

AFGHANISTAN

CRISIS OF IMPUNITY

The Role of Pakistan, Russia, and Iran in Fueling the Civil War

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I. SUMMARY AND RECOMMENDATIONS

The civil war in Afghanistan, a geopolitical battleground during the cold war, is once again being sponsored by outside parties: Pakistan, Iran, Russia, and other neighboring countries, with the United States and India working in other ways to influence the war's outcome. A country whose main economic activity is as a global arms market and smuggling hub is threatening to become, again, a theater of geopolitical competition. Meanwhile, the humanitarian toll of twenty years of fighting—some 1.5 million deaths and the massive displacement of populations, famine, and the ruin of the country's economic base—has not figured prominently in international policy on Afghanistan. Instead, several members of the Six Plus Two contact group, the six countries bordering Afghanistan, plus Russia and the U.S. that are nominally committed to negotiating an end to the war, are providing military and material support to Afghan parties that have committed gross violations of the laws of war.¹

The general outlines of the delivery of military support to both sides—the Taliban in Kabul and the loose coalition of forces known as the United Front²—in Afghanistan are well known to experts monitoring the situation but not to a wider public. In light of the possibility of broadening military sponsorship of the warring factions, Human Rights Watch has investigated the delivery of arms and other forms of military aid to both sides and the impact of this aid on human rights. This report details the nature of military support provided to the warring parties, the major transit routes used to move arms and other equipment, the suppliers, the role of state and nonstate actors, and the response of the international community. The implications of foreign military assistance go beyond Afghanistan, as the war also poses a threat to regional security: armed groups in neighboring Uzbekistan and Tajikistan are obtaining military support from the well-supplied Afghan factions.³

Both the Taliban and the United Front have failed to ensure that the fundamental human rights of the Afghan population under their control are protected. Some five million are refugees, with the remainder displaced throughout the country because of fighting between Taliban and United Front forces and the devastating effects of a three-year drought. Millions inside the country are facing starvation and drought, some of the world's highest infant and maternal mortality rates, and a health care system in ruins.⁴

While the international community has provided some assistance to address the humanitarian crisis in Afghanistan, some members simultaneously are fueling the war. Moreover, U.N. sanctions imposed on arms and fuel to the Taliban in December 2000 are one-sided and strongly influenced by short-term U.S. and Russian interests, not humanitarian goals: the U.S. seeks to induce the Taliban to hand over Osama bin Laden, the exiled

¹ The Six Plus Two contact group includes: China, Iran, Pakistan, Tajikistan, Turkmenistan, Uzbekistan, the Russian Federation, and the United States.

² The use of the names "Taliban" and "United Front" in this report constitutes a form of shorthand; these are the names most familiar to the public. The Taliban movement, now in control of some 90-95 percent of the territory of Afghanistan, established as its administrative body the Islamic Emirate of Afghanistan (IEA), headed by Mullah Muhammad Omar. The ousted government, officially known as the Islamic State of Afghanistan (ISA), is nominally supported by a loose coalition of groups, the United National Islamic Front for the Salvation of Afghanistan, or United Front. In fact, the ISA is principally made up of the Jamiat-i Islami-yi Afghanistan under the leadership of Burhanuddin Rabbani (who is also the president of the ISA). The United Front's most powerful military commander is Ahmad Shah Massoud, who is also the ISA's minister of defense. The ISA continues to hold Afghanistan's seat at the United Nations.

³ For example, the government of Uzbekistan alleges that the Islamic Movement of Uzbekistan (IMU), an armed militant organization opposed to President Islam Karimov, receives support from the Taliban. Ahmed Rashid, "Inside the Insurgency in Central Asia," *The Nation* (Lahore), April 3, 2001.

⁴ According to the 1998 report by the U.N. Special Rapporteur on Afghanistan, one-quarter of all Afghan children die before they reach the age of five; life expectancy rates are estimated at forty-four years for women and forty-three for men; maternal mortality rates are the second highest in the world; safe water reaches only 12 percent of the population; health services reach only 29 percent of the total population, and only 17 percent of the rural population; and literacy rates are estimated at 30 percent, and at only 13 percent for females. See U.N. Special Rapporteur of the Commission of Human Rights, "Situation of human rights in Afghanistan: Interim report on the situation of human rights in Afghanistan, prepared by the Special Rapporteur of the Commission on Human Rights," A/54/422, September 30, 1999.

Saudi billionaire suspected of orchestrating the 1998 attacks on U.S. embassies in Kenya and Tanzania; Russia seeks to curb Taliban support for insurgents in Chechnya and states of the former Soviet Union, like Uzbekistan.

International Sponsors

Lined up with the Taliban is Pakistan, which has supported various factions within Afghanistan since at least the 1970s. Official denials notwithstanding, Pakistan has provided the Taliban with military advisers and logistical support during key battles, has bankrolled the Taliban, has facilitated transshipment of arms, ammunition, and fuel through its territory, and has openly encouraged the recruitment of Pakistanis to fight for the Taliban. In flagrant violation of the U.N. sanctions imposed in December 2000, Pakistan has continued to permit arms to cross its borders into Taliban-controlled territory. According to sources in Afghanistan and Pakistan, in April and May 2001 up to thirty trucks were crossing the border at Torkham daily en route to Jalalabad; at least some of these were carrying tank rounds, artillery shells, and rocket-propelled grenades.⁵ Pakistani antipersonnel and antivehicle mines have been found in Afghanistan. Observers interviewed by Human Rights Watch in Afghanistan and Pakistan have also reported that Pakistani aircraft assisted with troop rotations of Taliban forces during combat operations in late 2000 and that senior members of Pakistan's intelligence agency and army were involved in planning military operations.⁶ A range of private and semi-private agencies in Pakistan has provided enormous support to the Taliban with the full knowledge of government officials, even when their actions violated Pakistani law. In addition, Saudi Arabia has provided funds and heavily subsidized fuel to the Taliban, through Pakistan, while private actors and some officials benefit from the smuggling that links these countries. The extent of outside support, particularly during the Taliban's northern offensive in late 2000, was noted by U.N. Secretary-General Kofi Annan in a November 2000 report to the General Assembly.⁷

Supporting the United Front are Iran and Russia, with secondary roles played by Tajikistan and, at least until 1998, Uzbekistan, Turkmenistan, and Kyrgyzstan. Iran has provided weapons, large-scale funding, and training. Russia has played a crucial enabling role in the resupply of United Front forces by arranging for the transport of Iranian aid, as well as providing direct military assistance itself, including transport helicopters in late 2000. Military assistance to United Front forces has crossed the Tajikistan-Afghanistan border with the active collusion of the Russian government.

Almost none of the arms transfers that have gone through has been publicly documented via submissions to the U.N. register on conventional arms. In fact, several of the implicated governments also participate in the so-called Six Plus Two contact group whose mandate is to negotiate a settlement to the war and whose members have publicly pledged *not* to provide military support to Afghan combatants. (See below.)

Policy Developments

Though there have been numerous agreements by Afghanistan's neighbors and other states involved in the conflict over the past twenty years to end arms supplies as part of a larger peace process, no agreement to date has been backed by any enforcement mechanism. In late 1997 the United Nations established the Six Plus Two contact group following a series of informal meetings that had been convened to bring together representatives of the countries bordering Afghanistan—China, Iran, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan—with the

⁵ Human Rights Watch obtained this information from several sources in Pakistan and Afghanistan, none of whom may be publicly identified. Interviews and e-mail communications in April and May 2001.

⁶ Statement made by a Taliban official, Kabul, October 2000, and communicated to Human Rights Watch, and Human Rights Watch interviews with diplomatic sources in Islamabad, October 2000.

⁷ In the report, Annan expressed his distress that "a significant number of non-Afghan personnel, largely from Pakistani *madrassahs*, are...taking active part in the fighting, most, if not all, on the side of the Taliban," and that "there also appears to be outside involvement in the planning and logistical support of [the Taliban's] military operations." U.N. Secretary-General, "The situation in Afghanistan and its implications for international peace and security," Report of the Secretary-General, A/55/633-S/2000/1106, November 20, 2000, p. 13. The U.S. government was sufficiently concerned about the possibility of Pakistani involvement in the capture of the town of Taloqan by the Taliban in September 2000 that it issued a *démarche* to the Pakistani government in late 2000, asking for assurances that Pakistan had not been involved. The *démarche* listed features of the assault on Taloqan that suggested the Taliban forces had received outside assistance in planning and carrying out the attack. Human Rights Watch interviews with diplomatic sources, Washington, D.C., December 2000.

addition of Russia and the U.S. From the outset, the principal stated aim of the group has been to promote a peaceful solution to the Afghan conflict and curb the flow of arms into Afghanistan. On July 21, 1999, the group formalized its commitments in the Tashkent Declaration, which specified that the member countries had agreed “not to provide military support to any Afghan party and to prevent the use of our territories for such purposes.” They further urged that the international community take “measures to prevent delivery of weapons to Afghanistan.” On human rights, the contact group pledged “to make every effort to encourage the Afghan parties to respect fully the basic human rights and fundamental freedoms of all Afghan people in accordance with the basic norms of international law.”⁸

Since then the Six Plus Two contact group has met periodically under the auspices of the U.N. secretary-general’s special representative on Afghanistan but has made little progress on any of its stated goals of encouraging respect for human rights, negotiating the terms for peace, or curbing the flow of arms. In September 1999, U.N. Secretary-General Kofi Annan criticized unnamed members of the group for continuing to fuel the conflict, saying they were “paying lip service to their own stated intentions.”⁹

Concern for human rights has not played a significant role in resolutions adopted by the U.N. Security Council on Afghanistan. Under pressure from the U.S., the Security Council has responded to the Taliban’s continued resistance to demands it extradite Osama bin Laden and close alleged terrorist training camps by imposing sanctions on the Taliban. In October 1999 the U.N. Security Council adopted Resolution 1267 banning all aircraft “owned, leased or operated by or on behalf of the Taliban” from landing or taking off from any member state, and freezing all financial resources of the Taliban outside Afghanistan.¹⁰

The Taliban’s failure to implement resolution 1267 led to an expansion of the sanctions regime with Resolution 1333 on December 19, 2000, by which the Security Council further imposed an arms embargo on the Taliban, banned travel outside Afghanistan by Taliban officials of deputy ministerial rank, and ordered the closing of Taliban offices abroad.¹¹ The Security Council action led to steps by U.N. member states to incorporate Resolution 1333 into their domestic law. On March 6, 2001, for example, the Council of the European Union

⁸ Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan, Tashkent, July 19, 1999, http://afghan-politics.org/Reference/Accords/Tashkand/text_of_the_tashkent_declaration.htm.

⁹ “Annan Accuses ‘Peacekeepers’ for Afghanistan of Taking Sides,” *Reuters*, September 28, 1999, <http://www.globalpolicy.org/security/issues/afg4.htm>.

¹⁰ United Nations Security Council, Resolution 1267 (1999), October 15, 1999.

¹¹ United Nations Security Council, Resolution 1333 (2000), December 19, 2000. The resolution specifies with respect to an arms embargo in paragraph 5 that “States shall (a) Prevent the direct or indirect supply, sale and transfer to the territory of Afghanistan under Taliban control as designated by the Committee established pursuant to resolution 1267 (1999), hereinafter known as the Committee, by their nationals or from their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned; (b) Prevent the direct or indirect sale, supply and transfer to the territory of Afghanistan under Taliban control, as designated by the Committee, by their nationals or from their territories, of technical advice, assistance or training related to the military activities of the armed personnel under the control of the Taliban; (c) Withdraw any of their officials, agents, advisers, and military personnel employed by contract or other arrangement present in Afghanistan to advise the Taliban on military or related security matters, and urge other nationals in this context to leave the country.”

adopted Regulation 467 incorporating the terms of the U.N. resolution.¹² The European Union has had an arms embargo in place against Afghanistan since December 1996, covering all parties to the war.¹³

Security Council Resolution 1333 also called for the appointment of a committee of experts to make recommendations as to how the arms embargo and the closure of alleged terrorist training camps could be monitored. The committee's report was presented to the Security Council on May 21, 2001.¹⁴ Its primary recommendation was that the Security Council set up a special U.N. office for sanctions monitoring and coordination for Afghanistan that would include "sanctions enforcement support teams" to be based in each of the countries neighboring Afghanistan. The teams' task would be to "improve the effectiveness of [these countries'] border control and counter-terrorism services." The committee also recommended that "urgent consideration" be given to specifying "aircraft turbine fuel, and special fluids and lubricants needed for use in armoured vehicles" in the embargo.¹⁵

The Parties' Record on Human Rights and International Humanitarian Law

Throughout the civil war in Afghanistan, all of the major factions have repeatedly committed serious violations of international human rights and humanitarian law, including killings, indiscriminate aerial bombardment and shelling, direct attacks on civilians, summary executions, rape, persecution on the basis of religion, and the use of antipersonnel landmines. Many of these violations can be shown to have been "widespread or systematic," a criterion of crimes against humanity. Although committed in an internal armed conflict, violations involving direct attacks on civilians, indiscriminate attacks, or disproportionate attacks are increasingly being recognized internationally as amounting to war crimes. (See Chapter II.)

The examples of human rights and humanitarian law violations by the Taliban provided in Chapter II date primarily from 1999-2001, when its forces were on the offensive or occupying captured territory. These offensives were accompanied by the use of scorched-earth tactics in the Shamali plains north of Kabul, summary executions of detainees in the north-central province of Samangan, and forced relocation and conscription. Many of the human rights and humanitarian law violations committed by the United Front forces date from 1996-1998 when they controlled most of the north and were within artillery range of Kabul. Since then, the United Front has been on the defensive in its home territories, but there have nevertheless been reports of abuses, including summary executions, burning of houses, and looting, principally targeting ethnic Pashtuns and others suspected of supporting the Taliban. The ethnicization of the conflict in the north raises grave concerns about further reprisal attacks on civilians by both sides.

Each of the parties to the conflict is obligated to abide by international humanitarian law as it applies to non-international (internal) armed conflicts. This includes Common Article 3 to the four Geneva Conventions of 1949 and the 1977 Second Additional Protocol to the Geneva Conventions (Protocol II), as well as the relevant

¹² Council of the European Union, "Council Regulation (EC) No 467/2001 of 6 March 2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, and repealing Regulation (EC) No 337/2000," doc. no. 301R0467.

¹³ Council of the European Union, "Common Position of 17 December 1996 defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning the imposition of an embargo on arms, munitions and military equipment on Afghanistan," 96/746/CFSP, doc. no. 496X0746. The embargo was re-confirmed in a common position of the council in January 2001. Council of the European Union, "Council Common Position of 22 January 2001 on Afghanistan," 2001/56/CFSP (January 22, 2001), art. 2(g). The ambassador of Sweden to Pakistan, Peter Tejler, in May 2001 offered an implicit criticism of the one-sided nature of the U.N. sanctions on the Taliban by stating, at the conclusion of a visit to Afghanistan as part of a three-member E.U. delegation, that the E.U. has been a strong proponent of an arms embargo on both sides: "The European Union in 1996 called for an embargo of all weapons to Afghanistan. We do not differentiate between parties and we encourage others to do the same." Kathy Gannon, "EU fails to get Taliban back to talks," Associated Press, May 4, 2001.

¹⁴ United Nations Security Council, "Letter dated 21 May 2001 from the Secretary-General addressed to the President of the Security Council," S/2001/511, May 22, 2001, appending the "Report of the Committee of Experts appointed pursuant to Security Council resolution 1333 (2000), paragraph 15 (a), regarding monitoring of the arms embargo against the Taliban and the closure of terrorist training camps in the Taliban-held areas of Afghanistan," May 18, 2001.

¹⁵ *Ibid.*, p. 16.

customary international law. Afghanistan is a party to the 1949 Geneva Conventions. While Afghanistan is not a party to Protocol II, its fundamental provisions reflect customary international law.

To date, neither the Taliban nor the United Front has demonstrated an intention to abide by international humanitarian law. Each faction has publicly stated a willingness to adhere to international limitations on the use of antipersonnel landmines: the United Front in 1996, the Taliban in 1998. However, the United Front has not signed the 1997 Mine Ban Treaty and admits to using landmines.¹⁶ No independent observers have been able to verify the Taliban's compliance with the ban.¹⁷ Both sides have cooperated to a limited extent with the International Committee of the Red Cross (ICRC) in facilitating access to some, but not all, detainees and captured prisoners.

A Call for a Comprehensive Arms Embargo

In general, Human Rights Watch supports international sanctions against governments and rebel groups that have engaged in a practice of gross violations of international human rights and humanitarian law. Such sanctions include the imposition of embargoes on arms and other forms of military assistance by the international community. Likewise, governments that provide military assistance to abusive states and rebel groups should be held accountable for the resulting abuses.

