

AFGHANISTAN
MASSACRES OF HAZARAS IN AFGHANISTAN

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I. SUMMARY

This report documents two massacres committed by Taliban forces in the central highlands of Afghanistan, in January 2001 and May 2000. In both cases the victims were primarily Hazaras, a Shia Muslim ethnic group that has been the target of previous massacres and other serious human rights violations by Taliban forces. These massacres took place in the context of the six-year war between the Taliban and parties now grouped in the United National Islamic Front for the Salvation of Afghanistan (the "United Front"), in which international human rights and humanitarian law have been repeatedly violated by the warring factions. Ethnic and religious minorities, and the Hazaras in particular, have been especially vulnerable in areas of conflict, and Taliban forces have committed large-scale abuses against Hazara civilians with impunity. In this report Human Rights Watch calls upon the United Nations to investigate both massacres and to systematically monitor human rights and humanitarian law violations by all parties to Afghanistan's civil war.

The massacre in Yakaolang district began on January 8, 2001 and continued for four days. In the course of conducting search operations following the recapture of the district from two Hazara-based parties in the United Front, the Taliban detained about 300 civilian adult males, including staff members of local humanitarian organizations. The men were herded to assembly points in the center of the district and several outlying areas, and then shot by firing squad in public view. About 170 men are confirmed to have been killed. The killings were apparently intended as a collective punishment for local residents whom the Taliban suspected of cooperating with United Front forces, and to deter the local population from doing so in the future. The findings concerning events in Yakaolang are based on the record of interviews with eyewitnesses that were made available to Human Rights Watch and other corroborating evidence.

The May 2000 massacre took place near the Robatak pass on the border between Baghlan and Samangan provinces. Thirty-one bodies were found at one site to the northwest of the pass. Twenty-six of the dead were positively identified as civilians from Baghlan province. Of the latter, all were unlawfully detained for four months and some were tortured before they were killed. Human Rights Watch's findings in this case are based in large part on interviews with a worker who participated in the burials and with a relative of a detainee who was executed at Robatak. These accounts have been further corroborated by other independent sources. With respect to both massacres, all names of sources, witnesses, and survivors have been withheld.

Mullah Mohammad Omar, the head of the Taliban movement, has stated that there is no evidence of a civilian massacre in Yakaolang and blocked journalists from visiting the district, until recently accessible only by crossing Taliban-held territory. On the night of February 13-14, 2001, however, United Front forces recaptured Bamiyan city, the provincial capital. The offensive secured an airport and a road link to Yakaolang.

On January 19, 2001, United Nations Secretary-General Kofi Annan issued a statement expressing concern about "numerous credible reports" that civilians were deliberately targeted and killed in Yakaolang. The secretary-general called on the Taliban to take "immediate steps to control their forces," adding that the reports required "prompt investigation" and that those responsible should "be brought to justice."¹ On February 16, U.N. High Commissioner for Human Rights Mary Robinson called for the establishment of an independent commission of inquiry into human rights violations in

¹ Secretary-General, United Nations, "Secretary-General very concerned about reports of civilians deliberately targeted and killed in Afghanistan," January 19, 2001, as posted on Relief Web, <http://www.reliefweb.int/w/rwb.nsf> (accessed February 16, 2001).

Afghanistan. Human Rights Watch is concerned that such a commission would take too long to establish; the need is for a small team of experts that could be deployed immediately.

The Taliban's denial of responsibility for the Yakaolang massacre, and its failure to hold its commanders accountable for these and other abuses against civilians by its forces, make it critical that the U.N. itself investigate both cases. There have been preliminary discussions within the U.N. on the feasibility of investigating the Yakaolang massacre; a similar discussion also took place after the Robatak massacre, although no further action was taken. These discussions should be resumed. In doing so, however, the U.N. should not repeat the missteps that resulted in an inconclusive 1999 field investigation by the Office of the High Commissioner for Human Rights, into the 1997 killing of Taliban prisoners by United Front forces in Mazar-i Sharif and the reprisal massacre of Hazara civilians by Taliban forces the following year. To allow an effective investigation into the cases documented in this report, the U.N. should adopt the measures outlined below.

II. RECOMMENDATIONS

To the United Nations, the Islamic Emirate of Afghanistan, and the Islamic State of Afghanistan:

Human Rights Watch urges the United Nations High Commissioner for Human Rights and other relevant U.N. agencies to undertake an immediate investigation into the massacres in question, and urges the Islamic Emirate of Afghanistan (the administration established by the Taliban movement) and the Islamic State of Afghanistan (the administration established by the United Front) to cooperate fully with her office to ensure that an impartial inquiry is carried out speedily.

Any U.N. investigation should include the following measures:

- The investigation into the Yakaolang massacre in particular should begin promptly while there is still an opportunity to collect physical evidence.
- The investigation team should include persons qualified to conduct human rights investigations in the field under the constraints likely to obtain at both sites, and should include a forensic expert with experience in exhumations of graves and analysis of remains.
- The terms of reference should provide clear guidelines for the work of the investigation team and the scope of its report, including in particular:
 1. Identification of individuals, including senior military officers and government officials, responsible for giving orders or otherwise directing actions of their subordinates that violate human rights and humanitarian law.
 2. Identification of patterns of abuses, including ethnicity or other characteristics of persons targeted for arrest or killing, neighborhoods targeted, and so on.
- The High Commissioner should communicate the findings of the investigation to relevant authorities in Afghanistan, and urge them to prosecute persons identified as responsible for crimes.
- The High Commissioner should use the findings to determine to what extent there have been violations of international human rights and humanitarian law, including grave breaches that would be subject to possible war crimes prosecutions.

