

@CHAPTER = AFGHANISTAN

As the last Soviet troops withdrew from Afghanistan on February 15, Bush administration officials felt largely secure in their belief that the resistance (the *mujahedin*) would soon oust the Afghan government of Najibullah and seize power. Instead, the Soviet withdrawal left a protracted civil war with devastating costs for civilians across the country. As it has done throughout the war, the United States continued to condemn human rights violations by the Afghan government, and to criticize the Soviet Union for supplying arms that have been used in indiscriminate attacks on civilians in areas under resistance control. However, the Bush administration has failed to condemn in equally strong terms abuses by the resistance, including the summary execution of prisoners, politically motivated killings of relief workers and refugee intellectuals, and indiscriminate attacks on civilians in government-controlled areas.

The administration supported the establishment in early 1989 of an interim government which it hoped would be able to defeat the Afghan government in combat and be seen as representative of the Afghan people. The Afghan Interim Government ("AIG") thus was formed out of the uneasy alliance of seven resistance parties based in Peshawar, Pakistan. The AIG's support among the Afghan people has been limited, however, in part because it has excluded certain Afghan groups from playing any role in the political process. During the past year, the administration urged the AIG to broaden its base, in particular to include representatives from the eight Shia parties based in Iran, and the AIG has recently taken steps to do so. On December 11, Peter Tomsen, the U.S. envoy to the resistance, met with AIG ministers in Peshawar and reiterated the administration's position that the AIG must include representatives from a broader range of groups for it to be acceptable to all Afghans.

Despite these urgings, supporters of ex-King Zahir Shah, who still commands the loyalty of a large proportion of the refugee population, have consistently been excluded from the AIG and persecuted. These supporters, members of Afghan Mellat (a Pushtun nationalist party), and relief-agency employees have been threatened, and a number of them have recently been killed. There is evidence to support the widespread belief that many of the killings are the work of the more radical of the Islamic resistance groups, including the Hezb-e Islami led by Gulbuddin Hekmatyar, the group which has received the largest share of U.S. and Saudi military assistance.

Afghan Mellat and Zahir Shah's supporters have both been highly critical of the interim government and the more fundamentalist *mujahedin* leaders; relief-agency workers have come under attack because of the importance of aid in the conflict among resistance factions for control of the refugee population. Two victims during the year were Mohammad Zakir, a field worker for the International Committee of the Red Cross and a member of Afghan Mellat, who was murdered on August 28 in Peshawar, and Abdul Fatah Wudud, an employee of the U.N. World Food Program in Peshawar, who disappeared on September 3 after leaving his office to meet with a member of Hekmatyar's Hezb-e Islami. According to the report of the U.N. Special Rapporteur on Afghanistan, attacks on refugees by members of resistance groups increased notably after June. The administration has not called publicly for investigations into these attacks, as it should.

The United States, together with Pakistan and Saudi Arabia, provides substantial support in the form of military and humanitarian aid to the organizations that make up the AIG. Through most of the war, the U.S. permitted the Pakistani military wide discretion in distributing this aid among the resistance organizations. The Pakistani military intelligence organization, the

Directorate of Inter-Services Intelligence ("ISI"), channeled the bulk of U.S. aid and arms for the resistance to the Hezb-e Islami organization of Gulbuddin Hekmatyar. In November, however, the Bush administration reportedly decided to stop providing such aid to Hekmatyar. The reported decision has had little practical effect, however, because, of the \$715 million reportedly provided to the *mujahedin* by the United States and Saudi Arabia during the three months beginning in November, the U.S. share was only \$280 million. Technically, the administration can maintain that its share now goes to factions other than Hekmatyar's, but because Saudi Arabia has imposed no such ban, the U.S. money may simply be channeled to other *mujahedin* factions, while Saudi aid continues to reach Hekmatyar. If the U.S. were sincere about ending funding to Hekmatyar, it could put pressure on Saudi Arabia to end all such aid. There is no indication that such pressure has been exerted.

The administration in its public statements has largely chosen to disregard evidence that Hekmatyar's Hezb-e Islami has used its favored position to attack rival *mujahedin* groups and other refugees. Following an attack by Hekmatyar's forces on those of Jamiat commander Ahmed Shah Massoud in July, and the summary execution of Jamiat prisoners by the Hezb-e Islami, State Department spokesman Richard Boucher was asked if the Afghan guerrillas were required to respect human rights as a precondition for receiving U.S. aid. He replied, "I don't see how that comes into play here." Asked about continued fighting in August, Boucher stated that the U.S. had "discussed with the Resistance the importance of unity and continue to urge them to work toward common goals." One is left to conclude that the Bush administration's concern with unity among the resistance outweighs its concern over summary executions and other abuses by the resistance, even when the abusive organizations are backed by millions of dollars of U.S. military aid.