A number of governments in the region, including some that have expressly agreed to withhold military assistance to any Afghan party, continue to provide military support. They have supplied weapons, ammunition, and fuel, all of which have been used in direct or indiscriminate attacks on civilians and civilian property, including aerial bombardments and shelling, reprisal killings of civilians, and the summary execution of captured soldiers and noncombatants.

The international community has failed to hold Afghanistan's warring factions accountable for violations of international human rights and humanitarian law. Within the discussions of the Six Plus Two contact group, human rights and humanitarian law violations have not figured prominently. This international indifference, exemplified by the continued supply of military assistance by governments that have pledged otherwise, has helped foster a culture of impunity in Afghanistan that makes continued violations all but inevitable.¹⁸

Existing U.N. sanctions against the Taliban, imposed to compel the surrender of Osama bin Laden, do not address the larger issue of the war's impact on the civilian population. Needed is concerted, targeted, and determined international action aimed at ending abuses by all parties to the conflict. Human Rights Watch favors a comprehensive and enforceable international arms embargo on all Afghan parties that have been implicated in serious violations of international human rights and humanitarian law and have not taken appropriate steps to prevent further abuses or prosecute those responsible. States that continue to provide military assistance, even in the absence of a comprehensive arms embargo, become complicit in the violations committed, and should be held accountable by the international community.

¹⁶ See International Campaign to Ban Landmines, *Landmine Monitor Report 2000: Toward a Mine-Free World* (New York: Human Rights Watch, 2000), pp. 455-56. The ousted government, the ISA, continues to hold Afghanistan's seat in the United Nations. As such, it is empowered to sign international agreements, including the 1997 Mine Ban Treaty.

¹⁷ Both Pakistani- and Iranian-made antipersonnel mines have been found in Afghanistan, suggesting that both sides have used mines, and the United Front is known to have also used Indian-made landmines. Human Rights Watch interview with a military expert with experience in Afghanistan, February 2001. India regularly denies that it provides any assistance to the United Front.

¹⁸ In a statement in response to reports of human rights abuses by the Taliban in the town of Yakaolang on June 10-11, 2001, U.N. Secretary-General Kofi Annan, in the words of his spokesman, expressed "dismay at the persistent failure of the warring parties to abide by international humanitarian norms and to hold those responsible for gross violations of human rights accountable for their actions. [The Secretary-General] urges the international community and human rights organizations to explore new approaches that would prevent further abuses and put an end to the climate of impunity." "Secretary-General Disturbed by Reports of Anti-Civilian Violence, Continued Human Rights Abuses in Afghanistan," SG/SM/7846, AFG/138, June 15, 2001, available at: <http://www.un.org/News/Press/docs/2001/sgsm7846.doc.htm>.

Human Rights Watch is well aware that enforcing an embargo on all parties without indirectly benefiting one over the other would be a formidable task. Supply routes for the United Front are both less numerous and far more accessible than those for the Taliban. (Thus Human Rights Watch could provide greater detail in this report about arms supplies from Iran and Russia than about arms flows from Pakistan.) A two-sided embargo that did not take these differences into account could inadvertently benefit the Taliban, freezing the military situation, including the Taliban's advantage in weaponry, in place. In imposing such an embargo the Security Council would therefore have to take specific steps to rigorously implement and enforce it on the Taliban in particular.

An unofficial arms embargo study produced by the U.N. Secretariat in late 1998 or 1999 highlighted the difficulties of cutting off the flow of weapons from Pakistan to Afghanistan. Pakistan's border with Afghanistan is 2,430 kilometers long, much of it lying in sparsely populated, mountainous, or desert terrain. There are two principal roads: the two-lane road between Quetta and Qandahar is capable of carrying up to 11,000 metric tons of cargo a day; the two-lane road between Peshawar and Jalalabad is capable of carrying 21,000 metric tons of cargo a day.¹⁹ While these two roads could be monitored fairly easily, it is virtually impossible to monitor all of the secondary, minor, routes and trails which could be used to bring in small arms and ammunition, as they were during the Soviet occupation in the 1980s. Most of these roads traverse tribal areas on both sides of the border and have long been used for smuggling goods between Afghanistan and Pakistan. Migratory populations on both sides move across the border with little regard for state boundaries. Pakistan's formal administration of these areas is minimal, which facilitates smuggling operations.

Even if the U.N., with the aid of neighboring states, is not capable of monitoring every crossing point into Afghanistan, monitoring fuel delivery points as well as major and secondary routes could curb arms deliveries to the Taliban significantly, while sending a crucial political signal to the Taliban's primary ally, Pakistan, that the international community is serious about addressing the crisis of impunity in Afghanistan. Pressure could be placed on Pakistan to comply with the U.N. embargo, especially to prevent the re-supply of ammunition to the Taliban. Ammunition deliveries are more easily concealed and therefore require additional attention and commitment by responsible customs authorities. A successful international embargo on arms and other forms of military assistance will require both committed monitoring by the U.N. and a commitment by the relevant states to fulfill their international obligations to abide by such an embargo.

Recommendations to the International Community

- Human Rights Watch calls on the U.N. Security Council to impose a comprehensive embargo on arms and other military assistance against all warring factions in Afghanistan.

The embargo should not be lifted against any faction until it has made significant progress toward ending gross violations of human rights and humanitarian law and bringing the perpetrators to justice.

The ban should include all forms of military and security assistance, including the provision of arms, ammunition, other military materiel, spare parts, military training, military advisers, and combatants.²⁰

The embargo should be strictly implemented, monitored, and enforced, and care should be taken to enforce the ban fully against all parties. The Security Council should take all necessary steps to ensure the embargo does not help one side at the expense of the other. To this end, the Security Council should deploy a sufficient number of international arms monitors on the ground in Afghanistan and surrounding states to inspect key border crossings and airfields. If it proves politically impossible to station international arms monitors inside Afghanistan, then urgent consideration should be given to the stationing of such monitors in countries neighboring Afghanistan, as proposed by the U.N. Committee of Experts on Afghanistan in May 2001. While not

¹⁹ U.N. Secretariat, "A Review of the Options on Embargo of Military Supplies to the Warring Factions in Afghanistan," undated "Non-Paper" (1998 or 1999), http://www.afghan-politics.org/reference/Sanctions/embargo_military_supplies_to_factions.htm.

²⁰ The ban should cover the types of military support as specified in Security Council Resolution 1333 (2000), paragraph 5. (See above.)

the optimum solution, this could be an adequate solution if in fact it is implemented as proposed by the committee and sufficient monitors are deployed.

Pakistan, in particular, should be put under pressure to comply with the embargo, especially to prevent the re-supply of ammunition and spare parts to the Taliban. Pakistan should also be urged to accept U.N. monitors to work alongside its own customs personnel, and steps should be taken to penalize Pakistan if it fails to comply with the U.N. embargo. (Such measures should be designed to minimize any adverse humanitarian impact in Pakistan.) Pakistan has already publicly agreed to an arms embargo against both sides in the civil war. What remains is to hold Pakistan to its word.

The arms embargo should include benchmarks against which the warring sides' compliance with international human rights and humanitarian law can be measured. This would allow for a progressive lifting of the embargo—on either or both sides—as compliance improves. Such benchmarks might include actions by any party to the conflict to (1) declare its intent to comply with its international human rights and humanitarian law obligations, and implement measures to that effect, (2) prosecute human rights offenders among its personnel, and (3) accept international human rights monitors in the territory under its control.

Any arms embargo, including the existing one against the Taliban, needs to minimize negative humanitarian consequences. It should be accompanied by measures to ensure Afghan civilians have full access to humanitarian assistance. Although some Security Council members have characterized the sanctions imposed in December 2000 as “smart sanctions” because of provisions specifically designed to ensure continued delivery of aid to civilians, we believe these provisions do not go far enough.

- We therefore urge, in particular, that the Security Council withdraw the existing ban on all international flights by aircraft owned, leased, or operated by the Taliban—a ban it imposed as part of sanctions in October 1999—and replace it with a ban on military flights and other flights that contribute to the Taliban's military effort.

We are aware that flights by Ariana, the Afghan national airline, could be used to circumvent an arms embargo. This concern, however, can be addressed by having arms embargo monitors inspect Ariana flights for arms shipments, and by imposing an additional ban on fuel and lubricants used for military purposes, as proposed by the U.N. Committee of Experts on Afghanistan.²¹ Fuel reaches the Taliban through only two transshipment points from Pakistan and one from Turkmenistan, and these could be monitored by U.N. personnel on the ground in these two countries. Care should be taken, however, to allow the import of fuel intended for civilian use so as to minimize the U.N. sanctions' humanitarian impact. The Security Council should use means that are the least restrictive on the civilian population in achieving its goals. In this case, inspection of flights and fuel is preferable to an absolute ban on all international flights.

On human rights and the crisis of impunity:

- All parties to the conflict should make a public commitment to abide by international human rights and humanitarian law guaranteeing the protection of civilians, and should investigate and prosecute military personnel responsible for violations.
- The Security Council, together with the secretary-general and high commissioner for human rights, should press for prompt and thorough investigation of alleged violations of international human rights and humanitarian law, including cases of extrajudicial execution

²¹ U.N. Security Council, “Letter dated 21 May 2001,” p. 16: “The Committee recommends that urgent consideration should be given to aircraft turbine fuel, and special fluids and lubricants needed for use in armoured vehicles, being specified in the embargo.” The chairman of the committee, Ambassador Menkerios of Eritrea, provided further clarification about this recommendation in a later discussion in the Security Council. U.N. Security Council, 4325th Meeting, S/PV.4325 (Resumption 1), June 5, 2001, p. 8.

of civilians such as the recent massacres in Yakaolang condemned by the secretary-general. Ending the abuses requires ending impunity, and U.N. officials and key member states should do everything in their power to see that abuses are investigated and perpetrators brought to justice.

- The Security Council should make respect for human rights and meaningful protection of civilians a priority in all of its efforts on Afghanistan. Such measures should not await further progress on a political settlement of the conflict.

Finally:

- Human Rights Watch calls on states that are providing military support to the Afghan parties to stop doing so, even in advance of a comprehensive U.N. arms embargo. Neighboring states that have permitted the transshipment of military supplies to the warring sides should see to it that such transport end immediately.
- The Security Council should establish an embargo-monitoring unit at the U.N. headquarters in New York to ensure the full institutionalization of monitoring capability—as recommended by the U.N. Committee of Experts on Afghanistan in May 2001.²² This unit should form the basis for a future permanent embargo-monitoring unit covering all U.N. arms embargoes.

A Note on Methodology and Sources

Human Rights conducted research on military assistance to the Taliban and the United Front over a two-year period. From May to August 1999, Human Rights Watch researchers traveled to both Kabul and areas of Afghanistan under United Front control, as well as Kazakhstan, Tajikistan, Kyrgyzstan, and Pakistan. Human Rights Watch conducted additional research in Pakistan and Afghanistan in 2000 and 2001. Human Rights Watch also requested permission to travel to Iran but was unable to visit the country because of unacceptable conditions imposed by the Iranian authorities. In the course of these visits and follow-up research conducted by telephone and electronic mail, Human Rights Watch interviewed government officials, members of the diplomatic community, military officers, civil servants, journalists, academics, and representatives of humanitarian and development organizations. Most of those interviewed spoke with Human Rights Watch on condition of anonymity, fearing reprisal. While we would prefer to quote sources for attribution, we are compelled to resort to the option of not naming them in cases in which a genuine threat to their lives and work exists.

²² The committee proposed that the unit be based in Vienna. Human Rights Watch believes that it would be more effective if based at U.N. headquarters in New York.

II. AFGHANISTAN'S CIVIL WARS

Parties to the Conflict²³

Since 1994 the two main opposing forces in Afghanistan have been the Taliban movement, whose administrative entity is the Islamic Emirate of Afghanistan (IEA), and the ousted government, the Islamic State of Afghanistan (ISA), which is led by a coalition of groups that call themselves the “United National Islamic Front for the Salvation of Afghanistan,” or the United Front. For purposes of simplicity, we will refer in this report to the two main groups as the Taliban and the United Front.

The Islamic Emirate of Afghanistan, or Taliban

The Taliban are the product of the network of private, rural-based *madrastas* (religious schools) in Afghanistan and the neighboring areas of Pakistan. During the war against the Soviet Union (1979-1989), these schools constituted one of the important sources of recruitment for *mujahidin*—the guerrillas fighting Soviet forces in Afghanistan.²⁴ The Taliban leaders are for the most part *mullahs*—religious leaders—from Qandahar province trained in *madrastas* affiliated with the Deobandi movement in both Afghanistan and Pakistan.²⁵ The head of the Taliban, Mullah Muhammad Omar, assumed the title *amir-ul momineen* (commander of the faithful); he is assisted by *shuras*, or consultative bodies. Mullah Omar renamed the Islamic State of Afghanistan the Islamic Emirate of Afghanistan in October 1997. Arguably the most powerful agency within the emirate is the Ministry of Enforcement of Virtue and Suppression of Vice (al-Amr bi al-Ma'ruf wa al-Nahi 'an al-Munkir), which is responsible for the enforcement of all Taliban decrees regarding moral behavior.²⁶ The Taliban bases its demand to be recognized as the legitimate authority in Afghanistan largely on the claim that it has brought security to the country's population after years of anarchy under the warlords that preceded it. In most of the areas it controls, the Taliban administration operates as a repressive police state. Most government offices barely function. After it emerged in response to the failure of the *mujahidin* parties to establish a stable government, the Taliban quickly attracted the support of Pakistan and Saudi Arabia which provided the military and financial resources to make the Taliban an effective military force. An estimated 8-15,000 of the Taliban's fighting force comprises non-Afghans—nationals of Saudi Arabia, other Gulf states, and even China.²⁷ Through cash payments or other incentives the Taliban has also secured the support of former *mujahidin* groups, particularly those

²³ The following list is adapted from Barnett R. Rubin, “Persistent Crisis Challenges the UN System,” UNHCR Writenet, August 1998, <http://www.unhcr.ch/refworld/country/writenet/wriafig03.htm>.

²⁴ They were particularly prominent in two *mujahidin* groups, the Harakat-i Inqilab-i Islami (Movement of the Islamic Uprising) of Mawlawi Muhammad Nabi Muhammadi and a breakaway faction of Hizb-i Islami (Islamic Party) led by Mawlawi Yunis Khalis.

²⁵ The *madrastas* are affiliated with Dar-al 'Ulum, an Islamic seminary in the town of Deoband, India, about ninety miles northeast of Delhi. In the mid-nineteenth century Muslim religious scholars there launched a reformist movement emphasizing education in the fundamental teachings of Sunni Islam. Through the network of *madrastas* established by its graduates throughout India and Pakistan, the Deobandi movement, as it came to be known, has had considerable influence on Muslim politics in the subcontinent. See Barbara Daly Metcalf, *Islamic Revival in British India: Deoband, 1860-1900* (Princeton: Princeton University Press, 1982). In Pakistan, *ulama* (religious scholars) associated with the Deobandi movement established their own organization, the Jamiat-i Ulama-Islam (JUI) to propagate their beliefs; in the 1960s the JUI became a political party. When Afghan refugees began pouring into Pakistan after 1978, the JUI set up hundreds of *madrastas* for refugee boys. Many Taliban leaders studied at the JUI seminary, Dar-al 'Ulum Haqqania in Akhora Khatak, between Islamabad and Peshawar. The head of the seminary is Maulana Samiul Haq, a former member of Pakistan's National Assembly and Senate. See Ahmed Rashid, *Taliban: Militant Islam, Oil and Fundamentalism in Central Asia* (New Haven: Yale University Press, 2000), pp. 90-91.

²⁶ The ministry reportedly is funded by Saudi Arabia. Rubin, “Persistent Crisis....”

²⁷ Human Rights Watch interview with a military expert in Islamabad, and information provided to Human Rights Watch, 2000.

associated with Hizb-i Islami.²⁸ In October 1998 a breakaway faction of Hizb-i Wahdat-i Islami-yi Afghanistan (Islamic Unity Party of Afghanistan), led by Hujjat-al-Islam Sayyid Muhammad Akbari, sided with the Taliban. Akbari is a non-Hazara Shi'a from the Qizilbash ethnic group, with religious training in Iran.