The Islamic Emirate of Afghanistan should then prosecute those commanders found responsible for the arbitrary killings before a tribunal in hearings that are fully open to the public and conducted in accordance with international standards on fair trials.

Human Rights Watch does not underestimate the difficulty of undertaking an investigation, given the logistical, security, and political difficulties involved. The area where the most recent massacre took place has changed hands several times. It has been difficult for U.N. agencies to get access to the area, and no one has been stationed there permanently because of security concerns. The sanctions threatened by U.N. Security Council Resolution 1333 (2000), including closing the Taliban offices in New York, have led to increased tension with the U.N. The U.N. should nevertheless make a credible request to investigate and be prepared for an immediate response to take advantage of any opportunities offered by changing political and military circumstances. This means having the necessary expertise and resources lined up, with fallback options for each contingency.

To the European Community

The Common Position of the Council of the European Union on Afghanistan, adopted in January 24, 2000, states that it is an objective of the European Union to “promote respect for international humanitarian law and human rights, including the rights of women and children.” E.U. members should further this objective by adopting measures that include investigating human rights and humanitarian law violations in Afghanistan through coordinated initiatives by member states’ embassies in neighboring countries, such as Pakistan and Tajikistan, where they can gain access to refugees.

III. BACKGROUND

Hazaras form a majority of the population in the central highland region of Afghanistan known as Hazarajat, and are a significant minority in the cities of Kabul and Mazar-i Sharif.² Most are Imami Shia Muslims, recognizing the leadership of a succession of twelve Imams beginning with the Prophet Muhammad’s son-in-law Ali. A minority are Ismaili Shia, who look for leadership to the lineal descendants of the sixth Shia Imam, represented today by the Aga Khan. In either case, the religious identity of the Hazaras sharply distinguishes them from the Sunni Muslims who predominate in most other regions of the country and has contributed to their political and economic marginalization by successive regimes in Kabul.

The emergence in 1994 of the Taliban, militant Sunni Muslims who tend to regard Shia as not being true Muslims,³ threatened to further undermine the Hazaras’ position. This fear appeared to be realized in August 1998, when Taliban forces in the multiethnic northern city of Mazar-i Sharif killed at least 2,000 civilians—most of whom were Hazaras. The killings were partly in reprisal for the summary execution in May 1997 of some 2,000 Taliban prisoners by ethnic Hazara and Uzbek forces, but there was also a sectarian component to the Taliban’s actions. In the immediate aftermath of the city’s occupation by the Taliban, the newly installed governor, Mullah Manon Niazi, delivered public speeches in which he termed the Hazaras infidels and threatened them with death if they did not convert to Sunni Islam or leave Afghanistan.⁴ Hundreds of civilians fled south toward Hazarajat, accompanied by retreating forces of the Shia party, Hizb-i Wahdat, amid rocket fire and aerial bombardment.

² The term Hazara, as used in this report, includes Sayyids, who account for about 5 percent of Hazarajat’s population. Sayyids form a distinct caste within Hazara communities, based on their tradition of descent from the Prophet Muhammad, and are regarded by some in Hazarajat as a separate ethnic group. Chris Johnson, “Hazarajat Baseline Study – Interim Report (Part I),” for the U.N. Co-Ordinator’s Office, March 2000, pp. 8-10.

³ Ahmed Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia* (New Haven: Yale University Press, 2000), p. 69.

⁴ In his speeches, Niazi also held the Hazaras collectively responsible for the summary executions of the Taliban prisoners. Human Rights Watch, “Afghanistan: the Massacre in Mazar-i Sharif,” *A Human Rights Watch Report*, vol. 10, no. 7(C), November 1998, p. 11.

Most of Hazarajat, which had been governed by various factions of the Shia party Hizb-i Wahdat since 1989, fell to the Taliban in September 1998 after a crippling year-long blockade. Despite the apprehensions of many local residents, the transition involved far fewer civilian casualties than had been the case in Mazar-i Sharif. Some observers attributed this to an alliance that was forged with the Taliban by Hujjat-al-Islam Sayyid Mohammad Akbari, a Hizb-i Wahdat faction leader, shortly after the Taliban seized Bamiyan, the major city in Hazarajat and the capital of a district and province of the same name. The Taliban subsequently withdrew most non-local forces from several districts of Hazarajat, leaving them under the nominal control of Akbari appointees or other Shia commanders. Bamiyan, Yakaolang, and a few other districts were directly administered by the Taliban.⁵

As of February 2001, several enclaves within Hazarajat remained under the control of a Hizb-i Wahdat faction led by Karim Khalili, a leading Shia mullah. In some areas, Hizb-i Wahdat governed with the support of an allied Shia party, Harakat-i Islami. Both Hizb-i Wahdat and Harakat-i Islami are members of the United Front, a loose and often fractious coalition of mainly Tajik, Uzbek, and Hazara parties, which in early 2001 together controlled about 10 percent of Afghanistan's territory. Two of these enclaves, the districts of Balkhob and Dar-i Suf, sustained aerial bombardment by the Taliban during 1999 and 2000, prompting a renewed exodus of Hazara refugees to Iran.

