-five, Ghararaka, February 25, 2002. N., like many Afghans, uses only one name.

<sup>183</sup> Human Rights Watch interview with K.L., aged seventy-five, Ghararaka, February 25, 2002.

<sup>184</sup> Human Rights Watch interview with M.S., aged thirty-seven, Ghararaka, February 25, 2002.

<sup>185</sup> Ibid.

lakhs, 20 lakhs [about U.S. \$14 to \$28]"<sup>186</sup> One of the commanders, Nasim Alam, came to his compound with twelve soldiers, hit D.M. with a AK-47 assault rifle, and stole 650 sers [4,550 kilograms] of rice." D.M. and his brother went to the regiment's garrison to deliver a written complaint on the same day. On the orders of the regiment's commander, the two brothers were locked in a container for twenty-four hours. Finally, they were released when they apologized and said they did not want their rice returned.<sup>187</sup>

## KUNDUZ AND OTHER PROVINCES

Human Rights Watch researchers did not visit Kunduz province, but interviewed some Pashtuns displaced from Kunduz province on the problems faced by Pashtuns there. In addition, Human Rights Watch has received detailed information from a variety of sources that similar abuses against Pashtuns are also taking place in a number of other provinces, including Herat, Badghis, Sar-i Pul, Jawzjan, and Takhar provinces.

M.A., a fifty-two-year-old farmer from Haji Ghudamdar Shinwari village in the Dasht-e Archi region of Kunduz, fled his home after enduring fifteen days of looting. He told Human Rights Watch: "Some armed people entered my compound and looted my mattresses, five cows, and ten to fifteen sheep and goats.... The men belonged to Commander S., and other commanders from Rostok and Chayab [regions]. They are controlled by Jamiat."<sup>188</sup> He estimated that out of the original 300 Pashtun families living in the village, only about twenty remained there now. Nearly forty Pashtun families from the same area were living in his displaced persons camp on the outskirts of Baghlan city.

P.M., aged thirty, fled in early February 2002, from another village in the Dasht-e Archi area called Idgah Masjid. Just prior to fleeing the village, P.M. had been beaten unconscious by ethnic Uzbek soldiers loyal to Jamiat, and his wife had been raped:

*Commander Qari Amin's men, Uzbeks belonging to Jamiat, came to our village about three to four weeks ago. His men were from neighboring villages. It was noon and I was in my compound. Five men entered and beat me. They tied my hands behind my back. They hit me with their weapons, and hit me in the face with my fists. They hit me on the back with the butts of their rifles. They beat me for about thirty minutes. Then I lost consciousness. When I came to, I found myself inside my room. I had been carried there from the courtyard by my wife.*

*[During the raid], my children were scared and ran. My wife had been raped. It happened to the women of all the villagers.*

*The men stole about 200,000 Afghanis [about U.S. \$9], three kilims, and took jewelry and women's clothing. They beat people and looted in all of the homes in the village.*<sup>189</sup>

P.M.'s wife took him to the hospital after his beating, and had to sell his donkey to pay for the medication. Then, he left for a displaced persons camp on the outskirts of Baghlan city. He said Uzbeks had taken over his village: "Uzbek people have taken our places, have taken our houses. They are living there now."<sup>190</sup>

In addition to the eyewitness accounts gathered by Human Rights Watch from Balkh, Faryab, Baghlan, Samangan, and Kunduz provinces, a variety of confidential sources and newspaper accounts suggest that similar abuses are taking place in other provinces in northern Afghanistan, including Herat, Badghis, Sar-i Pul, Jawzjan, and Takhar. Although these reports require further investigation to establish the scope and nature of the abuses, they indicate that abuses against ethnic Pashtuns may be occurring throughout northern Afghanistan.

On March 21, 2002, a group of some sixty Pashtun elders from Herat and Badghis provinces traveled to Kandahar province to

<sup>186</sup> Human Rights Watch interview with D.M., aged thirty-five, Ghararaka, February 25, 2002.

<sup>187</sup> Ibid.

<sup>188</sup> Human Rights Watch interview with M.A., aged fifty-two, Charshembe Tapa camp, March 1, 2002.

<sup>189</sup> Human Rights Watch interview with P.M., aged thirty, Charshembe IDP camp, March 1, 2002.