The United National Islamic Front for the Salvation of Afghanistan (Jabha-yi Muttahid-i Islami-yi Milli baray-i Nijat-i Afghanistan), or United Front

In 1996, the groups opposed to the Taliban formed an alliance called the National Islamic United Front for the Salvation of Afghanistan, commonly known as the United Front, which supports the ousted government, the Islamic State of Afghanistan (ISA). The president of the ousted government, Burhanuddin Rabbani, remains the president of the ISA and the titular head of the United Front. The real power is the Front's military leader, Commander Ahmad Shah Massoud, who is also the ISA's minister of defense. The alliance receives assistance of various kinds—military, financial, and diplomatic—from Iran, Russia, and neighboring states. The precise membership of the United Front has varied from time to time, but includes:

- *Jamiat-i Islami-yi Afghanistan (hereinafter known as Jamiat)*. Jamiat was one of the original Islamist parties in Afghanistan, established in the 1970s by students at Kabul University where its leader, Burhanuddin Rabbani, was a lecturer at the Islamic Law Faculty. Although Rabbani remains the official head of Jamiat, the most powerful figure within the party is Ahmad Shah Massoud. Both Rabbani and Massoud are Tajiks (Persian-speaking Sunni Muslims) but from different areas. Massoud's ethnic power base has historically been in Parwan and Takhar provinces, where he established a regional administrative structure in the late 1980s, the Supervisory Council of the North (SCN, Shura-yi Nazar-i Shamali). Massoud has received significant military and other support from Iran and Russia, in particular.
- *Hizb-i Wahdat-i Islami-yi Afghanistan (Islamic Unity Party of Afghanistan, hereinafter known as Hizb-i Wahdat)*. The principal Shi'a party in Afghanistan with support mainly among 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 Muhammad Karim Khalili. The leader of its Executive Council of the North, Haji Muhammad Muhaqqiq, 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 control. The party has also received significant support from local Hazara traders.
- *Junbish-i Milli-yi Islami-yi Afghanistan (National Islamic Movement of Afghanistan, hereinafter known as Junbish)*. 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 many of its commanders have since defected to the Taliban. Its founder and principal leader was Abdul Rashid Dostum, who rose from security guard to leader of Najibullah's most powerful militia. This group took control of the important northern city 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, the Junbish was the strongest force in the north during 1992-97, but was riven by internal disputes. Since 1998 the Junbish has largely been inactive, although Dostum returned to northern Afghanistan in April 2001.

²⁸ Buying support has been common practice throughout the war. The Islamic Party of Afghanistan (Hizb-i Islami-yi Afghanistan) led by Gulbuddin Hikmatyar was favored by Pakistan throughout the war with the Soviet Union and later when it attempted to oust the Rabbani government. After the Taliban became Pakistan's favored client in 1994 and, following a series of military advances, succeeded in capturing most of Hikmatyar's heavy weapons in early 1995, Hikmatyar nominally joined Rabbani's ISA as prime minister in June 1996 (as had been agreed among the parties in March 1993) but continued to fight Massoud. As of June 2001, Hikmatyar controlled few military or political resources.

- *Harakat-i Islami-yi Afghanistan (Islamic Movement of Afghanistan)*. This is a Shi'a party that never joined Hizb-i Wahdat, led by Ayatollah Muhammad Asif Muhsini, and which was allied with Jamiat in 1993-95. It has since fought with Hizb-i Wahdat in central Afghanistan. Its leadership is mostly non-Hazara Shi'a. Its most prominent commander is General Anwari. The group has received support from Iran.
- *Ittihad-i Islami Bara-yi Azadi Afghanistan (Islamic Union for the Liberation of Afghanistan)*. This party is headed by Abdul Rasul Sayyaf. During the war against the Soviet occupation, Sayyaf obtained considerable assistance from Saudi Arabia. Arab volunteers supported by Saudi entrepreneurs fought with Sayyaf's forces.

Until August 1998, the northern areas under control by United Front forces had four main administrative and political centers: Mazar-i Sharif; Taloqan, the headquarters of Ahmad Shah Massoud's SNC; Shiberghan, Abdul Rashid Dostum's headquarters; and Bamian, headquarters of the Hizb-i Wahdat administration of Hazarajat. On paper, Dostum was deputy to the president of the ISA and military commander of the northern regions; Muhammad Muhaqqiq was minister of internal affairs; and an official of the Akbari faction was a deputy prime minister. However, these four leaders did not merge their military and command structures, and they did not come up with a unified strategy in their struggle with the Taliban. Each had different patrons among Afghanistan's neighbors, and the latter's interests fueled divisions among their clients.

A History of Foreign Intervention

There have been three phases to the ongoing war in Afghanistan. In every phase foreign powers have intensified the conflict by supporting one side against another. The first phase was marked by the Soviet invasion and occupation of Afghanistan (1979-1989). In the second phase, after the Soviet withdrawal, various mujahidin parties, sponsored by neighboring powers, vied for control over the country and its capital, Kabul. Against this backdrop, the Taliban emerged in 1994 and ultimately succeeded in taking control of Kabul in 1996. In the third phase (continuing today), the coalition known as the United Front, supported by Russia and Iran, has faced off in the little territory it succeeded in retaining against the Taliban, which received support primarily from Pakistan and Saudi Arabia.

On April 27, 1978, the People's Democratic Party of Afghanistan (PDPA), a small, factionalized Marxist-Leninist party, took power in a coup.²⁹ The government then embarked on a campaign of radical land reform over the opposition of regional elites. The campaign was accompanied by mass repression in the countryside that resulted in the arrest and summary execution of tens of thousands.³⁰ Those targeted included political figures, religious leaders, teachers, students, other professionals, members of ethnic minorities, particularly Hazaras,³¹ and

²⁹ The PDPA was founded in Kabul in 1965 after then-King Zahir Shah promulgated a number of reforms that permitted political groups to organize for the first time. In 1967 the PDPA split into two factions: Khalq (masses) and Parcham (flag). Both factions drew support from the same Pashtun ethnic base, although the Parchamis had some support from other ethnic groups and included some members of the ruling elite. The Khalqis advocated more radical measures, including social and agrarian reforms, than did the Parchamis. In the late 1960s and early 1970s a number of Islamic organizations also formed at Kabul University which were opposed to the communists and all foreign interference in Afghanistan. In 1973 the king's cousin, Daoud Khan, ousted Zahir Shah in a nearly bloodless coup. As Daoud began distancing his government from Soviet influence, the Khalq and Parcham factions of the PDPA reunited in resistance. The assassination of a Parchami leader on April 17, 1978 provoked widespread protests to which Daoud responded by arresting the PDPA leadership. PDPA officers in the military then launched a coup, killing Daoud and seizing power. For the origins of the war, see Olivier Roy, *Islam and Resistance in Afghanistan* (Cambridge: Cambridge University Press, 1986), and Barnett R. Rubin, *The Fragmentation of Afghanistan: State Formation and Collapse in the International System* (New Haven: Yale University Press, 1995).

³⁰ Subsequent governments have said that some 12,000 people were executed just in Pul-i Charkhi prison in Kabul in this period; as many as 100,000 may have been killed in the countryside. See Roy, *Islam and Resistance in Afghanistan*, pp. 95-97.

³¹ The Hazaras are a predominantly Shi'a minority. The central mountain area of Afghanistan, where Hazaras have lived for centuries, is called Hazarajat. Other minority ethnic groups include the Tajiks and the Uzbeks.

members of Islamic organizations. The government's repressive measures, particularly its attempt to reform rural society through terror, provoked uprisings throughout the country. Alarmed by the deteriorating situation and the prospect that a disintegrating Afghanistan would threaten its security on its southern border, the Soviet Union airlifted thousands of troops into Kabul on December 24, 1979. The president, Hafizullah Amin, was assassinated after Soviet intelligence forces took control of the government and installed Babrak Karmal as president.³²

The Soviet occupation force and the Karmal government sought to crush the uprisings with mass arrests, torture, and executions of dissidents, and aerial bombardments and executions in the countryside. These measures further expanded the resistance to the communist government in Kabul and fueled a flow of refugees out of the country that soon reached five million out of a population of about sixteen million.³³ Islamic organizations that became the heart of the resistance based themselves in Pakistan and Iran. Seeing the conflict as a cold war battleground, the United States and Saudi Arabia, in particular, provided massive support for the resistance, nearly all of it funneled through Pakistan (with China, France, and the United Kingdom also playing a part). The arms pipeline gave Pakistan a tremendous ability to bolster parties in Afghanistan that would serve its own interests.

Negotiations to end the war culminated in the 1988 Geneva Accords, whose centerpiece was an agreement by the Soviet Union to remove all its uniformed troops by February 1989.³⁴ The last Soviet troops did leave Afghanistan that month. With substantial assistance from the Soviet Union, the communist government of Karmal's successor, Dr. Najibullah, former head of the Afghan intelligence agency KHAD, held on to power through early 1992 while the United Nations frantically tried to assemble a transitional process acceptable to all the parties. It failed.³⁵ On April 15, 1992, the mujahidin took Kabul. Eleven days later, in an agreement that excluded the Shi'a parties and the Hizb-i Islami led by Gulbuddin Hikmatyar—the protégé of Pakistan—the parties in Kabul announced that Sighabutallah Mojadeddi of the Jabha-i Najat-i Milli (National Salvation Front) would become president for two months, followed by Prof. Burhanuddin Rabbani of the Jamiat-i Islami for four. Rejecting the arrangement, Hikmatyar launched massive and indiscriminate rocket attacks on Kabul that continued intermittently for three years, until he was forced out of the Kabul area in February 1995.

In June 1992 Rabbani became president of Afghanistan, while Hikmatyar continued to bombard Kabul with rockets. The U.N. reported that 1,800 civilians died in rocket attacks between May and August, and 500,000 people fled the city. In fighting between the Hizb-i Wahdat and another mujahidin faction, Sayyaf's Ittihad-i Islami, hundreds of civilians were abducted and "disappeared."³⁶ When most of the parties boycotted the shura that was supposed to elect the next president—after Rabbani manipulated the process to place his supporters on the council—Rabbani was again elected president in December 1992, and fighting in Kabul intensified. In January 1994, Hikmatyar joined forces with Dostum to oust Rabbani and his defense minister, Massoud, launching full-scale civil war in Kabul. In 1994 alone, an estimated 25,000 were killed in Kabul, most of them civilians killed in rocket and artillery attacks. One-third of the city was reduced to rubble, and much of the remainder sustained serious damage.³⁷ In September 1994, fighting between the two major Shi'a parties, the

³² Barnett R. Rubin, *The Search for Peace in Afghanistan: From Buffer State to Failed State* (New Haven: Yale University Press, 1995), p. 29.

³³ The precise figures are not known. Roughly three million settled in Pakistan and two million in Iran.

³⁴ The accords made no provisions for civilian advisers. Another provision of the accords was that the U.S. stop aiding the mujahidin. Protesting that so long as the Soviet Union continued to aid the government in Kabul, this constituted unacceptable asymmetry, the U.S. made a formal reservation to the accords.

³⁵ Under pressure from the U.N. negotiator, Benon Sevan, Najibullah had announced his resignation on March 18, 1992. But the announcement, together with the collapse of the Soviet Union, "created a vacuum of power in Kabul into which the regional and ethnic coalitions rushed." See Rubin, *The Search for Peace...*, p. 128.

³⁶ Rubin, *The Fragmentation of Afghanistan...*, pp. 272-73.

³⁷ Amin Saikal, "The Rabbani Government, 1992-1996," in William Maley, ed., *Fundamentalism Reborn? Afghanistan and the Taliban* (New York: New York University Press, 1998), p. 33.

Hizb-i Wahdat and the Harakat-i Islami, left hundreds dead, most of them civilians.³⁸ Thousands of new refugees fled to Pakistan that year.

By 1994 the rest of the country was carved up among the various factions, with many mujahidin commanders establishing themselves as virtual warlords. The situation around the southern city of Qandahar was particularly precarious: the city was divided among different forces, and civilians had little security from murder, rape, looting, or extortion. Humanitarian agencies frequently found their offices stripped of all equipment, their vehicles hijacked, and their staff threatened.

It was against this background that the Taliban emerged. Former mujahidin who were disillusioned with the chaos that had followed the mujahidin victory became the nucleus of a movement that coalesced around Mullah Mohammad Omar, a former mujahid who had returned to his home village of Singesar in Qandahar province in 1992 where he became the village mullah and head of the local madrasa. The group, many of whom were madrasa students, called themselves *taliban*, meaning students. Many others who became core members of the group were commanders in other predominantly Pashtun parties, and former Khalqi PDPA members.³⁹ Their stated aims were to restore stability and enforce (their interpretation of) Islamic law. The Taliban's first military operation has acquired mythic status in Taliban ranks: In early 1994 the Taliban attacked the headquarters of a local commander who had been responsible for numerous rapes, murders and lootings. Similar campaigns against other warlords followed, and the Taliban soon gained a reputation for military prowess and acquired an arsenal of captured weaponry. By October 1994 the movement had attracted the support of Pakistan, which saw in the Taliban a way to secure trade routes to Central Asia and establish a government in Kabul friendly to its interests.⁴⁰

The Taliban's first large military operation took place in October 1994 when it seized the Pasha munitions depot and the town of Spin Boldak on the Pakistani border, held at the time by Hizb-i Islami commanders. The capture of the arms dump provided them with an enormous quantity of military materiel, including rockets, ammunition, artillery, and small arms.⁴¹ Two weeks later the Taliban freed a Pakistani trade convoy that was being held by commanders demanding exorbitant tolls outside Qandahar; the convoy's real objective was to examine the feasibility of constructing a rail line along the route—a priority for the government of Prime Minister Benazir Bhutto.⁴² Shortly thereafter the Taliban took control of Qandahar after the local commander, loyal to the Rabbani government, ordered his forces not to resist.⁴³ In the process the Taliban captured heavy weapons and aircraft, including MiG fighters, helicopters, and tanks. The Qandahar attack was also notable for the appearance of large numbers of Pakistani madrasa students serving as soldiers for the Taliban, most of whom entered Afghanistan by bus at the newly-seized Chaman/Spin Boldak crossing with the knowledge of Pakistani border officials.⁴⁴ By December 1994 the Taliban had spread north and east to the outskirts of Kabul and west toward Herat. Pakistani traders who had long sought a secure route to send their goods to Central Asia quickly became some of the Taliban's strongest financial backers.

³⁸ In its annual human rights report for 1994, the U.S. State Department estimated that some 2,650 people, most of them civilians, were killed or injured in the fighting in the last two weeks of September 1994 alone. United States Department of State, *Country Reports on Human Rights Practices 1994* (Washington, D.C.: Government Printing Office, 1995), p. 1203.

³⁹ William Maley, "Interpreting the Taliban," in Maley, ed., *Fundamentalism Reborn?...*, p. 15.

⁴⁰ Anthony Davis, "How the Taliban Became a Military Force," in Maley, ed., *Fundamentalism Reborn?...*, p. 43; and Rashid, *Taliban: Militant Islam...*, pp. 24-25.

⁴¹ Anthony Davis notes that no outsiders witnessed the Taliban seizure of either Spin Boldak or of the arms depot, and that no one knew for sure how much weaponry and ammunition was actually in the Pasha dump, leading to the possibility that descriptions of the dump as "massive" may have been a smoke screen intended to conceal the fact that the Taliban were now receiving supplies from Pakistan. Davis, "How the Taliban..." p. 46.

⁴² Among the passengers on the convoy were two Pakistani intelligence officers. Davis, "How the Taliban..." pp. 47-48; Barnett R. Rubin, "The Political Economy of War and Peace in Afghanistan," *World Development*, vol. 28, no. 10 (2000), p. 1794; and Rubin, *The Search for Peace...*, pp. 138-39.

⁴³ Davis, "How the Taliban..." p. 50. Davis notes rumors that a massive bribe was paid to the Jamiat commander to secure his cooperation with the Taliban attack; similar rumors have attended most of the Taliban's other military successes.

⁴⁴ *Ibid.* This phenomenon would become a standard practice, with the Taliban issuing regular calls to Pakistani madrasas for volunteers in advance of significant offensives. (See below.)

In January 1995 the Taliban advanced on Kabul, squeezing Hikmatyar between their forces and the ISA forces of Defense Minister Massoud.⁴⁵ In February, Hikmatyar abandoned his position at Charasyab and left behind significant stores of weapons. Under an apparent agreement with Massoud, who was preoccupied with fighting Hizb-i Wahdat, the Taliban occupied the base at Charasyab. A massive assault by Massoud against Hizb-i Wahdat then drove its leader, Abdul Ali Mazari, to strike a deal with the Taliban. But after a faction of Hizb-i Wahdat joined with Massoud instead, Massoud launched a full-scale assault on the Taliban, driving them out of Charasyab.⁴⁶ Combat resumed in the late summer and fall of 1995, with the Taliban defeating ISA forces in the west and occupying Shindand and Herat by September 3. The occupation of the strategic town of Herat by the Taliban was a terrible blow to ISA forces, and cut off the land route connecting the ISA with Iran. The Taliban's innovative use of mobile warfare hinted at a Pakistani role in the capture of Herat (see Chapter III).