Yakaolang district continued to be contested after its occupation by the Taliban in September 1998. Khalili's Hizb-i Wahdat faction and Harakat-i Islami briefly retook control of Yakaolang at the end of 1998 and Bamiyan district in April 1999. However, they lost both districts in May of that year, after heavy fighting in Bamiyan. On December 28, 2000, Hizb-i Wahdat and Harakat-i Islami forces again occupied Yakaolang. The few Taliban defenders fled.⁶

IV. MASSACRE IN YAKAOLANG, JANUARY 2001

On January 7, Taliban forces began advancing on Yakaolang from Bamiyan in a bid to recapture the district. Moving westwards, they established their rear base at Feroz Bahar, east of the center of town, from which they launched three main thrusts. The first attack met with stiff resistance on the hill to the east of Dar-i Ali, a valley in which a number of villages are clustered. The Taliban forces were compelled to retreat and call for reinforcements after losing some thirty of their men. The second attack, which contained the main column of troops, was held up at Surkh Kotal, near Zulflucht, for about four hours until the Hizb-i Wahdat forces retreated. After breaking through the defensive line at Surkh Kotal, the Taliban proceeded to Nayak, the district center, without further resistance, reaching it on the morning of January 8. A witness described the Taliban advance:⁷

On the evening of the January 7, a friend told me that a helicopter had been heard flying into Feroz Bahar. Initially people thought that it was supplying the United Front troops, but it turned out that it had been flying in Taliban troops. That night there were

⁵ Johnson, "Hazarajat Baseline Study," p. 5 and Appendix D.

⁶ After Hizb-i Wahdat and Harakat-i Islami forces took control of Yakaolang, troops led by Harakat-i Islami Commander Moalim Aziz of Topchi village, in central Bamiyan, entered a local hospital and summarily executed a wounded nineteen-year-old Taliban soldier who was receiving treatment there. The Taliban soldier was identified as Amanullah, son of Ubaidullah, of Maroof district, in Kandahar province. Aziz then established his base in the hospital, which his troops looted of equipment and medicines. Although local staff hid some of the equipment in their houses, when the Taliban retook the area they looted all the remaining heavy equipment remaining in the hospital, as well as a six-month supply of medicines in the central store. Interview with witness, Kabul, January 2001.

⁷ Interview with witness, Kabul, January 2001.

sounds of heavy fighting. In the morning again, we heard intense firing, and there was clearly a battle going on in Nayak. Later that morning Nayak fell and the fighting was over.... From 2:00 p.m. on January 8 we watched United Front troops retreating, walking past us and with their mounted column, heading west towards lower Yakaolang. There were so many of them that it took the rest of the day for them to pass us—they were trooping past us until late evening. They were heading for Deh Surkh and Daga.

Upon reaching the district center, the Taliban organized eleven search parties. They were each allocated a sector of central Yakaolang and moved from house to house within their respective sectors, rounding up male occupants. The search party allocated to Dar-i Ali commandeered twelve horses and so was able to travel extensively through the valley, only part of which is accessible by road.

Another witness described the Taliban's capture of the district and the search operations in Dar-i Ali. He first learned of the Taliban advance when Hizb-i Wahdat troops stationed near his office informed him that a helicopter had landed at Feroz Bahar, and that they believed a Taliban attack was imminent. Between midnight and 3:00 a.m. there was heavy fighting all around the area. When there was a lull in the fighting at 3:00 a.m., the witness fled to Dar-i Ali. After about 8:00 a.m., the fighting stopped. At approximately 3:00 p.m., he went to a friend's house that was nearby and asked if he could wait there. The family told him that the Taliban were conducting searches and that it would not be safe. After leaving his friend's house, the witness encountered a group of Taliban troops who ordered him to join a crowd of men who were being herded towards a local aid agency.

The witness saw three bodies lying in front of the aid agency. The Taliban soldiers said that they were men who had tried to run away.⁸ The witness described what happened next:

A group of about one hundred men was gathered at the [aid] center. After some time the Taliban ordered us to move, and we were herded down towards Nayak [the district center]. At first the pace was slow, but after some time we were met by a group of mounted Taliban and the soldiers started to whip the detainees and ordered us to move more quickly. When we got to Nayak, another group of Taliban was waiting there at the entrance to the bazaar, armed with sticks. They beat us and told the Taliban in charge of the group to "take them to the Mullah."⁹

According to other witnesses, the detainees were herded to the office of a relief agency located in Nayak, where most were later executed.

As reports of detentions and killings began to circulate through the district, groups of village elders sought meetings with Taliban commanders to ensure the security of their communities. According to a witness:

The same day [January 10] news came that the Taliban were searching houses as far as Girdbayd, some five kilometers from Nayak. People coming from there said that the Taliban had killed some of the people there. We all discussed among ourselves whether this could be true or not. After a couple of days [January 11 or 12], eight or ten

⁸ Interview with witness, Kabul, January 2001. The three men were later identified as Eid Mohammad and two other shopkeepers from Ab-i Sherum village of neighbouring Behsud district, who had traveled to Yakaolang to purchase hides. All three were reportedly stopped and shot dead on the road outside the aid agency. Interviews with witnesses, Yakaolang, February 2001.

⁹ Interview with witness, Kabul, January 2001.

of the village elders decided that they must go to Nayak to discuss the security of the area with the Taliban. They set off on foot towards Nayak.

The following is his account of what the elders told him:

On the way there, near Qala Issa Khan [a hamlet about 500 meters west of Nayak, also known as Qala Arbab Hassan], the elders saw Jan Agha, a local Tajik commander, sitting in a Taliban “Datsun” (a pickup truck).¹⁰ Jan Agha was gesticulating at the elders, pointing to something in the village, but they could not work out what it was, and so they proceeded.