Since late 1988, the Pakistani ISI has increased pressure on resistance commanders to shell cities. Far from pinpointing military targets, this shelling has been almost uniformly indiscriminate, in violation of the laws of war protecting civilians. Following the Soviet withdrawal, the ISI approached the *shura* (governing council) of *mujahedin* commanders in Qandahar province and urged them to shell the city of Qandahar and its airport, promising weapons in return. The commanders were willing to shell the airport but not the city, unless civilians could be evacuated, which was not possible. The ISI then recruited other commanders who were willing to, and did, shell the city; they were formed into a second *shura*, ultimately bringing about the collapse of the first. The Bush administration has failed to use its influence with Pakistan to prevent this kind of pressure on resistance commanders to undertake indiscriminate attacks on civilians, even though U.S. arms are playing a major role in these attacks.

Rocket attacks by the *mujahedin* on Kabul, Jalalabad and other major cities increased in 1989, as the resistance tried for a major military victory against the Afghan government. The resistance relied on U.S.-supplied Egyptian SAKR-20 and SAKR-30 rockets in these attacks. These rockets are reportedly so inaccurate that casualties resulting from such attacks have been predominantly civilian. For its part, the Afghan government has relied on notoriously inaccurate Soviet-supplied SCUD missiles, firing more of them since November 1988 than were launched during the entire Iran-Iraq war. The SCUDs, too, have killed mainly civilians.

Although the Bush administration has publicly condemned indiscriminate attacks on civilians by Afghan government forces, it has downplayed reports of similar casualties resulting from indiscriminate attacks on the cities by the resistance. At a June 15 hearing before the House Subcommittee on Asian and

Pacific Affairs, Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs Howard Schaffer stated that the Afghan government had "stage-managed activities for some American journalists," who had then reported on growing anti-American sentiment among civilians in Kabul because of rocket attacks by the resistance. State Department officials have also articulated their belief that resistance commanders have taken steps to minimize civilian casualties. However, independent sources, including the International Committee of the Red Cross ("ICRC"), have confirmed that high numbers of civilian casualties continue. The Bush administration should publicly condemn all indiscriminate attacks on civilians, and deny military assistance to resistance groups that engage in such attacks.

When pressed to respond to allegations that U.S.-supplied cluster munitions have been used in attacks on civilian areas of Kabul and other cities, the administration has refused to comment. The use of such weapons has been reported by Western journalists based in Kabul and by the U.N. Special Rapporteur for Afghanistan. These reports are sufficiently serious and troubling to warrant an investigation by the U.S. government. The administration should state publicly its opposition to the misuse of such weapons, and if charges of abuse are verified, stop providing such munitions to the resistance.

Following reports in late November of the release of four Soviet prisoners of war held by the resistance, the administration stated that it has been U.S. policy to encourage the exchange of prisoners of war in line with the Geneva Conventions and the policies of the ICRC. Such statements are particularly welcome given that some resistance groups receiving U.S. assistance have summarily executed prisoners of war.

In his address to the Third Committee of the U.N. General Assembly on November 27, U.S. Ambassador to the U.N. Thomas Pickering cited "overwhelming evidence of continuing massive violations of human rights by the Kabul authorities, including political killings, disappearances, torture, summary executions, arbitrary arrests and imprisonment under unacceptable conditions." The statement appears to be based on conditions of a few years ago, and does not take into account changes in Afghan government practices which have been reported by such independent sources as Amnesty International and the U.N. Special Rapporteur. Exaggerated accusations of this sort divert international attention from serious abuses that remain. For example, security laws in effect define "crimes" in such broad terms that they have been used against political opponents, such as Mohamad Mohsen Formoly, a member of the Afghan Academy of Science, who was arrested for his political activities and later disappeared. After investigation by the Special Rapporteur, Formoly was found to be in detention at the Shashdarak interrogation center.

@PAGE = The Special Rapporteur's report also describes the continuing serious mistreatment of prisoners under interrogation, and states that while prison conditions have improved for convicted prisoners, those under investigation are kept in conditions that fall far short of minimum standards. Prisoners sentenced to terms of less than ten years are denied the right of appeal. Afghan government sources have stated that some 2600 political prisoners are currently in jail, among them members of resistance forces who have been tried as "terrorists." The ICRC does not have access to prisoners under investigation, but it does have access to other prisoners.

The administration is right to call for an end to these and all other continuing human rights violations by the Afghan government, including indiscriminate attacks on civilians, and to bring them to the attention of the Special Rapporteur and other international bodies. However, such expressions of

concern ring hollow when they are not coupled with calls for an end to abuses by U.S.-supported forces, and with strong action to ensure that U.S. military assistance is not used to perpetrate abuses.