In 1996 fighting shifted to the east, and the string of Taliban victories continued, culminating in September in its greatest victories to date, the seizures of Jalalabad on September 11 and Kabul itself by the end of the month, although the bulk of the United Front forces holding the city were able to withdraw to the north intact. With the fall of Kabul, the battle lines in eastern Afghanistan largely stabilized, cutting across the fertile Shamali plain. Until early 1999, Massoud remained within artillery range of Kabul and repeatedly fired rockets into the city. Though he denied targeting civilians, many were killed, including more than sixty-five in a two-day attack in September 1998.⁴⁷ Sometime after Massoud's loss of Kabul, he began to obtain military assistance from Russia as well as Iran.

In the west, fighting resumed in 1997 as the Taliban attacked the predominantly Uzbek Junbish forces commanded by General Dostum. Dostum had carved out what amounted to a mini-state in northern Afghanistan comprising five provinces and administered from Mazar-i Sharif, and up to this point had appeared to be one of the strongest powers in Afghanistan. Hizb-i Wahdat also maintained a significant force in Mazar-i Sharif (which has a large Hazara population) in an uneasy alliance with Dostum. As had happened elsewhere, however, the military stalemate was broken when one of Dostum's deputies, Gen. Abdul Malik Pahlawan (generally known as "Malik"), allied with the Taliban and turned on Dostum on May 19, 1997, arresting a number of Junbish commanders and as many as 5,000 soldiers.

Pakistan was quick to seize the opportunity to recognize the Taliban as the government of Afghanistan, on May 25; Saudi Arabia followed on May 26 and the UAE on May 27.⁴⁸ But the fortunes of the Taliban were suddenly reversed at the end of May as the alliance with Malik disintegrated, apparently after Taliban troops began trying to disarm the local Hazara population in Mazar-i Sharif. As the Hazaras turned on them, the Taliban soon found its fighters trapped. Hundreds of Taliban soldiers were killed in the streets of Mazar, and some 3,000, most of whom were in Dostum's headquarters at Shiberghan, were taken prisoner by Malik. Nearly all of these

⁴⁵ These included 220mm Urugan multiple-rocket launch systems, ammunition, and an Mi-17 transport helicopter. Davis, "How the Taliban..." p. 53.

⁴⁶ After the debacle at Charasyab, the Taliban apparently retaliated by killing Mazari, who died under disputed circumstances in the Taliban's custody. Ibid, pp. 57-58.

⁴⁷ "New Rocket Attack on Afghan Capital," *BBC News Online*, September 22, 1998, http://news.bbc.co.uk/1/hi/english/world/south_asia/newsid_177000/177253.stm.

⁴⁸ These three states remain the only ones to have recognized the Taliban as the Afghan government. The Saudi ambassador was withdrawn from Kabul in August 1998 to protest the Taliban refusal to surrender Osama bin Laden, a Saudi citizen, to Saudi authorities following the August bombings of U.S. embassies in East Africa. Since that time, Saudi diplomats have made occasional visits to Kabul. The UAE Embassy is reportedly empty (although a number of Islamic charities based in the UAE maintain active offices), and only Pakistan maintains a fully staffed, active embassy in the city. No Western country maintains an active embassy in Kabul, although French diplomats fly into the city on a regular schedule to maintain the French embassy buildings. Human Rights Watch interview with a staff member of an international nongovernmental organization (NGO) in Kabul, July 1999; also "Chechen Embassy Opens in Kabul," *Associated Press*, January 24, 2000.

detainees were then summarily executed.⁴⁹ Within days, the remains of the Taliban occupation force had been driven from the city and commanders loyal to Malik had regained control of Jowzjan, Sar-i Pol, and Faryab provinces, establishing a front line with the Taliban along the Morghab river in Baghdis province. However, the Taliban were able to consolidate control over the province of Konduz, a predominantly Pashtun pocket in the north that had come under its control after the Pashtun shura switched sides.⁵⁰

The Taliban troops in Konduz attacked west towards Mazar-i Sharif in early September 1997, after being reinforced with men and munitions airlifted from Kabul and gaining further aid from the defection of several commanders holding positions in the area. In fighting over the next several weeks Taliban forces were again pushed back to Konduz. During its retreat, the Taliban attacked villages along the way, killing at least eighty-six civilians.⁵¹ In August 1998 Taliban forces opened their third assault on Mazar-i Sharif, and this time took the city decisively. They massacred at least 2,000 people, most of them Hazara civilians, after they took the city, and killed an unknown number of people in aerial bombardments.⁵²

In August 1998, the United States launched air strikes against reputed training camps near the Pakistan border. The strikes, which the U.S. justified as attacks on the headquarters of Osama bin Laden, came in the wake of the bombings of the U.S. embassies in Nairobi and Dar es-Salaam. Following these strikes, on August 20, the U.N. and most international humanitarian agencies withdrew their staff from the country. In September 1998 the Taliban took control of the predominantly Hazara town of Bamian, west of Kabul; local activists and foreign observers documented reprisal killings in the city after the takeover.⁵³ Massoud remained within artillery range of Kabul and repeatedly fired rockets into the city, killing civilians, while claiming to be targeting the airport, which is on the northeastern edge of the city. (See below.)

In late July 1999, at peace talks held in Tashkent, the Six Plus Two contact group issued the "Tashkent Declaration," which called on all parties to resolve the conflict through "peaceful political negotiation," and pledged "not to provide military support to any Afghan party and to prevent the use of our territories for such purposes."⁵⁴ Almost immediately afterwards, both the Taliban and the United Front resumed fighting, with the Taliban focusing its efforts on territory held by Massoud's forces north of Kabul. As it pushed north, the Taliban forced civilians from their homes and then set fire to houses and crops, and destroyed irrigation canals and wells, ostensibly to rout opposition sympathizers but effectively preventing the residents' return. In the Shamali region, men believed to be loyal to Massoud were arrested or shot, and women and children either fled or were taken to Jalalabad and Kabul. Over four days in August the U.N. estimated that over 20,000 people arrived in Kabul, bringing the total to close to 40,000 in a two-week period. Thousands more fled to the Massoud-held Panjshir

⁴⁹ Human Rights Watch has conducted interviews with a range of sources familiar with the incidents in Mazar-i Sharif, including Western diplomats, journalists, and residents of the city, most of whom must remain anonymous. For more information see Human Rights Watch, "Afghanistan: The Massacre in Mazar-i Sharif," *A Human Rights Watch Short Report*, vol. 10, no. 7 (November 1998), p. 6. See also Maley, "Interpreting the Taliban," pp. 11-12.

⁵⁰ See, for example, Jake Border, "Taliban Turnaround," part 2, *Soldier of Fortune*, vol. 24, no. 3 (March 1999), pp. 62-63. At that time, Konduz sat on a critically important road junction connecting the Junbish forces to the west with Massoud's troops in Takhar province to the east. Konduz is also connected to the river ports of Imam Sahib and Sher Khan Bandar, which lie to the north on the Amu Darya river. The loss of Sher Khan Bandar was particularly bitter for the United Front, as the port has well-developed cargo handling facilities. Control of Sher Khan Bandar has see-sawed back and forth between Jamiat and Taliban forces since 1998, but without control of the Konduz road junction the port cannot be used to supply the United Front forces.

⁵¹ These incidents were investigated by the office of the United Nations High Commissioner for Human Rights and are summarized in U.N. Secretary-General, "Situation of human rights in Afghanistan," Report of the Secretary-General, E/CN.4/1998/71, March 12, 1998.

⁵² See Human Rights Watch, "Afghanistan: The Massacre in Mazar-i Sharif."

⁵³ 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, p. 11.

⁵⁴ Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan, Tashkent, July 19, 1999, http://afghan-politics.org/Reference/Accords/Tashkent/text_of_the_tashkent_declaration.htm.

valley. In September, Taliban fighter planes bombed Taloqan, the capital of northern Takhar province. In October the U.N. imposed sanctions on the Taliban, banning Taliban-controlled aircraft from takeoff and landing and freezing the Taliban's assets abroad.

In mid-2000 the Taliban mounted yet another offensive—again with considerable backing from Pakistan. On September 5 the Taliban captured Taloqan. Fighting in the area, combined with the effects of a severe drought, drove thousands of civilians from the area east to Faizabad and Pakistan or north to Tajikistan. As of June 2001, Massoud's forces had regained territory to the north and east of Taloqan but remained well outside the city itself. His headquarters were reported to be in Khoja Bahauddin in northern Takhar province.⁵⁵ Elsewhere, forces believed to be loyal to Ismael Khan and General Dostum were responsible for guerrilla attacks on Taliban forces in western and northern Afghanistan in April and May 2001.

Violations of International Human Rights and Humanitarian Law

The civil war in Afghanistan can be characterized as a non-international (internal) armed conflict under international humanitarian law. Both the Taliban and the parties constituting the United Front have repeatedly committed serious violations of international humanitarian law, including killings of detainees, aerial bombardment and shelling, direct attacks on civilians, rape, torture, persecution on the basis of religion, and the use of antipersonnel landmines. These violations have come to characterize the conduct of the war and have been widespread and systematic. None of the events described below is a unique or isolated instance.

The applicable humanitarian law includes article 3 common to the four Geneva Conventions of 1949, the 1977 Second Additional Protocol to the Geneva Conventions (Protocol II), and the customary laws of war. These apply to both state and non-state forces involved in an internal armed conflict. Afghanistan became a party to the Geneva Conventions in 1956. Although Afghanistan is not a party to Protocol II, its fundamental provisions reflect customary international law.

Common article 3 to the Geneva Conventions provides that civilians and persons no longer taking an active part in the hostilities (including captured members of opposing armed forces) shall be treated humanely. Prohibited at all times are violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture, taking of hostages, outrages upon personal dignity, and summary trials.⁵⁶

In the conduct of military operations, international humanitarian law makes a fundamental distinction between combatants and non-combatants. Legitimate military objectives include combatants, weapons, convoys, installations, and supplies. The civilian population and individual civilians are prohibited from being the object of attack. Acts or threats of violence against the civilian population that spread terror are also prohibited. Moreover, objects normally dedicated to civilian use, such as houses, schools, and places of worship, are presumed not to be military objectives. Only if they are being used by the enemy's military can they lose their immunity from direct attack.

Indiscriminate and disproportionate attacks are prohibited. Indiscriminate attacks are those not directed at a specific military target, or those carried out in a manner or with weapons that cannot be so directed, and thus will strike military objectives and civilians without distinction. Disproportionate attacks are those where the expected if unintended civilian casualties would outweigh the importance of the military target to the attacker.

International humanitarian law has historically restricted use of the term "war crimes" to international armed conflicts. Increasingly, serious violations of international humanitarian law committed in non-international armed

⁵⁵ Amir Shah, "Russia giving opposition helicopters, Iran giving military advice: Defector," Associated Press, February 24, 2001; and Patrick Graham, "Deep in the Bomb-Strewn Hills of Afghanistan, the Lion of Panjshir Wages War to Defend His Valley," *National Post* (Canada), May 5, 2001.

⁵⁶ Protocol II elaborates upon common article 3's requirement of humane treatment and provides a more comprehensive list of protections for civilians in internal armed conflicts. These include, for instance, prohibitions on the desecration of corpses and the recruitment of children under fifteen into armed forces or groups.

conflicts have been recognized as war crimes as well as crimes against humanity.⁵⁷ There is little to distinguish the summary execution of non-combatants or an attack on civilians committed in an international armed conflict and in a civil war. All such acts must not only be condemned, but its perpetrators prosecuted.

Until recently, prosecutions for crimes committed during the course of a civil war were considered the sole purview of the national courts. The International Law Commission's 1996 Draft Code of Crimes against the Peace and Security of Mankind accepts that certain acts committed in violation of the laws or customs of war (namely, acts prohibited by common article 3 and Protocol II) constitute war crimes when committed in internal conflicts.⁵⁸ The international criminal courts for Rwanda and the former Yugoslavia treat certain violations committed in civil wars as war crimes. The 1998 Rome Statute of the International Criminal Court has defined as war crimes serious violations of common article 3 of the Geneva Conventions, such as the execution of non-combatants.⁵⁹ Also considered as war crimes are "[o]ther serious violations of the laws and customs applicable in [non-international] armed conflicts," such as attacks on the civilian population and rape.⁶⁰

Crimes against humanity, first articulated in the 1907 Hague Convention, have been defined as "widespread or systematic attacks" directed against a civilian population whether during war or peacetime. The Rome Statute of the International Criminal Court includes as "crimes against humanity" attacks directed against the civilian population, including murder, extermination, rape, and persecution of certain identifiable groups, such as ethnic and religious groups.⁶¹ Crimes against humanity are deemed to be part of *jus cogens*, the highest level of international legal norms, and thus constitute a non-derogable rule of international law. As such they are subject to universal jurisdiction, permit no immunity from prosecution, and do not recognize "obedience to superior orders" as a defense.

The examples provided below of violations of international humanitarian law committed by the Taliban date, for the most part, from 1999-2001 when its forces were on the offensive or occupying captured territory. These offensives were accompanied by the use of scorched-earth tactics in the Shamali plains north of Kabul, summary executions of prisoners in the north-central province of Samangan, and forced relocation and conscription.

Many of the violations of international humanitarian law committed by the United Front forces described below date from 1996-1998 when they controlled most of the north and were within artillery range of Kabul. Since then, what remains of the United Front forces, those fighting under Commander Ahmad Shah Massoud, have been pushed back into defensive positions in home territories in northeastern and central Afghanistan following a series of military setbacks. There have nevertheless been reports of abuses in areas held temporarily by United Front factions, including summary executions, burning of houses, and looting, principally targeting ethnic Pashtuns and others suspected of supporting the Taliban. The various parties that comprise the United Front also amassed a deplorable record of attacks on civilians between the fall of the Najibullah regime in 1992 and the Taliban's capture of Kabul in 1996.

What follow are some examples of violations of international humanitarian law committed by the Taliban and parties constituting the United Front. They are by no means comprehensive, merely indicative of the warring parties' conduct. They are listed here to underscore the seriousness of the situation in Afghanistan and the urgency of responding to the human toll of war. A note follows on human rights violations committed by the various parties in the territories under their control.

⁵⁷ For example, see John Dugard, "Bridging the gap between human rights and humanitarian law: The punishment of offenders." *International Review of the Red Cross*, no. 324 (September 1998), pp. 445-53; and Steven R. Ratner and Jason S. Abrams, *Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy* (Oxford: Oxford University Press, 2001, Second Edition), pp. 98-107.

⁵⁸ International Law Commission, Draft Code of Crimes against the Peace and Security of Mankind (1996), art. 20, e-g.

⁵⁹ Rome Statute of the International Criminal Court (ICC), art. 8(2)(c). The ICC statute is available at <http://www.un.org/law/icc/>.

⁶⁰ *Ibid.*, art. 8(2)(e).

⁶¹ *Ibid.*, art. 7(1).

Violations by the Taliban

- January–June 2001: Fighting between forces of the Taliban and the United Front factions Hizb-i Wahdat and Harakat-i Islami in and around the town of Yakaolang in the Hazarajat region led to a series of reprisals by Taliban troops against local civilians, who were mainly ethnic Hazaras. In January the Taliban massacred 176 civilians after retaking control of the town of Yakaolang. They lost and regained control of the town two more times over the next five months. In June Taliban troops summarily executed an unknown number of civilians and burned much of the town's center before being forced to withdraw from the town.⁶² Also in January 2001 Taliban forces summarily executed at least thirty-one ethnic Uzbek civilians while retreating from Khwajaghar, in Takhar province, during battles with United Front forces.⁶³
- August–October 2000: According to displaced persons who had fled to United Front-held Faizabad, the Taliban bombed residential areas of Taloqan and surrounding villages in the weeks before the city fell to them on September 5, 2000. Bombs, shells, and cluster munitions were heavily used throughout the city, destroying many homes. After the Taliban consolidated control of the villages, its forces carried out summary executions of suspected sympathizers of United Front commander Ahmad Shah Massoud.⁶⁴
- May 2000: Taliban forces summarily executed at least thirty-one 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 2000.⁶⁵
- July–December 1999: A series of Taliban offensives in the north was marked by summary executions, the abduction and “disappearance” of women, forced labor of detainees, the burning of homes, and the destruction of other property and agricultural assets, including fruit trees, one of the mainstays of the local economy.⁶⁶ According to a U.N. report later that year, “The Taliban forces, who allegedly carried out these acts, essentially treated the civilian population with hostility and made no distinction between combatants and non-combatants.”⁶⁷ According to one human rights researcher, in Khwajaghar, near Taloqan, 3,000 houses were systematically destroyed in July, and in Shamali, detainees were used for mine clearance.⁶⁸ In July–August Taliban forces bombed the town of Dara-i Suf with incendiary cluster munitions; ground demolition forces burned down the entire central market and destroyed wells and

⁶² Human Rights Watch, “Massacres of Hazaras in Afghanistan,” *A Human Rights Watch Short Report*, vol. 13, no. 1 (February 2001), pp. 5-8; Human Rights Watch, “Afghanistan: Inquiry Needed into New Abuses: Arrests, Burnings of Homes Reported in Yakaolang District,” press release, June 14, 2001; and “Secretary-General Disturbed by Reports of Anti-Civilian Violence, Continued Human Rights Abuses in Afghanistan,” SG/SM/7846, AFG/138, June 15, 2001, <http://www.un.org/News/Press/docs/2001/sgsm7846.doc.htm>.