The elders walked into Nayak unchallenged and went straight to the Taliban command post. They asked to see Commander Mullah Abdul Sattar, but he refused to see him. Then they managed to find Commander Haji Faqoori and after some persuasion, he managed to get Commander Sattar to see them. Sattar told the elders that he had just received orders from Kandahar, from Mullah [Mohammad] Omar [the head of the Taliban movement], declaring a general amnesty. He instructed the elders to go and meet with [Hizb-i Wahdat commander] Khalili and tell him not to fight any more, or there would be more killing.

On their return, Jan Agha told the elders what he had been pointing to and they saw a pile of bodies at the edge of Qala Issa Khan.

According to the same witness, the elders subsequently met with Khalili, but he refused to stop fighting. Fearful of further conflict, the witness said, many local residents started to leave the area.

On at least two occasions, the Taliban killed delegations of Hazara elders who had attempted to intercede with them. On January 9, elders of Kata Khana gathered to meet with the Taliban. The Taliban arrested the entire group and killed everyone except two neighborhood leaders. In another case, the elders of Bed Mushkin village met with the Taliban to discuss security for the area. All were killed except one.¹¹

The main execution site in Yakaolang appears to have been outside the relief agency in Nayak where the detainees from Dar-i Ali were killed. Witnesses also reported seeing piles of bodies in four other locations in and around Nayak: outside the district hospital, in the ravine behind the mosque in the old bazaar area, outside the prayer hall of Mindayak village, and at Qala Arbab Hassan. Of these, the largest pile of bodies was at Qala Arbab Hassan. Other killings were reported from neighborhoods in areas surrounding the district center, including outside the leprosy and tuberculosis clinics. A witness who visited Yakaolang district four weeks after the incident inspected one of the mass graves at Bed Mushkin village, in which twenty-six bodies had been found. One of the bodies was that of a seventeen-year-old boy, Mir Ali, much of whose skin had been removed either prior to or after his death.¹² In a separate case, seven men were shot dead at the Zarin crossroad near the leprosy clinic in Yakaolang.¹³

Eyewitnesses reported that personnel of the Center for Cooperation on Afghanistan (CCA), a local aid agency—identified as Sayyid Sarwar and Sayyid Talib—were among the civilians rounded up in Dar-i Ali and executed outside the relief agency office. Other staff members of relief agencies were identified among those killed. These included a driver named Daoud who was working for an international humanitarian agency; a man named Qasim who worked as an assistant in the leprosy clinic; and Sayyid

¹⁰ Jan Agha was one of the few Sunni, non-Hazara, residents in Nayak.

¹¹ Interviews with witnesses, Kabul, January 2001.

¹² Human Rights Watch telephone interview with a witness, February 2001.

¹³ Interviews with witnesses to the shooting, Yakaolang, February 2001.

Ibrahim and a man named Tahsili, both of whom worked in the district hospital and were staff members of a local assistance organization. Witnesses reported seeing a Land Cruiser and a Russian-made jeep in the possession of the Taliban, both of which belonged to the Yakaolang offices of humanitarian aid organizations.¹⁴

Several staff members of another local leprosy clinic were also identified among those killed: Sayyid Yakut, a gardener from the village of Kata Khana, near the center of Yakaolang district; a man named Taqi, a carpenter, from Akhundun village; Gul Agha, son of Mahmood, of Sarasiab village; and Sayyid Mahdi, son of Burki, a watchman, also from Sarasiab. One of the center's leprosy patients, Sayyid Amir of Panj-o-ak village, was also reported killed.

Taliban forces were only able to remain in Yakaolang for two weeks, before being driven out of the district again on January 23. While retreating north through the Dar-i Shikari valley, on or about January 20, a convoy of Taliban forces encountered a group of Hazara herders at Tala Burfak. Apparently frustrated that their path was blocked by the Hazaras' herds, some of the Taliban fired gunshots at the group, killing three of them on the spot.¹⁵

The armed conflict in Yakaolang and the abuses committed in the district by the Taliban resulted in massive internal displacement. Humanitarian aid workers estimate that thousands of persons from Yakaolang took refuge in Panjao and Lal districts, the Tarpuch sub-district of Balkhob district, the Kashan valley in Kohistanat district, and Dar-i Chasht in Lower Yakaolang district.

V. MASSACRE AT ROBATAK PASS, MAY 2000

The massacre in Yakaolang follows previous attacks by the Taliban on Hazaras and members of other ethnic minorities in north central Afghanistan. The provinces of Baghlan and Samangan, which lie north of Bamiyan, have seen intermittent fighting between Taliban and United Front forces since 1998. As a means of controlling the civilian population and ensuring that it does not give assistance to the United Front, Taliban forces have frequently resorted to detaining men from villages in the area and holding them for prolonged periods as virtual hostages.¹⁶

In May 2000, Taliban forces summarily executed a group of civilian detainees near the Robatak pass, which lies along the road connecting the towns of Tashkurgan and Pul-i Khumri. Until a systematic forensic investigation is carried out, the precise number of those killed cannot be known, but Human Rights Watch has obtained confirmation of thirty-one bodies at the execution site, twenty-six of which have been identified as the bodies of Ismaili Shia Hazara civilians from Baghlan province. Their remains were found to the northeast of the Robatak pass, in an area known as Hazara Mazari, on the border between Baghlan and Samangan provinces. The area was controlled by the Taliban at the time of the executions. There are reported to be as many as three other gravesites near the pass.