<sup>190</sup> Ibid.

appeal for international help to stop abuses against Pashtun communities there. Haji Abdul Hameed, a Pashtun elder from Badghis province, told a journalist: "They took our people to prison. They killed our people. They looted our homes and livestock."<sup>191</sup>

An international assessment team found significant displacement of rural Pashtun villagers to larger urban centers in Sar-i Pul province in January 2002. In Sar-i Pul city, Pashtun displaced persons had been forced to leave a major IDP camp by other ethnic groups. The displaced Pashtuns, mostly from Sozma Qala district, claimed that their communities had been raided by armed groups. Pashtun families had also fled from Sayeed Abad in Sar-i Pul, fleeing similar abuses. At least one Pashtun man had died in the custody of a local commander in Sar-i Pul city, according to confidential sources. The displaced populations from both Sozma Qala and Sayeed Abad claimed that the abuses had been carried out by ethnic Arab Afghans (a community which has lived in Afghanistan for hundreds of years) who had seized power in Sar-i Pul province.<sup>192</sup>

Sayed Mohammad, a resident of Farkhar district in Takhar province, told a reporter of the Institute of War and Peace Reporting: "We were driven out of our houses and told by commanders there was no place in the district for us to live."<sup>193</sup> Confidential sources estimate that over a thousand Pashtun families have been displaced from Farkhar district because of looting and threats of violence by Jamiat forces. The displaced families claimed that local Tajik Jamiat commanders had engaged in a campaign of expulsion of Pashtun villagers whom they believed had provided support for the Taliban, and that most of the property of the Pashtun communities had been confiscated by Jamiat troops and neighboring armed Tajik communities.<sup>194</sup> A spokesperson for the U.N. high commissioner for refugees confirmed that residents of Farkhar province are among new refugees arriving in Pakistan, and that a

<sup>191</sup> "Pashtun Elders From Northwest Tell of Persecution, Appeal for UN Help," Associated Press, March 22, 2002.

<sup>192</sup> Confidential information on file at Human Rights Watch.

<sup>193</sup> Abdul Zarmalwal, "Afghanistan: Kabul Officials 'Play Down' Pashtun Atrocities," IWPR's Reporting Central Asia, No. 110, March 26, 2002.

<sup>194</sup> Confidential information on file at Human Rights Watch.

significant number of the new refugees claim to be fleeing attacks against Pashtuns in northern Afghanistan.<sup>195</sup>

Confidential sources also report that nomadic Pashtuns in Jawzjan province have faced serious problems. Nomadic Pashtuns claim that thousands of their sheep have been taken, and that seventeen of their elders are being held in detention in Shiberghan.<sup>196</sup> Armed groups have also raided Pashtun nomadic sheep herders in the Dasht-i Laili desert, located between Jawzjan and Faryab provinces, stealing many herds of sheep and beating some of the herders.<sup>197</sup>

## THE RESPONSE OF THE AF- GHAN AUTHORITIES

### Establishment of Independent Commission

In mid-February 2002, the Afghan Interim Administration authorized a high-level independent commission to investigate reports of ethnically motivated violence in northern Afghanistan. The three members of this commission—Aref Noorzai, minister of light industries and foodstuffs, Dr. Moshahed, ambassador-designate to Iran, and Mohammed Ibrahim, liaison with the United Nations and a former UNHCR staffer—traveled to northern Afghanistan in late February. They spoke with villagers from different ethnic groups and collected written information about conditions in the north.

The commission visited Mazar-i Sharif, Balkh and surrounding suburbs and villages, and central Samangan province. The commission met with local commanders, and at least on some occasions traveled with them. While Human Rights Watch was concerned that the presence of local commanders would inhibit proper information-gathering, the commission justified this cooperation as a means of educating the commanders about the problems of ordinary Afghans living in areas under their command,

<sup>195</sup> Louis Meixler, "Thousands of Ethnic Pashtuns Fleeing Northern Afghanistan," Associated Press, February 21, 2002.

<sup>196</sup> Confidential information on file at Human Rights Watch.

<sup>197</sup> Ibid.

and also as a means of ensuring that commanders could not deny knowledge of such problems.