⁶³ Human Rights Watch e-mail communication with a human rights investigator, March 2001.

⁶⁴ Information provided to Human Rights Watch from interviews conducted with witnesses in the area, October 2000. See also U.N. Secretary-General, “The situation in Afghanistan and its implications for international peace and security,” Report of the Secretary-General, A/54/918-S/2000/581, June 16, 2000, p. 9; U.N. Secretary-General, “The situation in Afghanistan and its implications for international peace and security,” Report of the Secretary-General, A/55/393-S/2000/875, September 18, 2000, p. 7; and U.N. Secretary-General, “The situation in Afghanistan and its implications for international peace and security,” Report of the Secretary-General, A/55/633-S/2000/1106, November 20, 2000, pp. 12-13.

⁶⁵ Human Rights Watch, “Massacres of Hazaras in Afghanistan,” pp. 8-10.

⁶⁶ 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.

⁶⁷ U.N. Secretary-General, “The situation in Afghanistan and its implications for international peace and security,” Report of the Secretary-General, S/1999/1145, November 16, 1999.

⁶⁸ Human Rights Watch interview, Islamabad, May 2001.

homes.⁶⁹ In December Taliban forces massacred ethnic Uzbek civilians in the village of Khoja Kuliob, Aibak district, Samangan province.⁷⁰

- August 1998: After capturing Mazar-i Sharif on August 8, more than a year after some 3,000 of its soldiers had been captured and murdered there, 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 accused the Hazaras of murdering Taliban soldiers 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, a number of women were raped and abducted by Taliban troops.⁷¹
- September 1997: Retreating Taliban forces summarily executed ethnic Shi'a Hazara villagers near Mazar-i Sharif after having failed to capture the city. According to the U.N. Special Rapporteur for Afghanistan, fifty-three villagers were summarily executed in one city, Qezelabad, and some twenty houses set on fire. In the village of Sheikhabad, some thirty elderly people were reported to have been summarily executed. Killings of a similar type were also reported in other villages in the area.⁷²
- In addition, the Taliban has committed other serious violations of internationally recognized human rights outside of the context of armed conflict. Minorities have suffered from discrimination and other abuses, including arbitrary arrest and torture. Summary trials of suspected criminals frequently result in harsh sentences involving corporal punishment under the Taliban's strict interpretation of Islamic law. In areas under their control, Taliban authorities have enacted policies prohibiting women from working outside the home in activities other than health care, although the policies are not uniformly enforced. They have prohibited women from attending universities and have closed girls' schools in Kabul and some other cities, although primary schools for girls operate in many other areas of the country under Taliban control. The Taliban has enforced a strict dress code for women and the religious police have beaten women on the streets for violation of this code. Men have also been beaten or fined for dress code violations or for having beards that are too short.

Violations by United Front Factions

- Late 1999 - early 2000: Internally displaced persons who fled from villages in and around Sangcharak district recounted summary executions, burning of houses, and widespread looting during the four months that the area was held by the United Front. Several of the executions were reportedly carried out in front of the victims' family members. Those targeted in the attacks were largely ethnic Pashtuns and, in some cases, Tajiks.⁷³
- September 20-21, 1998: Several volleys of rockets were fired at the northern part of Kabul, with one hitting a crowded night market. Estimates of the numbers killed ranged from seventy-six to 180. Although a spokesperson for United Front commander Ahmad Shah Massoud denied targeting civilians,⁷⁴ the attacks were generally believed to have been carried out by Massoud's forces, who were then

⁶⁹ Interview and e-mail communications with a witness in Islamabad who investigated the incident, November 2000-May 2001.

⁷⁰ Human Rights Watch e-mail communication with a human rights investigator, Islamabad, May 2001.

⁷¹ Human Rights Watch, "Afghanistan: The Massacre in Mazar-i Sharif."

⁷² U.N. Secretary-General, "Situation of Human Rights in Afghanistan," Report of the Secretary-General, E/CN.4/1998/71, March 12, 1998.

⁷³ Information provided to Human Rights Watch based on interviews with displaced persons in Mazar-i Sharif in June 2000.

⁷⁴ "New Rocket Attack on Afghan Capital," *BBC News Online*.

stationed about twenty-five miles north of Kabul.⁷⁵ In a September 23 press statement, the ICRC described the attacks as indiscriminate and the deadliest that the city had seen in three years.⁷⁶

- Late May 1997: Some 3,000 captured Taliban soldiers were summarily executed in and around Mazar-i Sharif by Junbish forces under the command of Gen. Abdul Malik Pahlawan. The killings followed Malik's withdrawal from a brief alliance with the Taliban and the capture of the Taliban forces who were trapped in the city. Some of the Taliban troops were taken to the desert and shot, while others were thrown down wells and then blown up with grenades.⁷⁷
- January 5, 1997: Junbish planes dropped cluster munitions on residential areas of Kabul. Several civilians were killed and others wounded in the air raid, which also involved the use of conventional bombs.⁷⁸
- March 1995: Jamiat forces were responsible for rape and looting after they captured Kabul's predominantly Hazara neighborhood of Karte Seh from other factions. According to the U.S. State Department's 1996 report on human rights practices in 1995, "Massood's troops went on a rampage, systematically looting whole streets and raping women."⁷⁹
- On the night of February 11, 1993 Jamiat and Ittihad-i Islami forces conducted a raid in the Hizb-i Wahdat neighborhoods of West Kabul, killing and "disappearing" Hazara civilians, and committing widespread rape. Estimates of those killed range from about seventy to more than one hundred.⁸⁰
- In addition, the parties that constitute the United Front have committed other serious violations of internationally recognized human rights. In the years before the Taliban took control of most of Afghanistan, these parties had divided much of the country among themselves while battling for control of Kabul. There was virtually no rule of law in any of the areas under their control. In Kabul, the Jamiat, the Ittihad, and the Hizb-i Wahdat all engaged in rape, summary executions, arbitrary arrest, torture, and "disappearances." In Bamian, Hizb-i Wahdat commanders routinely tortured detainees for extortion purposes.⁸¹

⁷⁵ Ibid.

⁷⁶ International Committee of the Red Cross (ICRC), "Afghanistan: Indiscriminate rocket attacks on Kabul," ICRC News 98/38, September 23, 1998. The news release said that the attacks were "concentrated in the northern part of the city...notably striking the night market."

⁷⁷ Human Rights Watch, "Afghanistan: The Massacre at Mazar-i Sharif."

⁷⁸ Amnesty International, "Afghanistan: Civilians Targeted in Shelling Attacks" (Press Release), AI Index: ASA 11/01/97, January 8, 1997.

⁷⁹ U.S. Department of State, *Country Reports on Human Rights Practices for 1995* (Washington, D.C.: Government Printing Office, 1996), pp. 1288 and 1292. The report elaborates: "Medical workers said that they knew of at least 6 rapes and 2 attempted rapes. Social taboos against revealing rapes are so strong that it is impossible to know how many rape victims there actually were."

⁸⁰ The incident is described in S.S. Mousavi, *The Hazaras of Afghanistan: An Historical, Cultural, Economic and Political Study* (Surrey, U.K.: Curzon Press, 1998), pp. 198-99. Human Rights Watch also interviewed a source in Islamabad familiar with the incident.

⁸¹ One form of torture used by the Hizb-i Wahdat commanders in Bamian involved tying detainees inside gunnysacks along with dead bodies. In a notorious incident in Kabul in 1994 that amounts to a war crime, a Harakat commander executed and decapitated five Pashtun prisoners on the eve of cease-fire negotiations with a Pashtun commander. Human Rights Watch e-mail communication with a human rights researcher in Islamabad, May 2001.

III. PAKISTAN'S SUPPORT OF THE TALIBAN

The Pakistan government has repeatedly denied that it provides any military support to the Taliban in its diplomacy regarding its extensive operations in Afghanistan.⁸² Of all the foreign powers involved in efforts to sustain and manipulate the ongoing fighting, Pakistan is distinguished both by the sweep of its objectives and the scale of its efforts, which include soliciting funding for the Taliban, bankrolling Taliban operations, providing diplomatic support as the Taliban's virtual emissaries abroad, arranging training for Taliban fighters, recruiting skilled and unskilled manpower to serve in Taliban armies, planning and directing offensives, providing and facilitating shipments of ammunition and fuel, and on several occasions apparently directly providing combat support.⁸³ In April and May 2001 Human Rights Watch sources reported that as many as thirty trucks a day were crossing the Pakistan border; sources inside Afghanistan reported that some of these convoys were carrying artillery shells, tank rounds, and rocket-propelled grenades.⁸⁴ Such deliveries are in direct violation of U.N. sanctions. Pakistani landmines have been found in Afghanistan; they include both antipersonnel and antivehicle mines.⁸⁵ Pakistan's army and intelligence services, principally the Inter-Services Intelligence Directorate (ISI), contribute to making the Taliban a highly effective military force.⁸⁶ While these Pakistani agencies do not direct the policies of the IEA, senior Pakistani military and intelligence officers help plan and execute major military operations.⁸⁷ In addition, private-sector actors in Pakistan provide financial assistance to the Taliban.

Pakistan's notoriously porous border with Afghanistan has facilitated the transshipment of men and materiel. The territories contiguous with that border are formally designated "tribal agencies," semi-autonomous regions administered directly by a political agent appointed by the federal government. The ethnic identity of the population in the agencies is for practical purposes identical to that across the border in Afghanistan. The less formal administration of these agencies has facilitated a variety of illegal cross-border activities, particularly smuggling.

Pakistan has a history of military support for different factions within Afghanistan, extending at least as far back as the early 1970s. During the 1980s, Pakistan, which was host to more than two million Afghan refugees, was the most significant front-line state serving as a secure base for the mujahidin fighting against the Soviet intervention. Pakistan also served, in the 1980s, as a U.S. stalking horse: the U.S., through the Central Intelligence Agency (CIA), granted Pakistan wide discretion in channeling some U.S.\$2-3 billion worth of covert

⁸² Pakistan's interior minister, for example, in a statement on May 3, 2001, denied that Pakistan was providing Afghanistan with either weapons or funds, and reiterated his government's position that Afghanistan was a sovereign state over which Pakistan had no control. Interior Minister Moinuddin Haider, cited in "Pakistan denies helping Taliban," *Gulf News* (Dubai), May 4, 2001.

⁸³ Most of the individuals familiar with Pakistan's support for the Taliban who were interviewed for this report did not wish to be identified. The multiplicity of both state and non-state actors involved in activities, both clandestine and open, that benefit the Taliban also complicates the task of identifying direct sources of support and assigning state responsibility.

⁸⁴ Human Rights Watch obtained this information from sources in Pakistan and Afghanistan. Interviews and email communication, April and May, 2001. Such reports are not new. A 1997 report of the U.N. secretary-general cites "reliable eyewitnesses" who saw "numerous" such deliveries. U.N. Secretary-General, "The situation in Afghanistan and its implications for international peace and security," Report of the Secretary-General, S/1997/894, November 14, 1997, para. 18.

⁸⁵ Human Rights Watch interview with a military expert with experience in Afghanistan, February 2001. These mines include P2 Mk2 A/T (antitank, or antivehicle) blast mine m/m (minimum metal), P2 Mk2 A/P (antipersonnel) blast mine m/m, P3 Mk2 A/T blast mine m/m, and P4 Mk1 A/P blast mine m/m.

⁸⁶ See for example Rashid, *Taliban: Militant Islam...*, pp. 183-95; and Davis, "How the Taliban...."

⁸⁷ Human Rights Watch conducted interviews with Western diplomatic sources and military experts, and with journalists and other observers in the region in 1999 and 2000. Human Rights Watch also spoke with a Taliban official in Kabul in 2000 who confirmed that senior Pakistan army and intelligence officers were involved in planning Taliban offensives. All of these sources requested anonymity.

assistance to the mujahidin, training over 80,000 of them.⁸⁸ Even after the withdrawal of Soviet troops in 1989, serving and former Pakistani military officers continued to provide training and advisory services in training camps within Afghanistan and eventually to Taliban forces in combat (see below).

Throughout the war against the communist government and Soviet forces in Afghanistan, Pakistan asserted a mix of internal and external concerns. The ISI and Pakistan army sought leverage against the hostile neighbor on its eastern border, India, by giving Pakistan “strategic depth”—a secure Afghan frontier permitting the concentration of Pakistani forces on the Indian frontier and economic advantages through stronger political and economic links to Central Asia. An Afghanistan that facilitated those connections and provided Pakistan with a base to pursue its objectives in Kashmir would give it greater security against India. Pakistani support for Pashtun parties in Afghanistan helped solidify the position of Pashtuns in Pakistan’s military and civilian elites.⁸⁹

In addition, Pakistan promoted the emergence of a government in Afghanistan that would reduce Pakistan’s own vulnerability to internal unrest by helping to contain the nationalist aspirations of tribes whose territories straddle the Pakistani-Afghan border. Further internal considerations motivated Pakistan to direct most of the funding and support it received during the Soviet intervention to Islamist groups. Specifically, Pakistan sought to avoid building up the strength of Pashtun nationalist groups that might subsequently want to carve an independent Pashtun state from Pakistani and Afghan territory.⁹⁰ Pakistan also sought to quell local support for Afghanistan’s ambitions of redrawing the Durand line.⁹¹ Thus, Pakistan came to throw its support behind the Hizb-i Islami of Gulbuddin Hikmatyar, a Pashtun-dominated group that espoused an Islamist rather than nationalist agenda. Because the U.S. granted Pakistan wide discretion in channeling its covert assistance to the mujahidin based in Pakistan, Pakistan was able to give Hikmatyar the lion’s share, though not enough to compensate for the group’s internal weaknesses. Hikmatyar’s failure to defeat the Afghan government forces under Defense Minister Massoud and take Kabul left Pakistani policy temporarily at a loss in 1993-94 and searching for a new partner.

The subsequent shift to the Taliban also reflected changes in Pakistan’s domestic politics. Newly elected in 1993, Prime Minister Benazir Bhutto sought to move away from Hikmatyar and the ISI and find new ways to open trade routes to Central Asia.⁹² Under pressure from the U.S. after a Pakistan-backed group kidnapped and

⁸⁸ For a detailed description of the CIA pipeline and the ISI distribution system, see James Rupert, “Afghanistan’s Slide Toward Civil War,” *World Policy Journal*, vol. XI, no. 4 (Fall 1989), p. 759 and 781, fn.1. See also Rubin, *The Fragmentation of Afghanistan...*, pp. 196-201; Mohammad Yousaf and Mark Adkin, *The Bear Trap: Afghanistan’s Untold Story* (London: Mark Cooper, 1992), p. 4; Kirsten Lundberg, “Politics of a Covert Action: The U.S., the *Mujahedin*, and the Stinger Missile,” Harvard Intelligence and Policy Project, C15-99-1546.0, Kennedy School of Government Case Program, 1999; and Alan Kuperman, “The Stinger Missile and U.S. Intervention in Afghanistan,” *Political Science Quarterly*, vol. 114, no. 2 (Summer 1999), pp. 219-63.

⁸⁹ Rubin, “Persistent Crisis...,” p. 27, and Human Rights Watch interview with a retired senior Pakistani military officer, Lahore, June 1999. See Rashid, *Taliban: Militant Islam...*, p. 186. According to the late Eqbal Ahmad, “The attainment of ‘strategic depth’ has been a prime objective of Pakistan’s Afghan policy since the days of General Ziaul Haq. In recent years the Taliban replaced Gulbuddin Hikmatyar as the instrument of its attainment...Policy-makers in Islamabad assume that a Taliban-dominated government in Kabul will be permanently friendly towards Pakistan. The notion of strategic depth is founded on this presumption.” Eqbal Ahmad, “A mirage mis-named strategic depth,” *Al-Ahram* (Cairo), no. 392 (August 27-September 2, 1998).