All of those who have been identified were detained for four months before being killed; many of them were tortured before they were killed. The men were taken from their homes by Taliban troops between January 5 and January 14, 2000. The facilities at which the men were detained were under the command of Commander Mullah Shahzad Kandahari, who was the Taliban commander of the Khinjan

¹⁴ Interviews with witnesses, Kabul, January 21-27, 2001.

¹⁵ According to one report, a local commander who had recently allied with the Taliban stopped the convoy at his checkpost in Tala Burfak and detained seven of the Taliban soldiers on murder charges. Human Rights Watch has been unable to ascertain whether the soldiers are still being held and whether action has been taken against them.

¹⁶ Human Rights Watch interviews with researchers who have visited the area, October-December 2000.

front north of Kabul and who was also reportedly present in Yakaolang when it was held by the Taliban in January 2001.

On January 5, 2000, a Taliban force raided the village cluster of Naikpai, in Doshi district of Baghlan province. The Taliban soldiers came in a convoy of pickup trucks at dawn. They started to round up men from Bakas, Zaighola, and other hamlets in Naikpai, seizing many of them in their houses. A number of those who were arrested were village elders. There were many other people present and virtually the entire population of the village witnessed the arrests. Local residents assumed that the arrests were a warning to deter them from having contacts with United Front forces.¹⁷

The house-to-house searches and arrests continued for nine days. While they were underway, the detainees were held at Mullah Shahzad's operational military base at Khinjan. Relatives of the detainees were allowed to visit the base, and were informed of conditions in the facility by the detainees.¹⁸ The men who were detained between approximately January 5 and 10 were subjected to severe beatings with electric cables and were forced to stand outside in sub-zero temperatures and snow. One of those who was later killed near the Robatak pass, Sayyid Tajuddin, who was thirty-eight, suffered frostbite as a result of the exposure following his beating. When the detainees were transferred to Pul-i Khumri, he was admitted to the Textile Factory hospital. Both feet were amputated there, and he was provided with a pair of locally fabricated crutches.¹⁹

At the end of the operation, around January 14, all of the detainees were transferred to Pul-i Khumri, where Shahzad maintained his rear base. The detainees were held in the residential quarters attached to the Pul-i Khumri Textile Mill. On or around May 8, the detainees were removed from the facility. When relatives inquired as to their whereabouts they were ordered by the authorities to leave the area. However, a staff member of the facility informed them that the men had been loaded onto a single truck, thought to be a "kalafil" truck of Soviet manufacture, during the evening. The truck was reportedly escorted by a Taliban Toyota pickup.²⁰ The prisoners were later found dead at Hazara Mazari, a journey of approximately one-and-a-half hours from the detention facility. The men are believed to have been shot the same night that they were taken from the facility.

On or around May 18, shepherds from the Robatak pass area reported the presence of bodies to the provincial authorities in Samangan. The mayor of Samangan detailed a party of ten workmen, with an escort of Taliban troops, to locate and bury the bodies at the Hazara Mazari site.

It was apparent from the appearance of the bodies that the detainees had been brought to the execution site with their hands bound behind their backs, and tied together by their forearms in groups of three, according to a worker who assisted in the burials. Twenty-eight of the victims were found lying where had been were shot, face down on the ground. The execution party had made no attempt to remove or cover the bodies.²¹ The body of another man, identified as Sahib Dad, was found tied to a tree, his arms and legs each tied separately with a length of rope in such a way that his captors would have been able to manipulate them while he was immobilized.²²

¹⁷ Such detentions have been common in areas of conflict in the north. Civilians have been detained for extended periods to deter others in the area from supporting the opposition.

¹⁸ The detainees also sent letters out in which they expressed their belief that they would be released soon. Interview with a family member of a detainee, Peshawar, Pakistan, January 2001.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Interview with a worker who assisted in the burial, Islamabad, Pakistan, December 2000.

²² It appeared that the captors had tried to manipulate Sahib Dad's limbs as if he were a marionette, either before or after he was executed. Interview with a worker who assisted in the burial, Islamabad, Pakistan, December 2000.

The workmen buried the twenty-nine bodies at the Hazara Mazari site. The burial was perfunctory. The bodies were covered with at most thirty centimeters of earth, inadequate to protect them from wild animals. The worker who assisted in the burials described what he saw:

The bodies were lying on the ground face down. All of their hands were bound behind their backs.... The bullet wounds could not be made out on the backs but there was blood on the ground beneath the chests. I saw the bodies about four days after they had been killed. Their backs had not been blown up but the blood had obviously poured out of the chests and I understood that they had been killed by firing into the back because there was no visible wound on any other part of the bodies and they were lying in pools of blood that had poured out of their chests. They were tied together in groups of three using their turbans and scarves which had been wound together to make ropes. They were tied together one to the other, using their own turbans.... To tell you the truth we were so terrified and upset that we barely dared look at the ground. You could hardly stand there.

²³

Soon after the workmen returned, word reached Naikpai that some of its people were among the dead. A group of residents went to inspect the gravesites, where they found shallow graves and recognized bits of clothing belonging to their missing relatives. They also found two more bodies at a short distance from the others; the two men had been shot and their bodies were left where they fell.

Since the massacre, the Robatak area has remained under Taliban control. Local human rights researchers visited the site at Hazara Mazari in November 2000 and photographed the remains that were visible from the surface. Some of those photographs are appended to this report.

The actual number of persons killed at Robatak may be much higher than the thirty-one that Human Rights Watch has been able to confirm. Other gravesites have been reported at different locations near the pass. However, the researchers believe that if there were bodies at these sites, they may have been disturbed or moved by Taliban authorities as no remains were visible from the surface.