The commission's initial conclusions largely paralleled those of Human Rights Watch. According to Noorzai, the commission received over 300 reports of attacks against ethnic Pashtuns in the north, including widespread looting and associated violence, extortion, and sexual violence.<sup>198</sup> This violence was often explicitly explained as reprisal for real or perceived ties between Pashtun communities and the Taliban. The commission also spoke with local commanders, who at times justified their actions as a form of vigilante justice in the absence of any formal means of accountability for past crimes. Perhaps reflecting the areas they visited, the commission's initial findings focused only on abuses perpetrated by Junbish and Wahdat forces, without mentioning the involvement of Tajik forces serving under Jamiat commanders. However, the Interim Administration has stated that it will authorize another commission to investigate allegations of abuse in parts of northern Afghanistan under the control of Jamiat forces.<sup>199</sup>

The Interim Administration has also committed itself to continuing its monitoring of conditions in the north, especially in the period before the Loya Jirga in June. The most concrete proposal for immediately addressing the problem is the creation of a collaborative mechanism for addressing particular complaints, comprising all the ethnic groups in the north. As envisioned, the mechanism would involve representatives from the main ethnically-based factions in the north, including those of Pashtun commanders, as well as the aid community. The proposed mechanism would provide civilians with a forum for lodging complaints and a means of raising these complaints to the attention of local leaders. However, such mechanisms could reinforce the political authority of warlords whose power rests solely on their control of weapons and gunmen. It is precisely this unrepresentative authority that has abused the rights of and alienated ordinary Afghans.

Nevertheless, the Interim Administration's quick and serious response is encouraging.

<sup>198</sup> Human Rights Watch interview with Aref Noorzai, minister of light industries and member of the three-person independent commission, Kabul, March 3, 2002.

<sup>199</sup> Human Rights Watch interview, Kabul, March 10, 2002.

Among the central recommendations of the commission are calls for disarming local commanders and providing incentives for their troops to surrender arms, for instance by handing out three-month food coupons to all those who disarm and engaging in job-creating opportunities funded by international aid. Another key recommendation is the deployment of a small number of international troops, perhaps 300 to 500, in northern Afghanistan to provide basic security.<sup>200</sup>

### Preliminary Steps toward Improving Security in the North

Afghanistan's Interim Administration has limited power and influence beyond Kabul, and its ability to enforce the rule of law throughout Afghanistan is virtually non-existent. For the moment, Afghanistan has no national army, and it may take years to create a professional national army.<sup>201</sup> Hamid Karzai, the chairman of the Interim Administration, can plead with warlords to stop abuses, but does not have much power to directly intervene.<sup>202</sup>

Although the Interim Administration itself has limited power, the leaders of all three ethnic-based armed parties responsible for the abuses documented in this report are also members of the Interim Administration. General Abdul Rashid Dostum, the undisputed commander of Junbish, is the deputy defense minister in the Interim Administration. Mohammad Qasim Fahim, the overall commander of Jamiat's armed forces, replacing Ahmed Shah Masood after his assassination, is the defense minister in the Interim Administration. Haji Mohammad Mohaqiq, the head of Hizb-i Wahdat in northern Afghanistan, is both minister of planning and one of five deputy chairmen of the Interim Cabinet of Hamid Karzai.

A process is underway in Afghanistan to establish a national army, and major regional warlords have formally pledged to cooperate with the process. In the northern capital Mazar-i Sharif, the three factions vying for control of the

<sup>200</sup> Human Rights Watch interview with Aref Noorzai, Kabul, March 3, 2002.

<sup>201</sup> "Creation of Afghan army will take 'probably years': ISAF Chief," Agence France-Presse, March 2, 2002.

<sup>202</sup> Anna Badkhen, "Afghan Militias Rule Outside Kabul: Weak Interim Regime Can't Stop Warlords' Ethnic, Tribal Skirmishes," *San Francisco Chronicle*, February 4, 2002.



city have agreed on the establishment of a joint 600-person police force for the city, and agreed to withdraw their own fighters from the city. Although the number of ethnic militiamen has decreased in Mazar-i Sharif, the city is still bristling with armed men loyal to the various factions.<sup>203</sup> There is no doubt that the balance of fire-power in Mazar-i Sharif, as well as in the rest of northern Afghanistan, remains solidly on the side of the warlords.

Some of the warlords have taken their own measures to address the continued abuses against ethnic Pashtuns. In some parts of northern Afghanistan, General Dostum of Junbish has removed a few commanders who were involved in abuses against Pashtuns, an action that has led to a decrease in abuses in those areas. In other areas, Junbish and Jamiat commanders have established military positions within Pashtun communities and are providing protection to those communities. But in other areas, abusive commanders and forces from all three factions continue to act without restraint or reprimand. Human Rights Watch found no evidence that any commanders had been appropriately punished for the abuses they had committed, or that warlords had made any efforts to redress abuses against Pashtun communities.