⁹⁰ Combatting the development of a movement for the creation of a Pashtun state was a constant preoccupation of General Zia Ul-Haq through the 1970s when he was head of the armed forces and after he seized power in a coup in 1979. Human Rights Watch interview with a retired senior Pakistani military officer, Lahore, June 1999.

⁹¹ The Durand line was the boundary drawn between British India and the Afghan ruler Amir Abdurrahman Khan in 1893.

⁹² Benazir Bhutto was also more closely aligned with the Deobandi Jamiat-ul Ulema-i Islam, which was the origin of the Taliban. Rubin, *The Search for Peace...*, pp. 138-39; and Rashid, *Taliban: Militant Islam...*, p. 184.

murdered Western tourists in Indian-controlled Kashmir, the government also sought to put some political distance between itself and the war in Afghanistan.⁹³

Support for the Taliban under Bhutto resided mainly in the interior ministry, according to some analysts. According to Ahmed Rashid, Bhutto's interior minister, Gen. Naseerullah Babar, created the Afghan Trade Development Cell in the ministry ostensibly to promote trade routes to Central Asia but also to provide the Taliban with funds. Moreover, says Rashid, the state-owned Pakistan Telecommunications Corporation set up a telephone network for the Taliban; the public works department repaired roads and provided electricity; the paramilitary Frontier Corps, a part of the interior ministry, set up a wireless network for Taliban commanders; the Civil Aviation Authority repaired Qandahar airport and Taliban fighter jets; and Radio Pakistan provided technical support to the Taliban's official radio service, Radio Shariat.⁹⁴

The Role of Private Traders

When the Taliban carried out its first major military operation in October 1994, it reportedly quickly secured the support of Pakistan's trucking cartels based in Quetta and Chaman on the Afghanistan border. The traders, predominantly Pashtuns and drawn from many of the same tribes as the Taliban, reportedly saw in the Taliban a way to secure trade routes previously contested by predatory warlords. The duties imposed on trucks transiting Afghanistan from Pakistan became the Taliban's most important official source of income.⁹⁵ Under Pakistan's 1950 Afghan Transit Trade Agreement (ATTA), sealed trucks carrying imported goods to Afghanistan may transit through Pakistan duty free. As part of a huge smuggling operation, trucks routinely turn around and sell the goods in smugglers' markets in Pakistan. Such smuggling operations reportedly skyrocketed after 1992, costing Pakistan at least U.S.\$800 million in lost customs revenues in the next three years.⁹⁶ In addition, the smuggling of Pakistani goods into Afghanistan increased dramatically. The same routes and carriers have been used to transport opium,⁹⁷ and throughout the war, many of the same transport operators have leased their trucks for arms transport.⁹⁸ A World Bank study estimated that income to the Taliban from taxing the Afghanistan-Pakistan smuggling trade amounted to U.S.\$75 million in 1997.⁹⁹

Despite the enormous costs to Pakistan's economy, the authorities in Pakistan have never taken serious steps to check the smuggling. As one local journalist told Human Rights Watch, army officers at the border have themselves benefited from the smuggling to such an extent that they require a convoy to transport their belongings when they are posted to another city.¹⁰⁰ The Pakistani traders pay contributions to the madrasas where the Taliban are trained, thus linking them to the political parties that run the madrasas. The traders also make contributions to officials in the local and provincial administrations in Baluchistan and the Northwest Frontier Province who

⁹³ Open military support to Hikmatyar, typical of Pakistani policy up to 1994, changed that year after the U.S. almost listed Pakistan as a supporter of terrorism. The threat, which had been building for several years following attacks on U.S. officials in Pakistan, gained momentum after the 1994 kidnapping in Indian-controlled Kashmir of several Western tourists and the subsequent beheading of one by a previously unknown group called Al Faran, believed to be a cover for Harakat-ul Ansar, now known as Harakat-ul Mujahidin, which claimed to be fighting against Indian control of Kashmir. Designation as a terrorist state would have meant the termination of international financial assistance to Pakistan, two-thirds of whose budget is funded by international loans and credits, resulting in the near-collapse of the Pakistani economy. Human Rights Watch interview with a Western diplomat, Islamabad, June 1999.

⁹⁴ Rashid, *Taliban: Militant Islam...*, pp. 184-85.

⁹⁵ Ahmed Rashid, "Pakistan and the Taliban," in Maley, ed., *Fundamentalism Reborn?...*, pp. 76-77. See also the story on Herat as a crossroads for international smuggling in Ghulam Hasnain, "The Taliban's Land of Milk and Honey," *Time*, vol. 156, no. 21 (May 29, 2000).

⁹⁶ Rashid, "Pakistan and the Taliban," pp. 77-78; and Rubin, "The Political Economy of War and Peace..." p. 1792. According to Akbar Khan of Pakistan's Institute of Strategic Studies in Islamabad, 80 percent of goods transported into Afghanistan under the ATTA are smuggled back into Pakistan. "Pakistan fears Afghan exodus," *BBC News Online*, November 19, 1999, http://news.bbc.co.uk/hi/english/world/south_asia/newsid_528000/528153.stm

⁹⁷ Rashid, "Pakistan and the Taliban," p. 78.

⁹⁸ Rubin, "The Political Economy of War and Peace..." p. 1792.

⁹⁹ Z.F. Naqvi, *Afghanistan-Pakistan Trade Relations* (Islamabad: World Bank, 1999), pp. 15-16.

¹⁰⁰ Human Rights Watch interview with a journalist, Islamabad, July 2000.

permit the smugglers' markets to operate.¹⁰¹ According to Rubin, "officials of these provinces also benefit from the system of permits in force for the export of food and fuel to the Taliban-controlled areas of Afghanistan."¹⁰² The Taliban thus has links to a broad range of Pakistan's military, political, and social institutions.

Direct Military Support

Observers interviewed by Human Rights Watch in Afghanistan and Pakistan have reported that Pakistani aircraft assisted with troop rotations of Taliban forces during combat operations in late 2000 and that senior members of Pakistan's intelligence agency and army were involved in planning major Taliban military operations.¹⁰³ The extent of this support has attracted widespread international criticism. In November 2000 the U.N. secretary-general implicitly accused Pakistan of providing such support.¹⁰⁴ The U.S. government was sufficiently concerned about the possibility of Pakistani involvement in the capture of the town of Taloqan by the Taliban in September 2000 that it issued a *démarche* to the Pakistani government in late 2000, asking for assurances that Pakistan had not been involved.¹⁰⁵ The *démarche* listed features of the assault on Taloqan that suggested the Taliban had received outside assistance in planning and carrying out the attack. These features were uncharacteristic of the Taliban's known capabilities, including the length of the preparatory artillery fire, the fact that much of the fighting took place at night, the Taliban's willingness to sustain heavy casualties, and the disciplined halting of the offensive after the city fell.¹⁰⁶

This would not be the first time that the Taliban suddenly showed new military prowess and innovation. On several occasions between 1995 and 1999, the Taliban's military skills improved abruptly on the eve of particularly pivotal battles, and in one case, declined just as abruptly after a credible threat of intervention was made by an outside power. During its offensives in 1995 against Herat and in 1996 against Kabul, for example, the Taliban suffered heavy losses after mounting attacks against veteran government forces. Initial defeats were followed by a period of quiet; then Taliban troops mounted new attacks, displaying capabilities that had been conspicuously lacking before. At Herat in April 1995, a 6,000-man Taliban army was defeated by government troops after it ran short of ammunition and other logistical support; the rout was such that some analysts predicted that the Taliban phenomenon had run its course.¹⁰⁷ Instead, after retraining and refitting, in August 1995 Taliban troops retreating in the face of an offensive by government troops suddenly counterattacked, ambushing the government's spearhead forces while mobile units mounted in 4x4 pickup trucks outflanked the government army and cut the roads connecting it with its rear-area supply depots. Retreating government units tried and failed to establish a defensive line as Taliban units in pickup trucks—many armed with anti-aircraft cannon and rocket launchers—repeatedly outflanked the new positions and attacked from the rear, leaving the paved roads at will and driving their vehicles across open ground and rugged, hilly terrain. The pickup trucks, whose delivery was facilitated by Pakistan, introduced a kind of mobile warfare that had not been seen in the fighting before.¹⁰⁸

Similarly, after Taliban offensives aimed at Kabul were thoroughly defeated during the autumn of 1995, with significant losses of men and equipment, a period of quiet ensued, but Taliban troops then renewed their attacks

¹⁰¹ Rubin, "Persistent Crisis..." p. 28.

¹⁰² Ibid.

¹⁰³ Human Rights Watch interview with a Taliban official, Kabul, October 2000, and interviews with diplomatic sources in Kabul and Islamabad, July and October 2000.

¹⁰⁴ U.N. Secretary-General, "The situation in Afghanistan and its implications for international peace and security," Report of the Secretary-General, A/55/633-S/2000/1106, November 20, 2000, p. 13.

¹⁰⁵ The *démarche* was the subject of a report by journalist Ahmed Rashid, "Sanctions Will Hurt Pakistan More than Taliban," *The Nation* (Lahore), November 23, 2000. U.S. diplomatic sources confirmed the report. Human Rights Watch interviews, Washington, D.C., December 2000. Robin Wright of the *Los Angeles Times* has referred to U.S. intelligence reports that attested to Pakistan's "growing military assistance to the Taliban" in 2000. Robin Wright, "Taliban's Gains in Afghanistan Worry U.S.," *Los Angeles Times*, October 2, 2000.

¹⁰⁶ One of the Taliban forces' known weaknesses in battle is that they tend to overextend themselves, giving United Front forces the opportunity to outmaneuver them. Human Rights Watch interviews with U.S. diplomatic sources, Washington, D.C., December 2000.

¹⁰⁷ Anthony Davis, "Afghanistan's Taliban," *Jane's Intelligence Review* (London), vol. 7, no. 7 (July 1995); and Ahmed Rashid, "Grinding Halt," *Far Eastern Economic Review* (Hong Kong), May 18, 1995.

¹⁰⁸ The battle is described in detail by Anthony Davis in "How the Taliban..." pp. 61-63.

and displayed a notable increase in technical capability. Taking Jalalabad on September 11, 1996 and striking north toward the town of Sarobi, a district capital east of Kabul and the linchpin of the government defensive system around the capital, the Taliban troops suddenly displayed the same flair for speed and flank attacks as at Herat in August 1995. Again, retreating government troops were caught off-guard by the speed of the attacks by Taliban forces and their penchant for crossing rough ground in 4x4 pickup trucks and attacking on the government's flanks.¹⁰⁹

In these operations Taliban forces used a speed and technical proficiency very uncharacteristic of mujahidin forces generally; the normal pattern of mujahidin warfare was hit-and-run raiding and low-level skirmishing. At Spin Boldak and subsequently at Herat, Kabul, and Mazar-i Sharif, Taliban forces displayed excellent command-and-control capabilities, reacted quickly to changes in battlefield fortunes, and in particular used mobility and maneuvers that were more characteristic of a professional army—specifically, of professional officers and noncommissioned officers trained in the practice of mobile warfare—than of Afghan mujahidin.¹¹⁰

This point was repeatedly emphasized to Human Rights Watch by Western military observers of Taliban combat operations. During one interview, Human Rights Watch was told that following the killings of eight Iranian diplomats and one Iranian reporter at the Iranian consulate in Mazar-i Sharif in August 1998, the Taliban forces that were advancing eastward from the city against resistance from Jamiat, Wahdat, and some Junbish forces suddenly faltered and lost their unusual combat proficiency.¹¹¹ At the time, the disappearance of the Iranian officials had provoked a major crisis with Iran and a substantial Iranian military force (ultimately close to 250,000 men) was massing on the Afghan/Iranian border. The Iranian government explicitly blamed Pakistan for the incident (Pakistan had given assurances for the diplomats' safety) and threatened military intervention if the diplomats were not produced.¹¹² The sudden decline in Taliban military effectiveness, according to these sources, was caused by the withdrawal of Pakistani military advisers as part of an effort by Pakistan to prevent the crisis from getting out of control.¹¹³

Recruitment and Training of Volunteers

Following the Taliban's capture of Kabul in September 1996, the first direct military contacts between the ISI's Afghan Bureau and the Taliban were reportedly established with the dispatch of a small team of Pakistani military advisers to the former Afghan Army base of Rishikor, southwest of Kabul.¹¹⁴ The garrison at Rishikor, like a number of long-established military training camps, had fallen into Taliban hands and were now turned

¹⁰⁹ Davis, "How the Taliban..." pp. 67-68; and Roger Howard, "How the Pakistan Military is Helping the Taliban," *The Daily Telegraph* (London), June 1, 1997.

¹¹⁰ While the mujahidin successfully countered the Soviet occupation of Afghanistan, they did so with guerrilla-type hit and run methods. They never resorted to the kind of mobile warfare against the Soviet invaders as the Taliban displayed against United Front forces in the mid-1990s.

¹¹¹ Human Rights Watch interview with a Western diplomat, Islamabad, July 1999. The diplomat noted in particular that fighting underway at the time of the interview at Dara-i Suf involved a 2,000-man Taliban force displaying an impressive facility for coordinating artillery and air support with infantry and armor attacks.

¹¹² Human Rights Watch correspondence with Barnett R. Rubin, May 2000. See also, "Analysis: Offensive against Taleban 'unlikely,'" *BBC News Online*, September 18, 1998, http://news.bbc.co.uk/hi/english/world/middle_east/newsid_174000/174584.stm; and "Iran warns of pressure for revenge," *BBC News Online*, September 18, 1998, http://news.bbc.co.uk/hi/english/world/south_asia/newsid_174000/174106.stm

¹¹³ The presence of Pakistani military advisers performing command and control functions for the Taliban offensive prior to and following the fall of Mazar-i Sharif in August 1998 was confirmed by a Pakistani source in a separate e-mail communication with Human Rights Watch, September 1998.

¹¹⁴ Howard, "How the Pakistan Military..." A 1997 U.N. report stated that its employees had "reported an encounter with an unidentified foreign military training unit of several hundred persons near Kabul." U.N. Secretary-General, "The situation in Afghanistan and its implications for international peace and security," Report of the Secretary-General, S/1997/894, November 14, 1997, para. 18.

over to the control of Pakistani political parties eager to become active in Afghanistan.¹¹⁵ This policy had a number of advantages for the Taliban. Not least among these was that it provided the Taliban with a supply of self-financing, self-supporting fighting units. However, these units were also difficult for the Taliban to control; commanders were appointed by the Pakistani party leadership rather than by the Taliban and they were prone to following their own judgments.¹¹⁶ A retired senior Pakistani military officer claimed in an interview with Human Rights Watch that up to 30 percent of Taliban fighting strength is made up of Pakistanis serving in units organized by political parties.¹¹⁷ Another 815,000 troops, according to another source, are foreigners, principally Arabs from Gulf states and North Africa.¹¹⁸

The garrison at Rishikor was mentioned frequently during Human Rights Watch's research in the region. A United Front official described it as the main training center for Pakistani volunteers brought to Afghanistan to fight for the Taliban (see the sketch in Appendix II, Figure A).¹¹⁹ Several Pakistani volunteer fighters captured by the United Front between 1996 and 1999 who consented to be interviewed by Human Rights Watch while in United Front custody in June 1999 also described receiving training there.¹²⁰ They said that, as late as 1999, a special compound existed at Rishikor for the training of Pakistani volunteers for the Taliban and that a guarded area within the camp held the living quarters for Pakistani military and intelligence personnel.¹²¹ The camp was large and very active, with twenty to thirty trainers, of whom four or five were Arabs and the balance Pakistani. Recruits went through eight or nine classes a day, with up to 150 students per class. They estimated the total number of students in the facility to exceed 1,000 at any given time. The language of instruction was Pashtu, and the subjects covered included physical training, weapons maintenance, weapons training (including on Kalashnikov automatic rifles, RPK light machine guns, ZU anti-aircraft cannon, 82mm and 120mm mortars, and rockets¹²²), and religious instruction.

A typical training cycle would last for forty days, following which selected recruits would be sent for further training at specialized camps for armored vehicle crews (at Qandahar) and for commandos, while the bulk would

¹¹⁵ Some of these parties had already been active in Kashmir. A United Front official told Human Rights Watch that six different camps, including Rishikor, were operating in Taliban-held areas in 1999. Human Rights Watch interview with Mollin Nayim, Head of Intelligence of the Islamic State of Afghanistan, Jabul Siraj, Afghanistan, June 16, 1999. Some of these camps, such as the one at Khost, had originally been set up during the Soviet occupation.