The motive for the prisoners' killing remains unclear. The killings took place just after the Taliban and the United Front had negotiated an agreement on a prisoner exchange during a summit meeting in Jeddah, Saudi Arabia, held under the auspices of the Organization of the Islamic Conference.²⁴ And during the same time period, United Front forces appear to have attacked and killed Taliban troops in ambushes along the road that runs through the Robatak pass.²⁵

VI. ACCOUNTABILITY

Mullah Mohammad Omar, the head of the Taliban movement, stated in late January 2001 that there was no evidence of a civilian massacre in Yakaolang, but in the same interview retracted an earlier offer to allow journalists to visit the area.²⁶

²³ Ibid.

²⁴ See "Afghanistan's warring parties agree to prisoner exchange at UN-attended talks," United Nations Department of Public Information (UNDPI), May 10, 2000. The International Committee of the Red Cross was to have overseen the exchange.

²⁵ Interviews conducted in Baghlan and Samagan provinces, July 2000.

²⁶ Mullah Omar said that journalists were biased against the Taliban and should instead visit Kandahar to see the graves of Taliban prisoners killed by United Front forces in Mazar-i Sharif during 1997. Kate Clark, "Taliban bar press from 'massacre' site," BBC World Service, January 28, 2001, http://news.bbc.co.uk/1/hi/english/world/south_asia/newsid_1140000/1140942.stm (accessed February 16, 2001).

The identity of those Taliban soldiers who actually carried out the killings in each case has yet to be established. However, eyewitness testimony and Taliban radio broadcasts have helped to identify some of the Taliban commanders who were present in Yakaolang, while information about the Taliban command structure points to the commanders with responsibility for the conduct of Taliban forces in Baghlan at the time of the Robatak detentions and killings. One commander, Mullah Shahzad Kandahari, appears to have been involved in both operations.

As general commander of the Khinjan front in Baghlan province during the first half of 2000, Mullah Shahzad had authority over the detention facilities in Khinjan and Pul-i Khumri, where the Robatak prisoners were held, and was in command of the troops stationed in the area. The Taliban Chief Military Commander for the Northern Zone (Fifth Corps, based in Mazar-i Sharif), Mullah Abdul Razak Nawfiz, was the immediate superior officer of Mullah Shahzad, and was responsible for directing his operations and briefing him on Taliban strategy and policy. He was also the official who would have had primary responsibility for investigating crimes by the commander and preventing further abuses.

Witnesses have testified that Mullah Shahzad was also in command of some of the Taliban troops in Yakaolang. Other Taliban commanders in Yakaolang included Qari Ahmadullah of Ghazni, the minister of intelligence, who reportedly issued a statement from Yakaolang on the Taliban-operated Radio Shariat.²⁷ Also present were Mullah Abdul Sattar, at the time the regional military commander for Hazarajat; Mullah Abdullah Sarhadi, the former regional military commander for Hazarajat; and Mullah Abdul Salam "Rocketi," a former commander with the Ittihad-i Islami party.²⁸ Further investigation is necessary to determine what role, if any, they may have played in the massacres.

VII. CONCLUSION

The two massacres of civilians described in this report constitute serious violations of international humanitarian law. They raise grave concerns about the security of civilian populations in Taliban-administered areas, particularly Hazaras and members of other ethnic or religious minorities. What has emerged from these cases, as well as prior events in Hazarajat and northern Afghanistan, is a pattern of efforts to intimidate minority populations and to deter them from cooperating with the United Front, through the arbitrary detention and summary execution of male civilians. These abuses, including the massacre at Yakaolang and the detention of civilians prior to their execution at Robatak, have frequently been of such a scale and duration that they could not have been carried out without the knowledge and consent of senior Taliban commanders.

Impartially amassing an exhaustive record of the events in both cases and identifying the commanders responsible will require an independent investigation under the auspices of the United Nations. Such an investigation could have a significant impact in deterring further abuses by all of the warring factions in Afghanistan.

However, the United Nations has failed to systematically monitor and document abuses in Afghanistan. The only field investigation undertaken by the Office of the High Commissioner for Human Rights—into the killings in Mazar-i Sharif in 1997 and 1998—failed to make use of existing evidence to establish responsibility for extrajudicial executions and other abuses committed by United Front forces in 1997 and by the Taliban in 1998. It also neglected to make use of extensive testimony from refugees, or of detailed information gathered by U.N. staff and offices. Other monitoring mechanisms have been

²⁷ Interviews with witnesses, Yakaolang, February 2001.

²⁸ Ittihad-i Islami is now part of the United Front.

impeded by a lack of access or adequate security. The U.N. Special Rapporteur on Afghanistan, Dr. Kamal Hossain, has issued periodic reports that have noted serious abuses, but has not been granted permission to visit Taliban-controlled Afghanistan since 1999.

In undertaking an investigation of the Yakaolang and Robatak massacres, the Office of the High Commissioner for Human Rights should carefully avoid the shortcomings that characterized its 1999 Mazar-i Sharif investigation. It is vitally important that the work of the High Commissioner's Office and that of other United Nations agencies also address other violations of international human rights and humanitarian law in Afghanistan by all parties, by significantly increasing its monitoring presence in Afghanistan.