## THE ROLE OF THE INTERNATIONAL COMMUNITY

### The United States and the International Assistance Force for Afghanistan (ISAF)

The United States (U.S.) has great influence over the international agenda for Afghanistan. The significant deference shown by other governments to U.S. positions on Afghanistan was reflected in a recent statement by U.N. Secretary-General Kofi Annan: "What the U.S. is prepared or not prepared to do in Afghanistan in the security and military sense has quite a lot of impact on what other governments are prepared to do."<sup>204</sup>

<sup>203</sup> Liam Pleven, "Their Dangerous Alliance: In Mazar-i Sharif, gunmen won't leave," *Newsday*, March 1, 2002.

<sup>204</sup> Elizabeth Neuffer, "US, Britain Asking Turkey to Oversee Security in Afghanistan," *Boston Globe*, March 14, 2002.

U.S. policy makers are clearly aware of the danger posed by warlordism and ethnic tensions in Afghanistan, but are divided about the commitment the U.S. is willing to make to address these issues in Afghanistan. Reportedly, in a February 2002 classified report, the U.S. Central Intelligence Agency (CIA) warned of the danger of violent chaos if warlords and ethnic conflict in Afghanistan are not addressed.<sup>205</sup> According to press reports, the U.S. State Department argued at the time within the U.S. administration for the expansion of the British-led International Security Assistance Force (ISAF), without committing U.S. troops to the task—the U.S. military would limit its own commitment to flying other nation's troops and supplies to and from Afghanistan and providing logistical support.<sup>206</sup> The U.S. special envoy to Afghanistan, Zalmay Khalilzad, told reporters after his February 2002 visit to Afghanistan that "the major, overall challenge is how to prevent a return to warlordism [in Afghanistan]."<sup>207</sup> Khalilzad, however, refused to endorse an expanded ISAF force, stating "we do not want Afghanistan to become a kind of security welfare state."<sup>208</sup>

The major opposition within the U.S. administration to an expansion of the ISAF force, even without a contribution of U.S. troops, came from the Department of Defense. The State Department's internal proposal for an expanded ISAF led to an unusually public objection from the Department of Defense, arguing that an expanded ISAF would divert resources from the U.S.'s broader campaign against terrorism.<sup>209</sup> Secretary of Defense Donald Rumsfeld went on the record with his objections, stating "Another school of thought, which is where my brain is, is that why put all the time and money in [expanding ISAF]? Why not put it into helping [the Afghan authorities] develop a national army so that they can look out for themselves over time?"<sup>210</sup> However, Defense Secretary Rumsfeld's remarks do not take into account the fact that the establishment of a professional

<sup>205</sup> Michael Gordon, "C.I.A. Sees Threat Afghan Factions May Bring Chaos," *New York Times*, February 21, 2002.

<sup>206</sup> Ibid.

<sup>207</sup> Marcella Bombardieri, "US Advisers Mulled to Aid Peacekeeping; Afghan Warlords Threaten Process, Bush Envoys Says," *Boston Globe*, February 25, 2002.

<sup>208</sup> Ibid.

<sup>209</sup> Gordon, "C.I.A. Sees Threat."

<sup>210</sup> Ibid.

Afghan national army will take considerable time, and that an international security presence will be needed to provide security during that security vacuum.<sup>211</sup>

### The ISAF Contributing Countries

While the United States is focused on fighting the remaining Taliban and al Qaeda forces, the European Union (E.U.) has taken the primary role in providing the security forces envisioned under the Bonn Agreement and U.N. Security Council Resolution 1386 (2001). The ISAF consists of approximately 4,500 peacekeepers who are currently confined to working in the capital, Kabul. Eighteen countries currently contribute troops to ISAF, while the U.S. role is limited to providing air transportation, other logistical assistance, and an emergency evacuation plan for the ISAF troops.<sup>212</sup> Great Britain is currently commanding the ISAF operation, but plans to hand over command to Turkey when its six-month mandate expires.