¹¹⁶ Human Rights Watch interview, Peshawar, July 1999. The killings of Iranian diplomats at Mazar-i Sharif in August 1998 and the killing of an Italian United Nations officer and the wounding of a French diplomat in Kabul later that same month after the United States struck at the training camp at Khost were apparently carried out by Pakistani fighters. They were reportedly members of the Sipah-i Sihaba (SSP), a fundamentalist Sunni group which sponsors its own militia fighting in Afghanistan. Two Pakistanis were arrested by the Taliban for the killing of the Italian officer but as of June 2001 had not been formally charged or tried despite requests by the U.N. Human Rights Watch interviews with U.N. officials, Islamabad, October 1998 and May 2001.

¹¹⁷ Human Rights Watch interview, Lahore, June 1999.

¹¹⁸ Information provided to Human Rights Watch by a military expert familiar with Afghanistan, May 2001.

¹¹⁹ Human Rights Watch interview with Mollin Nayim, Head of Intelligence of the Islamic State of Afghanistan, Jabul Siraj, Afghanistan, June 16, 1999.

¹²⁰ Human Rights Watch interviewed eight Pakistani volunteer fighters in the United Front's Lezdeh prison, Takhar province, Afghanistan, on June 11, 1999. Although these fighters were in custody and could not speak outside of United Front supervision, Human Rights Watch is satisfied that their testimonies were accurate, as we were able to corroborate them with an independent source, a former Pakistani volunteer fighter interviewed in Islamabad in July 1999. All eight men volunteered their names, and they had all been seen by representatives of the International Committee of the Red Cross; moreover, all had previously been interviewed by foreign journalists.

¹²¹ According to these interviews with captured Taliban soldiers, different nationalities were grouped in different camps. Khost, for example, was where most Arab volunteers were trained. Fighting units were also segregated in this way (predominantly Arab, Pakistani, or Afghan), and particular areas of the front lines were reserved for Arab units and others for Pakistani or Afghan units.

¹²² Several varieties of rocket artillery systems are in use by both sides in the war. In addition to the heavy truck-mounted BM-21/22 and Uragan multiple-barrel rocket launchers, both sides use the Chinese-manufactured 107mm single-barreled rocket launcher, a weapon that became popular during the Soviet occupation due to its light weight, range, and firepower. Human Rights Watch observed these weapons in use during a visit to the front lines at Bangi, on the border of Konduz and Takhar provinces, in June 1999.

be sent to a front-line area. Volunteers were not obligated to fight following their training but were encouraged to do so as an Islamic duty. In combat, the volunteers were organized into groups of twenty to thirty men, each led by an older man.

The Taliban volunteer fighters interviewed by Human Rights Watch described their Pakistani trainers as being in their forties, military in appearance and speech, and frequently multi-lingual, speaking English in addition to Pashtu and in many cases Arabic and/or Urdu. Leaders of the fighting groups were younger, usually in their thirties, who identified themselves as former Pakistani military. In some instances, self-described former Pakistani military officers provided specialized forms of assistance, particularly with respect to the maintenance and use of artillery. One ex-Taliban fighter described meeting a former Pakistani artillery colonel who claimed to have volunteered to work with the Taliban artillery forces to increase their efficiency and effectiveness.¹²³

Recruitment of volunteer fighters is organized by several Pakistani political parties that use the madrasas they operate as natural recruiting centers. Boys under eighteen are among the recruits. The parties organize speaking tours of rural and urban mosques by veteran fighters who seek to persuade listeners of a holy duty to fight against the United Front.¹²⁴ The best known of the parties involved is the Jamiat-i Ulema-i Islam (JUI), a religious (Deobandi) party that has operated madrasas and provided various social services in Baluchistan and the Northwest Frontier Province.¹²⁵ The JUI was among the earliest patrons of the Taliban; party head Maulana Fazlur Rahman was made chairman of the National Assembly's Standing Committee on Foreign Affairs in 1994 during the Bhutto government and used this position to lobby on behalf of the Taliban both within Pakistan and in the Middle East.¹²⁶ Human Rights Watch also interviewed several Taliban fighters who were recruited by Harakat-ul Ansar (now Harakat-ul Mujahidin) and Lashkar-i-Taiba, two well-known religious parties that are active in the fighting against Indian forces in Kashmir.¹²⁷

It should be emphasized that this recruitment is performed openly and even aggressively, and that Pakistani government officials have repeatedly admitted knowledge of the paramilitary activities of the religious schools and some have officially expressed discomfort regarding them.¹²⁸ Indeed, recruits regularly cross into

¹²³ Human Rights Watch interview, Islamabad, July 1999. Afghan government soldiers noted an increase in the effectiveness of Taliban artillery fire in 1995. Anthony Davis speculates that this was the result of recruitment of communist-era Afghan army officers. Davis, "How the Taliban...", p. 54.

¹²⁴ Virtually every (captured) Pakistani volunteer fighter interviewed by Human Rights Watch stated that he had decided to become a fighter after being told that the United Front had invited Russian troops to return to Afghanistan, and that the war against the United Front was in fact merely an extension of the fight against the "infidel Soviets." Human Rights Watch interviews with Pakistani Taliban soldiers in United Front captivity, Lezdeh prison, Takhar province, June 11, 1999.

¹²⁵ The Jamiat-i Ulema-i Islam is a Sunni party heavily influenced by the Deobandi school of thought; it is hostile to Shi'a Islam (perceiving it as heretical) and has a strong egalitarian tradition. See Rashid, "Pakistan and the Taliban," p. 75; Metcalf, *Islamic Revival in British India*; and Musa Khan Jalalzai, *Sectarianism and Ethnic Violence in Pakistan* (Lahore: SMA Anjum Rizvi, 1996), chapters 11 and 12.

¹²⁶ Rashid, "Pakistan and the Taliban," p. 76. A large JUI madrasa near Peshawar, the Dar-ul Uloom Haqqania school, achieved considerable notoriety in 1997 for dispatching hundreds of students to Afghanistan following an appeal by Taliban leader Mullah Omar for assistance. Davis, "How the Taliban...", pp. 44-47; Maley, "Interpreting the Taliban," p. 2; and Olivier Roy, "Has Islamism a future in Afghanistan," in Maley, ed., *Fundamentalism Reborn?...*, pp. 209-210.

¹²⁷ Both these parties were described to Human Rights Watch as using Afghanistan primarily to train fighters for the war in Kashmir. Several fighters interviewed by Human Rights Watch commented that they had responded to recruitment drives by the parties in order to fight in Kashmir but had been sent to Afghanistan to receive basic military training and acquire some combat experience. Human Rights Watch interviews with Taliban prisoners, Lezdeh prison, Takhar province, Afghanistan, June 11, 1999.

¹²⁸ For example, see Charles Sennott, "A New Cold War: Pakistan's Underclass Targets 'evil incarnate,'" *Boston Globe*, June 18, 1995.

Afghanistan in trucks and buses, on their way to fight against the United Front, and meet no interference from Pakistani border guards even on main roads.¹²⁹

Pakistani Taliban fighters interviewed by Human Rights Watch described their transportation to Afghanistan as well-organized. After hearing speeches on the war in their community mosques or at public squares organized by one or another party and deciding to join, the new recruits were directed by party workers at the speaking event to present themselves at the party's district office. At this meeting they were briefed on the rules they would have to follow at the training camp, which included no smoking, drinking, or drug use. They were then sent via bus to Quetta or Peshawar, usually in groups of no more than ten men, and taken across the border in buses. Group size varied but could be up to fifty men, accompanied by a party worker. At no point during the crossing of the border were the recruits required to show their documents to a Pakistani official, although recruits could see that these officials actively checked the documents of other travelers crossing the border. Once over the border, the recruits were frequently transferred to pickup trucks and cars for transportation to Kabul or Qandahar.¹³⁰

Private Actors' Involvement in Arms Procurement

Aid to the Taliban has made Pakistani individuals and companies rich, above and beyond the trading relationships discussed above. A number of Pakistani companies have carved out lucrative niches by purchasing munitions and spare parts abroad and then importing them into Afghanistan for resale to the Taliban. Private companies buy from Chinese manufacturers through dealers in Hong Kong and also from dealers in Dubai, in the United Arab Emirates (UAE).¹³¹

This system of private procurement has arisen in part due to Taliban mistrust of and impatience with the system employed by Pakistan's ISI to control the Taliban's military operations. Established during the Soviet occupation, the ISI system does not release large amounts of munitions or fuel to Afghan commanders; only when an operation has been approved and cleared by the ISI and the Pakistan Army are the necessary supplies released.¹³²

The Taliban, however, has repeatedly displayed an independent mind in establishing military and political objectives, and on more than one occasion has carried out military operations without ISI approval.¹³³ Accordingly, it has a vested interest in developing an independent procurement capability.

The means to develop this capability came following the Al Faran kidnapping crisis in Kashmir in 1994 (see above); the Bhutto government fired dozens of ISI officers and forced others to retire, including a number of officers who had already established links with the Taliban or who had been active in establishing Pakistan's policy of supporting Pashtun leaders like Gulbuddin Hikmatyar who had forsworn nationalist in favor of religious appeals. A number of these officers either started import-export companies of their own, or joined already

¹²⁹ Human Rights Watch observation at Peshawar/Torkham border crossing in July 1999. It bears repeating that in this instance and subsequently groups of fighters did not employ unpatrolled back roads but crossed at the main border checkpoint, a well-policed facility. For example, thousands of Taliban fighters crossed the border in the summer of 1997—following the destruction of the Taliban army in Mazar-i Sharif and appeals by the Taliban to Pakistani madrasas for more men—without any interference from Pakistani border guards. Davis, "How the Taliban," p. 50.

¹³⁰ Human Rights Watch interviews with Pakistani Taliban prisoners in United Front custody, Lezdeh prison, Takhar province, Afghanistan, 11 June 1999.

¹³¹ Commonly imported munitions include 122mm artillery rounds for Soviet-designed D30 howitzers, a weapon system in wide use in Afghanistan and a number of which are also in use by the Pakistani Army. Western diplomats told Human Rights Watch that the Pakistani army imports thirteen different kinds of artillery ammunition, reflecting the mixture of artillery pieces acquired from various foreign patrons over the years. Human Rights Watch interviews, Islamabad, July 1999.

¹³² This system was imposed by Pakistan upon mujahidin commanders during the Soviet occupation in part to curb the exploding black market in weapons, which was developing in Pakistan in the early years of the guerrilla struggle against Soviet forces, and also to enforce some measure of coordination on the quarreling mujahidin groups with regard to military planning. See Yousaf and Adkin, *The Bear Trap*, pp. 40-42.

¹³³ For example, the initial attack on Herat in the spring of 1995 was opposed by the ISI, which feared that the Taliban was overreaching. Davis, "How the Taliban....," p. 59; and Rashid, "Pakistan and the Taliban," p. 84.

existing companies with large private security operations and import-export operations. They then capitalized on their new business connections and their old Taliban ties to prosper as middlemen, locating and purchasing arms and ammunition needed by the Taliban and expediting delivery to Afghanistan.¹³⁴

These Pakistan-based companies often have buying teams in Hong Kong and Dubai. In Hong Kong, members of these teams search for new technologies, weapons, and sources of ammunition and spare parts that will fit with Taliban needs. In some cases, Chinese companies manufacturing arms and munitions approach these teams themselves to try interesting them in various items. Arms purchased in this manner appear to move primarily by ship. Sealed containers are brought into the port of Karachi and then moved by truck to Afghanistan without inspection, as per the trade agreement between Pakistan and Afghanistan.¹³⁵

The Role of Saudi Arabia

After the withdrawal of Soviet forces in 1989 and the overthrow of the Najibullah government in 1992 Saudi aid to Afghan factions was driven primarily by a desire to counter Iranian influence in Afghanistan by opposing the growth in power of Iranian clients such as ISA leaders Rabbani and Massoud.¹³⁶ Once Pakistan threw its support behind the emerging Taliban movement in late 1994, Saudi aid increasingly followed suit. Saudi Arabia was a major financial supporter of the Taliban between the defeat of Hizb-i Wahdat and Hizb-i Islami forces by the Taliban in Kabul in 1996 and the August 1998 bombings of the U.S. embassies in Tanzania and Kenya by a group of persons who were suspected of being followers of the Saudi expatriate Osama bin Laden. The Taliban's decision to shelter Bin Laden led to U.S. pressure on Saudi Arabia to terminate its support of the Taliban. Official Saudi aid reportedly stopped, but Saudi money and support has continued to find its way to the Taliban in the form of private contributions.

Official Assistance

There is substantial uncertainty about the extent and nature of Saudi assistance to Afghan factions, including the Taliban, although the consensus appears to be that the greatest Saudi impact has been in the area of financial aid. Press accounts described Saudi aid to Afghan factions as reaching U.S.\$2 billion during the period 1991-93, with Gulbuddin Hikmatyar's Hizb-i Islami as the primary recipient. During the 1993-94 period, Saudi aid amounting to U.S.\$150 million was also given to the Massoud-Rabbani government following criticism by Massoud of Iranian involvement in Afghanistan's internal affairs.¹³⁷

Although the Taliban became active in late 1994, it did not immediately attract Saudi assistance; the Saudi-Taliban relationship began only after Pakistan adopted the Taliban as proxies. Prince Turki al-Faisal Saud, head of the Saudi General Intelligence Agency, traveled to Pakistan in July 1996; shortly thereafter Saudi Arabia became the Taliban's main financial supporter.¹³⁸

Saudi assistance to the Taliban has at times extended beyond the strictly financial to encompass military and organizational assistance. Western journalists saw white-painted C-130 Hercules transport aircraft which they identified as Saudi Arabian at Qandahar airport in 1996 delivering artillery and small-arms ammunition to Taliban soldiers.¹³⁹ The Taliban security service, the Ministry of Enforcement of Virtue and Suppression of Vice, bears the same name as its sister service in Saudi Arabia and has been funded directly by Saudi Arabia; this relatively

¹³⁴ Human Rights Watch interviews with diplomatic sources, Islamabad, July 1999. As one source pointed out to Human Rights Watch, the employment of ex-ISI officers in this activity means that these teams have a good working familiarity with the kinds of equipment used by the Taliban forces, which provides a form of safeguard against the purchase of worthless assets. Human Rights Watch interview with a U.S. intelligence official, Washington, D.C., September 1999.

¹³⁵ Human Rights Watch interviews with diplomatic sources, Islamabad, July 1999. For a description of the Agreement on Tariffs and Trade with Afghanistan, see Naqvi, *Afghanistan-Pakistan Trade Relations*.

¹³⁶ Anwar-ul Haq Ahady, "Saudi Arabia, Iran and the Conflict in Afghanistan," in Maley, ed., *Fundamentalism Reborn?...*, p. 127.

¹³⁷ Ibid., p. 123, citing *The Middle East* (London), June 1993, p. 22; and p. 125.

¹³⁸ Rashid, "Pakistan and the Taliban," p. 76.

¹³⁹ Robert Fisk, "Circling Over a Broken, Ruined State," *Independent* (London), July 14, 1996.

generous funding—as compared to the general poverty of other government organs in the Taliban administration—enabled it to become the most powerful agency within the Islamic Emirate.¹⁴⁰

Prince Turki reportedly met Taliban leader Mullah Omar in Qandahar on June 15, 1998 to discuss in detail the planning of the summer offensive that year, which was aimed principally at securing the surrender of Mazar-i Sharif. Turki allegedly pledged the funds necessary to buy off individual United Front commanders during the upcoming fighting.¹⁴¹

Private Contributions

Following the reported cut-off of official Saudi assistance in 1998, significant funds continued to flow to the Taliban from private Saudi sources. Some of this money has been raised by Saudi individuals dedicated to the Taliban cause; much of the rest comes in the form of charitable activity, some of which may be allocated to military purposes.¹⁴²

Osama bin Laden, the man accused by the United States government of orchestrating the August 1998 bombings of the U.S. embassies in Kenya and Tanzania, has a long history of involvement in Afghanistan. Although he did not work with CIA-supported elements of the Afghan resistance to the Soviet Union, an unclassified U.S. State Department report identified him as a significant supporter of the mujahidin. Bin Laden, whose family fortune was made through construction contracts with the Saudi government, reportedly supplied earth-moving equipment and skilled personnel during the Soviet war to dig underground hospitals, mountain roads, and bunkers. He is also reported to have given financial support to several hundred Arab mujahidin.¹⁴³

Since 1998 Bin Laden has sheltered from his pursuers in the Taliban-held sectors of Afghanistan. While the Taliban's decision not to extradite or expel Bin Laden has been presented as a function of Islamic codes of chivalry and courtesy, which require the protection of guests from harm, it is also a product of calculated self-interest. It is thought that Bin Laden has continued to serve as a source of funds for the Taliban, paying for their protection of him, even though much of his personal fortune—estimated to total U.S.\$300 million—was frozen by Saudi authorities following the embassy bombings. He is also reported to maintain, at his own expense, a 400-man unit of non-Afghan fighters—the 055 Brigade—at the Rishikor base southwest of Kabul which serves as an assault force for the Taliban forces fighting north of the capital.¹⁴⁴ Western intelligence sources have stated that

¹⁴⁰ Barnett R. Rubin, Director, Center for Preventive Diplomacy, and Senior Fellow of the Council on Foreign Relations, Statement to the Senate Foreign Relations Committee, October 8, 1998.