Other intergovernmental organizations can also play an important role in ensuring that the warring parties in Afghanistan uphold international humanitarian law and human rights. In its Common Position on Afghanistan, adopted on January 24, 2000, the Council of the European Union stated that the objectives of the E.U. were, among others, to "promote respect for international humanitarian law and human rights, including the rights of women and children."²⁹ The arbitrary detention and summary execution of civilians documented in this report, and the attendant population displacement, represent a challenge to the principles articulated in the Common Position, and merit an affirmative response on the part of the European Union. E.U. members should obtain information about human rights and humanitarian law violations in Afghanistan through coordinated initiatives by E.U. member states' embassies in neighboring countries where they can have direct contact with refugees.

²⁹ Council of the European Union, 2239th Council meeting, General Affairs, Brussels, January 24, 2000, "Annex : Common Position on Afghanistan," http://europa.eu.int/comm/external_relations/news/01_00/pres_00_10.htm (accessed February 16, 2001).

*Human Rights Watch
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APPENDIX A: YAKAOLANG – PARTIAL LIST OF PERSONS KILLED

PLACE OF RESIDENCE	NAME	FATHER'S NAME
AKHUNDAN	Ali	Sayyid Jawad
AKHUNDAN	Asadullah	Shah Meila
AKHUNDAN	Hamid	Shah Hussain
AKHUNDAN	Sayyid Ahmad	Danish
AKHUNDAN	Sayyid Yakub	Danish
AKHUNDAN	Sayyid Baqir	Sayyid Ibrahim
AKHUNDAN	Sayyid Musa	Ghulam Hussain
AKHUNDAN	Sayyid Qasim	Ghulam Hussain
AKHUNDAN	Sayyid Sarwar	Sayyid Ahmad Shah
AKHUNDAN	Sayyid Shah	Sayyid Ahmad Shah
AKHUNDAN	Taqi	n/a
BED MUSHKIN	Abdullah	Shah Sikandar
BED MUSHKIN	Ahmad Shah	Shah Sikandar
BED MUSHKIN	elder brother of Ahmad Shah	Shah Sikandar
BED MUSHKIN	Ghulam Hassan	n/a
BED MUSHKIN	Mamur Qasim	n/a
BED MUSHKIN	brother of Mamur Qasim	n/a
BED MUSHKIN	son of Mamur Qasim	Mamur Qasim
BED MUSHKIN	Sayyid Abdullah	Tawildar
BED MUSHKIN	Sayyid Akbar Asghari	n/a
BED MUSHKIN	brother of Sayyid Akbar Asghari	n/a
BED MUSHKIN	Sayyid Mohammad	n/a
BED MUSHKIN	son of Sayyid Mohammad	Sayyid Mohammad
BED MUSHKIN	Sayyid Mohsin	na
BED MUSHKIN	Shah Baqir	n/a
BED MUSHKIN	son of Shah Baqir	Shah Baqir
BED MUSHKIN	Shah Zafar	n/a
BED MUSHKIN	son of Shah Zafar	Shah Zafar
BED MUSHKIN	brother of Shah Zafar	n/a
BED MUSHKIN	brother of Sayyid Asadullah	Shah Ismail
BED MUSHKIN	son of Sayyid Tabar	Sayyid Tabar
BED MUSHKIN	worker of Akbar Khan Moalim	n/a
BEHSUD	Eid Mohammad	n/a
BOOM	Ali Zaffar	Shah Ali Akbar Haji
BOOM	Sayyid Mohammad	Shah Ali Akbar Haji
BOOM	n/a	Sayyid Mohammad
BOOM	friend of son of Sayyid Mohammad	
CHASMA SHIRIN	Sayyid Rasool (Mochi)	n/a
DAI NAU	Mohammad Ali Irfani	n/a
DIWALAK	Chaman	Ishaq
FEROZ BAHAR	Ali	Daoud Khan Moalim
FEROZ BAHAR	Karaman	Sayyid Shah
FEROZ BAHAR	Khaliq	Haji Eidullah
FEROZ BAHAR	Najib	Habib
GARDANAK	Qurbani	Ali Akbar
GUMBAZI	Akbar	Riza
GUMBAZI	Mohammad	Jaffar