Hamid Karzai, chairman of Afghanistan's Interim Administration, has consistently called on the international community in general and European nations in particular to expand ISAF to cover areas outside Kabul; he has repeatedly asserted that ordinary Afghans ask more for "security and dignity than food."<sup>213</sup> The E.U.'s special commissioner for Afghanistan, Klaus-Peter Klaiber, has also warned that without extension of ISAF, "The political and reconstruction process will not be successful."<sup>214</sup> Klaiber expressed his opinion that ISAF's mission should "be extended geographically,"

but stressed that the E.U. had not yet reached a common position on expansion of ISAF.<sup>215</sup>

Despite these calls for expansion and extension of ISAF's presence in Afghanistan, European capitals have been reluctant to shoulder the additional burden.<sup>216</sup> The United Kingdom, which currently has the leadership role in ISAF, is still planning on ending its command role by the end of June, when funding for the British contingent in Kabul ends.<sup>217</sup> France, which faces a presidential election in April, has also rejected calls for an expanded presence. After a meeting with Hamid Karzai, French president Jacques Chirac said that he was "not convinced that [expansion of ISAF] is the right solution."<sup>218</sup> Similarly, German chancellor Gerhard Schröder has stated that he is "skeptical about extending the territory of the mandate" of ISAF, and warned that Germany's military capacity was stretched by other peacekeeping duties around the world.<sup>219</sup> The Netherlands have also publicly stated their opposition to an expansion of ISAF, as has Italy.<sup>220</sup>

<sup>211</sup> Michael Gordon, "Fielding an Afghan Army is Months Off, US Finds," *New York Times*, March 21, 2002; Michael Gordon, "Where Does Phase 2 Start? In Afghanistan," *New York Times*, March 10, 2002.

<sup>212</sup> The countries currently contributing troops to ISAF are: Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Great Britain, Greece, Italy, the Netherlands, New Zealand, Norway, Portugal, Romania, Sweden, and Turkey. See Center for Defense Information, "Fact Sheet: International Security Assistance Force (ISAF) in Afghanistan," February 14, 2002.

<sup>213</sup> Mohammad Bashir, "Karzai Leaves Paris Without Pledge on Expanding ISAF Role," Agence France Presse, March 1, 2002.

<sup>214</sup> Judy Dempsey, "EU's Special Envoy Seeks More Peacekeepers," *Financial Times*, March 8, 2002.

<sup>215</sup> "EU Afghan Commissioner calls for Expansion of ISAF Mandate, Criticizes Karzai," BBC Monitoring, March 10, 2002; "EU/Afghanistan: Union's Special Envoy to Afghanistan Pleads for Extension of Mandate," Agence Europe, March 8, 2002.

<sup>216</sup> Edward Alden, "Rumsfeld Calls on Allies for Extra Funding," *Financial Times*, March 16, 2002.

<sup>217</sup> Ibid.

<sup>218</sup> Mohammad Bashir, "Karzai Leaves Paris."

<sup>219</sup> Michael Adler, "Germany's Schröder opposes wider Afghan peacekeeping force," Agence France Presse, March 14, 2002; Carol J. Williams, "Karzai Fails to Enlist Germany Diplomacy: Afghan leader is unable to persuade Berlin to take peacekeeping role when Britain steps down," *Los Angeles Times*, March 15, 2002.

<sup>220</sup> Dutch foreign minister Jozias van Aartsen stated, following meetings with U.S. Secretary of State Colin Powell, that "The impression of the U.S. government and the Netherlands government as well ... is that there is no need for an expansion of ISAF." "Netherlands Against Expansion of Afghan Peace Force," Reuters, March 18, 2002. Italian Defense Minister Antonio Martino stated that he was opposed to extending ISAF to cover all of Afghanistan, saying that such an expansion would be "very risky from a technical and military point of view." "Italian Minister Against Widening Foreign Deployment in Afghanistan," BBC Monitoring, February 5, 2002.

Turkey is widely expected to take over the command of the ISAF operation, and has also expressed skepticism about expanding ISAF beyond Kabul. Furthermore, Turkey has articulated a number of conditions before assuming a larger role in ISAF, chief among them a call for extensive financial assistance and the presence of a NATO structure in Afghanistan.<sup>221</sup>

### The United Nations

Ultimately, the Afghan Interim Authority derives its authority from the Bonn Agreement and U.N. Security Council Resolution 1386 (2001). Both documents entrusted the United Nations with a great deal of responsibility in helping Afghanistan achieve a civilian representative government. This role is particularly emphasized in the Bonn Agreement during the tenure of the Interim Authority and the transition to a more permanent government: "The United Nations shall advise the Interim Authority in establishing a politically neutral environment conducive to the holding of the Emergency Loya Jirga in free and fair conditions. The United Nations shall pay special attention to the conduct of those bodies and administrative departments which could directly influence the convening and outcome of the emergency Loya Jirga."<sup>222</sup> In order to ensure that the people of northern Afghanistan are represented adequately in the Emergency Loya Jirga, regardless of their ethnicity, class, or religion, the United Nations must take steps to investigate security conditions and address the problems.

Under Section III of the Bonn Agreement, for instance, the United Nations pledged to assist the Interim Administration with monitoring and investigating human rights violations. Annex II to the Bonn Agreement gave the United Nations—and specifically, the office of Lakhdar Brahimi, the special representative of the secretary-general—"the right to investigate human rights violations and, where necessary, recommend corrective action." However, to date the United Nations has not created an effective comprehensive monitoring system. It is vital for the United Nations to create such a mechanism,

<sup>221</sup> Saaded Oruc, "Meeting on ISAF to be Held on Thursday," *Turkish Daily News*, March 13, 2002; "Turkey Accepts Command of Afghan Peace Force," Associated Press, April 1, 2002.

<sup>222</sup> Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions, Annex II, Para. 3.

especially in the period before the convening of the Emergency Loya Jirga.

More generally, the international community needs to act to stop the violence against Pashtuns in northern Afghanistan, a task that cannot currently or for the foreseeable future be handled solely by the Afghan authorities. The U.N. Security Council needs to expand the mandate of the ISAF for Afghanistan to include areas outside Kabul, most urgently northern Afghanistan. Efforts at ensuring accountability for past and current abuses should be accelerated, and the capacity of the international community to monitor abuses in Afghanistan must be bolstered. Security and accountability for abuses are crucial for the reconstruction of Afghanistan and the legitimacy of the new government. These issues are also primary prerequisites for the safe, dignified, and voluntary return of the millions of Afghans—many of whom are ethnic Pashtuns—who are displaced inside the country, or who are living as refugees in neighboring countries.

Several top U.N. officials have publicly called for an expansion of ISAF forces beyond Kabul. U.N. Special Representative for Afghanistan Lakhdar Brahimi publicly supported an expansion of ISAF beyond Kabul when he addressed the U.N. Security Council on February 6, 2002, saying: "The visible presence of ISAF troops in the capital has led to an improvement in the security situation in Kabul. This has led to increasingly vocal demands, by ordinary Afghans as well as members of the Interim Administration and even warlords [for an expansion of ISAF]." Brahimi added that he supported those calls for an ISAF expansion, but commented later that "how many and where will have to be decided by the experts."<sup>223</sup> On March 20, 2002, Brahimi expressed concern about abuses faced by ethnic Pashtuns in northern Afghanistan and stated his hope "that the people who were responsible for these abuses are not going to go unpunished."<sup>224</sup>

U.N. High Commissioner for Human Rights Mary Robinson has also called for a geographic

<sup>223</sup> "UN Backs Afghan Call for Larger International Force, Salutes Iran," Agence France-Presse, February 6, 2002; "Secretary-General, Special Representative Brahimi tell Security Council rapid disbursement of funds essential for Afghan recovery," M2 Presswire, February 7, 2002.

<sup>224</sup> Said Mohammad Azam, "UN's Afghan Envoy Expresses Fear Over Abuses in North," Agence France-Presse, March 20, 2002.

expansion of ISAF, after she traveled to Afghanistan to personally assess the human rights situation. After her visit, she stated “the core human rights problem at the moment in Afghanistan is human security.”<sup>225</sup> Robinson specifically urged the deployment of ISAF beyond Kabul: “I think that the international force that is here must be extended beyond Kabul, and that’s very clear when you’re [in Afghanistan] ... because you cannot have rebuilding of a whole society and security for human rights if you have violence, if you have killings, if you have robberies, if you have looting, if you have women terrified.”<sup>226</sup>

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<sup>225</sup> “UN Rights Commissioner urges more foreign troops in Afghanistan,” Agence France-Presse, March 12, 2002.

<sup>226</sup> Charles Recknagel, “UN Condemns Attacks On Ethnic Pashtuns,” Radio Free Europe, March 13, 2002.

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Its Women's Rights Division was established in 1990 to monitor violence and discrimination against women throughout the world. LaShawn R. Jefferson is the executive director; Widney Brown is the advocacy director; Farhat Bokhari, Chirumbidzo Mabuwa, Isis Nusair, Judith Sunderland, and Martina Vandenberg are researchers; and Tejal Jesrani and Smita Varia are associates. Kathleen Peratis is chair of the advisory committee.

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