GUMBAZI	Sayyid Ali	Sayyid Kalbi Hussain
GUMBAZI	Sayyid Mohammad Ali	Sayyid Haider
JAMAK	Hassan	M. Ali
JAMAK	brother of Hassan	M. Ali
JAMAK	Hussain Ali Lali	Khudadad (Rayl-a-ro)
JAMAK	Ibrahim Zohar	Haider Qarbalai
JAMAK	Nabi	Hussain Bux
JAMAK	Mohammad	Nabi
JAMAK	brother of Mohammad	Nabi
JAMAK	Mohammad Ali	Jaffar
JAMAK	Sayyid Ahmad Shah	Sayyid Iqbal
JAMAK	Sayyid Hassan Alawi	Sayyid M. Shah
JAMAK	Sayyid Mohammad e Payman	Sayyid Ali Akbar Shah
JAMAK	Shah Iqbal	Sayyid Mohammad
JAMAK	Sher Mohammad	M. Hussain Zohar
KARYA KUSHKAK	Amin	Sayyid Musa
KARYA KUSHKAK	Ghulam Hussain	Haji Yakub
KARYA KUSHKAK	Hassan	Sayyid Habib
KARYA KUSHKAK	Ibrahim	Haji Yakub
KARYA KUSHKAK	Sayyid Afzal	Sayyid Ghulam Hassan
KARYA KUSHKAK	brother of Sayyid Afzal	Sayyid Ghulam Hassan
KARYA KUSHKAK	brother of Sayyid Afzal	Sayyid Ghulam Hassan
KARYA KUSHKAK	Sayyid Daoud	Shah Qasim
KARYA KUSHKAK	Sayyid Sarwar	Sayyid Ishak
KARYA KUSHKAK	Sayyid Talib	Sayyid Ishak
KATA KHANA	Ayub	Shah Mirza
KATA KHANA	Nasir	Shah Mirza
KATA KHANA	Daoud Jamhoori	n/a
KATA KHANA	Haji Ismail	n/a
KATA KHANA	Haji Sayyid Mahmood	Sayyid Mohammad (Shah Quli)
KATA KHANA	Ibrahim	Ahmad Arbab
KATA KHANA	Sayyid Habibi	Ahmad Arbab
KATA KHANA	Jani Jowali	n/a
KATA KHANA	brother of Jani Jowali	n/a
KATA KHANA	Sayyid Musa	Shah Haider
KATA KHANA	Sayyid Qasimi Tabibi	Sayyid Hassan
KATA KHANA	son of Sayyid Qasimi Tabibi (1)	Sayyid Qasimi Tabibi
KATA KHANA	son of Sayyid Qasimi Tabibi (2)	Sayyid Qasimi Tabibi
KATA KHANA	Sayyid Yakut	n/a
KATA KHANA	brother of Mohammad	Hashimian (Head teacher)
KATA KHANA	Akbar	Nurullah (Shah Ishaq)
KATA KHANA	Hassan e Sayyidpur	Shah Ishaq
KATA KHANA	Daoud	Shah Ishaq
KATA KHANA	Anwar Nurullah	Shah Ishaq
KATA KHANA	Sayyid Aiwarz	Sayyid Shah
KATA KHANA	Sayyid Piri	Bunyard
KATA KHANA	Sayyid Amin	Sayyid Mirza
KATA KHANA	brother of Abdul Rahman (Tawildar)	n/a
KATA KHANA	Sayyid Hashim	Mohammad Bux
KATA KHANA	Sayyid Mohammad	Sayyid Hashim

KATA KHANA	Sayyid Rasool	Riza
KATA KHANA	Shah Chaman	Nabi
KATA KHANA	Ismail	Shah Mohammad
KOSHAGOLA	Abdullah	Ahmad
KOSHAGOLA	Mohammad Hussain	Dorab
MINDAYAK	Ahmad	Mohammad
MINDAYAK	Akbar	Musa
MINDAYAK	M. Ali Nuri	Nur Ali
MINDAYAK	Yasin	M. Ali Nuri
MINDAYAK	Daoud	Haji Baqir
MINDAYAK	Hakim	Qasim
MINDAYAK	M. Hussain	Ghulam Hussain (Kashkati)
MINDAYAK	Sikandar	M. Hussain
MINDAYAK	Sakhi Dad	Rasool
MINDAYAK	Ibrahim	Sakhi Dad
MINDAYAK	Riza	Daulat Zohar
PUSHTA DAR-I ALI	Madar	Musa Qarbalai
QALA-I SHAH NEHANG	Abbas	Haji Nanboy
QALA-I SHAH NEHANG	Haji Mohammad	Haji Nanboy
QALA-I SHAH NEHANG	Jawad	Shah Riza
QALA-I SHAH NEHANG	Mohammad Ali	Abu Fazil
QALA-I SHAH NEHANG	Sayyid Aziz	Sayyid M Hussain
QALA-I SHAH NEHANG	Sayyid Aziz Akhlaqi	Shah Yakut Zohar
SARASIAB	Gul Agha	Mahmood
SARASIAB	Nadir	Zowarak
SARASIAB	Sayyid M Tahsili	Shah Ismail
SARASIAB	Sayyid Mahdi	Sayyid Burki

APPENDIX B: ROBATAK – PARTIAL LIST OF PERSONS KILLED

NAME	FATHER'S NAME	AGE	NOTE
Abdul Raouf	Abdul Ghaffoor	63	
Mohammad Aslam	Mohammad Rasool	53	
Ahmad Tah Ali	Mohammad Ghaus	40	
Mir Hussein	Mohammad Rasool	32	
Mohammad Ghaus	Ali Murad	40	
Langar Ahmad	Sultan	55	
Omar Dad	Sayyid Mirza	50	
Fateh Ali	Sihat Ali	50	
Mohammad Johar	Mohammad Anwar	27	
Ali Dad	Ali Mohammad	70	
Khairullah	Khan Mohammad	65	
Samiuddin	Dad Mohammad	35	
Abdul Hussein	Ali Mohammad	67	
Saleh Mohammad	Nadir	30	
Sultan	Khair Mohammad	30	Thirty years old. Because his body was found some distance from the others, he may have tried to escape, but was shot, killed and left where he fell.
Lalluddin	Khair Mohammad	35	Thirty-five years old. Because his body was found some distance from the others, he may have tried to escape, but was shot, killed and left where he fell.
Samiuddin	Fazl Ahmad	35	
Sher Ahmad	Ali Ahmad	38	
Sahib Dad	Mir Mohammad	34	His body was found tied to a pistachio tree overlooking the execution site
Amir Khan	Ahmad Khan	34	
Payindah	Khan Murad	45	
Mehar	N/A	N/A	
Zavi	Mohammad Jan	35	
Gul Mir	Abdul Rahim	45	
Arbab Ali Dad	Ahmad Dad	70	
Kurram Ali	N/A	70	
Wazir Ahmad	Mohammad Ayub	52	
Sayyid Tajuddin	Sayyid Sultan	38	Thirty-eight years old. His body was deposited with the main group of bodies.