¹⁴¹ Jason Burke, "Taliban split over Bin Laden," *Independent* (London), September 29, 1998. Human Rights Watch was told that this was in fact done in the city of Bamian, a stronghold of Hizb-i Wahdat that fell to the Taliban in September 1998. Reportedly, the chief Hizb-i Wahdat commander in Bamian was paid U.S.\$800,000 to withdraw from the city with a minimum of fighting. Human Rights Watch interview, Islamabad, July 1999. Saudi sources subsequently indicated that Mullah Omar also promised to turn over Osama bin Laden to the Saudi intelligence service for questioning about the 1996 bombing of a U.S. military barracks in Khobar, Saudi Arabia), and reneged on the commitment during a subsequent visit by Prince Turki to Qandahar on September 17, 1998. Prince Turki then advised the Saudi government that ties with the Taliban should be broken off. "Prince Turki Taken In by Mullah Omar," *Intelligence Newsletter* (Paris), Indigo Publications, October 15, 1998, <http://www.indigo-net.com>. On Prince Turki's repeated visits to Qandahar, see Dilip Hiro, "Foreign Arms Sustain Afghan Civil War," Inter Press Service, October 20, 1998; "Saudis Turn Cool to Taliban Regime," *Chicago Tribune*, September 23, 1998; and Suzanne Goldenberg, "Heart of Darkness: A dusty backwater of Afghanistan is now the true seat of power for the religious extremists ruling that oppressed land," *Guardian* (London), October 13, 1998.

¹⁴² A number of legitimate charitable activities, such as supplying food and fuel, can have military ramifications, if only by freeing up government resources for the military. This is a problem in Sudan and elsewhere where NGOs have faced accusations that their activities are "subsidizing" long-running conflicts.

¹⁴³ Report cited in Vernon Loeb, "A Global, Pan-Terrorist Network; Terrorist Entrepreneur Unifies Groups," *Washington Post*, August 23, 1998.

¹⁴⁴ For additional information on this facility, see above and Appendix II. For more on the 055 Brigade, see Ahmed Rashid, "Taliban Ready for 'Decisive' Push," *Daily Telegraph* (London), July 22, 1999.

Saudi Arabia offered as much as U.S.\$400 million to the Taliban in exchange for Bin Laden, an offer which succeeded in causing some divisions within the Taliban leadership.¹⁴⁵

¹⁴⁵ Saudi efforts did succeed in engineering the defection of Bin Laden's treasurer, Muhammad bin Moisalih, in March 1998. Information from Bin Moisalih was apparently instrumental in the arrest of several prominent Saudis on charges of secretly sending funds to Bin Laden. See "Bin Laden Acts After Treasurer's Defection," *Intelligence Newsletter* (Paris), March 19, 1998. See also, John Mintz, "Bin Laden's Finances Are a Moving Target; Penetrating Empire Could Take Years," *Washington Post*, August 28, 1998. A Taliban official declared in October 1998 that Saudi Arabia has asked for Bin Laden's extradition but that the Taliban had refused the request. "Taliban suggest Afghan-Saudi committee to discuss bin Laden," *Agence France-Presse*, October 6, 1998. Saudi Arabia denied asking the Taliban for the extradition of Bin Laden, attributing the freeze in relations to certain unspecified actions by the Taliban. "Saudi Arabia denies asking for bin Laden's extradition," *Agence France-Presse*, October 14, 1998.

IV. FOREIGN ASSISTANCE TO THE UNITED FRONT

Despite its forces' relative isolation and extended lines of communication, the United Front has continued to receive military assistance from outside governments. This assistance has come in various forms, ranging from the direct transfer of military materiel to the provision of limited numbers of military advisers and support personnel.

Key to its acquisition of military hardware, in particular, has been the United Front's access to funds. The ousted government is able to generate revenue mainly through its mining operations and the export of precious stones (especially lapis lazuli and emeralds) from the Panjshir Valley and other areas still under its control. But it earns only moderate revenues, in the range of U.S.\$7-10 million, from this activity because the technology employed is crude and the stones are exported raw. In Chitral, Pakistan, they are sold to Pakistani gem merchants who finish and sell them in Islamabad and Peshawar.¹⁴⁶ The United Front also maintains a monopoly on the production and sale of salt and on the import of gasoline and diesel fuel.¹⁴⁷

The United Front has no easy supply lines for foreign assistance. The loss of major cities such as Bamian, Mazar-i Sharif, Herat, and Konduz has deprived the various factions of the United Front based in those cities of serviceable and secure airfields, thus eliminating the possibility of regular airborne resupply flights from friendly governments. All six of Afghanistan's major airfields—defined as those capable of handling long-range, heavy transports such as the Il-76—are currently under Taliban control.¹⁴⁸ Of the seven smaller or less serviceable airports in Afghanistan,¹⁴⁹ only the field at Faizabad remained under the control of the United Front in June 2001.¹⁵⁰

Ground transportation routes between the United Front and friendly foreign "frontline" states have also been largely choked off due to military reversals. During its 1998 drive through Balkh province in northern Afghanistan, the Taliban seized control of the strategic Termez border crossing between Afghanistan and Uzbekistan, leaving the United Front with only one land outlet to the outside world—the mountainous border with Tajikistan. Approximately 1,100 kilometers of the Afghan border with Tajikistan are controlled by the United

¹⁴⁶ The United Front is aware that it loses considerable revenue by being unable to export the stones in even a semi-finished condition, and in 1999 entered into a contract with a Polish firm to begin processing stones mined in the Panjshir Valley. Human Rights Watch interview with Ahmad Shah Massoud, Taloqan, June 12, 1999. See also G. Bowersox and B. Chamberlin, *Gemstones of Afghanistan* (Tucson, AZ: Geoscience Press, Inc., 1995).

¹⁴⁷ Gasoline and diesel fuel are brought into United Front areas by means of a ten-inch pipeline from Tajikistan, which crosses the Amu Darya river at Dasht-i Qala. The line has broken at least once as a result of an accidental collision with the barge-ferry that operates at Dasht-i Qala. Diesel is also brought in by heavy tanker truck from Tajikistan via the bridge at Ishkashim. Human Rights Watch interviews, Dushanbe, June 6, 1999, and Taloqan, June 9, 1999.

¹⁴⁸ The six airports and their runway lengths are: Bagram Airbase (3,000 meters), Herat (2,600 meters), Kabul International (3,500 meters), Qandahar (3,200 meters), Shindand Airbase (2,700 meters) and Mazar-i Sharif (3,100 meters).

¹⁴⁹ These are defined as those capable of handling short-range, light- to-medium transport aircraft such as the An-26, An-32, and C-130. The other five airfields are Bamian (1,500 meters), Jalalabad (1,800 meters), Konduz (2,000 meters), Maimana (2,000 meters), and Shiberghan (2,600 meters). U.N. Secretariat, "A Review of the Options on Embargo of Military Supplies to the Warring Factions in Afghanistan," undated "Non-Paper" (1998 or 1999), http://www.afghan-politics.org/reference/Sanctions/embargo_military_supplies_to_factions.htm.

¹⁵⁰ The airstrip at Taloqan is 2,000 meters; that at Faizabad is 1,800 meters. The Taloqan airstrip, located outside the town at Khwajaghar, is short and rough and can only be used by light aircraft such as the Antonov 12. Following the fall of Taloqan to the Taliban in September 2000, Taliban forces advanced northward toward Khwajaghar but were stopped short of the airfield. It has since been within the range of Taliban artillery, shielded only by a range of hills held by troops loyal to Massoud. According to United Front sources, the Faizabad airport is under the control of autonomous local leaders whose support for the United Front is contingent on regular cash payments. Human Rights Watch interviews, Takhar Province, Afghanistan, June 1999. Tensions exist between local commanders and Massoud's forces over the latter's monopoly of arms shipments and the United Front's taxing of the drug trade. Human Rights Watch e-mail communication with Barnett R. Rubin, May 2000.

Front, but both geography and politics combine to complicate border crossings in this region.¹⁵¹ Compounding the difficulties the United Front faces in obtaining supplies from abroad is the poor condition of roads and river crossings at those border points still under its control. Although the rugged geography makes it impossible to seal the border between Tajikistan and Afghanistan, there are very few road networks in northeastern Afghanistan, and those that exist have almost no paved surfaces.¹⁵² Although the Amu Darya is shallow and slow enough to be forded by trucks at several points, this method is unsuitable for the necessary large-volume, ongoing resupply operations.¹⁵³ Currently, only one permanent bridge is in operation across the Amu Darya, at Ishkashim. The other border crossings generally consist of towed or motorized pontoon barges capable of ferrying one fully loaded Russian GAZ-66 truck per trip.¹⁵⁴

The Role of Iran

Iran has represented the principal source of military assistance to the United Front, providing significant levels of weapons and training, at least until the seizure of Taloqan by the Taliban in late 2000 limited the front's access to secure supply routes. United Front representatives have acknowledged the Iranian provenance of arms, but claimed to Human Rights Watch in 1999 that all weapons provided by Iran were purchased with cash. Given the moribund state of the United Front's finances and the quantities being shipped, however, it seems highly unlikely that this could hold true for all arms transfers. The loss of major cities and regional economies has crippled the United Front's ability to generate revenue and to indigenously fund its war effort. Both the military governor of Taloqan and the chief civil official in the Panjshir Valley indicated to Human Rights Watch in 1999 that tax revenues gathered by the United Front were just sufficient to cover expenditures for the provision of basic public services.¹⁵⁵

Iran's involvement in the conflict in Afghanistan dates back to the Soviet occupation of 1979-1988, when some two million Afghans fled to Iran and founded at least nine resistance groups in exile. The Iranian government was instrumental in creating and supporting several pro-Iranian Shi'a resistance groups within Afghanistan, including Hizb-i Wahdat, Nasr, and Sepah. During this period, however, Iran's involvement did not extend much beyond providing these groups with political and moral support. It was focused on prosecuting the war with Iraq and kept a relatively neutral stance towards the Soviet Union. Still, Iran remained interested in Afghanistan's political situation, both because of the two countries' long, shared border and because of the large Afghan refugee population in Iran.¹⁵⁶

The withdrawal of the last Soviet units from Afghanistan in 1989 coincided with the death of the Ayatollah Khomeini in Iran, and these two events helped to trigger a shift in Iran's strategic thinking on Afghanistan. Under Khomeini, policy toward Afghanistan had been driven by ideological and sectarian interests. After him, Iran

¹⁵¹ The Afghan-Tajik border is marked by the Amu Darya river, with no operating bridges and mountainous terrain on either side except for the westernmost part (Sher Khan Bandar), which is often under pressure from the Taliban. It is poorly served by roads, plagued by cross-border drug smuggling, subject to severe weather conditions, and controlled by Russian and Tajik Border Guards.

¹⁵² Human Rights Watch interviews with observers familiar with the area, May 1999. The primary crossings capable of handling medium-to-large-volume shipments are: Sher Khan Bandar, Dasht-i Qala, Kalaikum/Nusay, Ishkashim, and Khorog.

¹⁵³ Human Rights Watch interview with Viacheslav Konstantinovich Shukhovtsev, vice president of Afkazinterneft, Almaty, Kazakhstan, May 22, 1999.

¹⁵⁴ The GAZ-66, called the "Kalafil" by Afghans, weighs slightly more than 2,000kg and can carry up to seven metric tons of stores. It is widely used in Afghanistan and Tajikistan for civil and military purposes. Human Rights Watch interviews with a western import/export official, Almaty, Kazakhstan, May 1999; and with witnesses in Dushanbe, Tajikistan, June 1999, and Peshawar, Pakistan, July 1999.

¹⁵⁵ Human Rights Watch interviews with Commander Daoud, Taloqan, June 8, 1999; and with Professor Daoud, Panjshir Valley, June 17, 1999.

¹⁵⁶ Some two million refugees took refuge in Iran. In 2000, after Iran announced its intention to repatriate the refugees, the UNHCR formalized a Joint Program with the government. The UNHCR reports that by mid-October 2000, more than 116,000 Afghans had repatriated under this program. UNHCR, "Funding and Donor Relations: 2001 Global Appeal - Strategies and Programmes," undated, <http://www.unhcr.ch/fdrs/ga2001/irn.pdf>. The program terminated in December 2000. Information provided to Human Rights Watch from UNHCR offices in Islamabad, May 2001.

sought an influential role in the power vacuum left by the Soviet withdrawal. Beginning in 1989, Iran began to broaden its contacts in Afghanistan and to build relations with parties other than its traditional Afghan Shi'a proxies. The contacts established during this period would eventually form the groundwork for the system of arms transfers and military support in operation today. Specifically, in late 1991, Iran signed a trilateral treaty on cultural cooperation with the government of Tajikistan, Hizb-i Wahdat, and Burhanuddin Rabbani's Jamiat-i Islami, aimed at spreading Iranian influence in Afghanistan; the agreement does not appear to have had any operational consequences.¹⁵⁷ Also at this time, Iran established contact with Isma'ili Shi'a and Uzbek groups in Afghanistan—contacts that catalyzed the formation of the United Front coalition. In 1992, these forces—under the command of Tajik commander Massoud, Uzbek Gen. Abdul Rashid Dostum, Isma'ili Shi'a leader Jaffar Naderi, and the Hazara leader of Hizb-i Wahdat, Abdul Ali Mazari—seized Kabul and preempted a U.N.-brokered transfer of power that was to have taken place a few days later.¹⁵⁸

Although its diplomatic initiatives played a key role in bringing together the United Front, between 1992 and 1995 Iran actively contributed to the alliance's fragmentation by providing support to various factions separately, not exclusively to the ISA under Massoud. The prime beneficiary of this support was the Hizb-i Wahdat. The Iranian government at this time also provided military support to Dostum's forces, reportedly prompting open complaints of "outside Iranian interference" from other parties, most notably Massoud.¹⁵⁹

The current manifestation of Iranian involvement in the conflict in Afghanistan coalesced in 1995, in response to the appearance of the Taliban as a serious military threat both to the government in Kabul and to broader Iranian national security interests. In March 1995 the Taliban defeated the Pakistan-backed Hizb-i Islami. Under attack by the force of Ahmad Shah Massoud, Hizb-i Wahdat leader Mazari struck a desperate deal with the Taliban, but a significant portion of his troops refused to cooperate and attacked the Taliban. Mazari was taken into custody and apparently killed by the Taliban.¹⁶⁰ Later that same year, the Taliban captured the strategic city of Herat, near the Iranian border. These two setbacks served to define the Taliban, in Iran's eyes, as a threat to its interests.

From 1995 until the fall of Kabul in 1996, Iranian support was diplomatic and military. Iranian diplomacy proved critical in forging a rapprochement among the divided anti-Taliban forces. And Iranian planes ferried military and civilian goods to Kabul in support of these same forces. (See below.)

Military Support

United Front sources have stated that supply problems are a severe constraint on the front's military operations. Massoud has cited a lack of adequate stores of artillery, tank, and missile artillery ammunition as a factor circumscribing his ability to conduct offensive operations.¹⁶¹ Transportation bottlenecks have also been an impediment to Iranian arms and materiel transfers to the United Front. As mentioned previously, the United Front controls no substantial airfields, rendering regular resupply by transport planes impossible. The land route to remaining United Front forces in northeastern Afghanistan, meanwhile, is geographically treacherous, politically

¹⁵⁷ Rubin, *The Fragmentation of Afghanistan...*, p. 252; and Human Rights Watch e-mail communication with the author, May 15, 2001.

¹⁵⁸ Ahady, p. 122. The Hazara community in Afghanistan consists of two branches of Shi'a Islam. Most are Imami Shi'a, who recognize the leadership of a succession of twelve Imams beginning with the Prophet Muhammad's son-in-law Ali. A minority are Isma'ili Shi'a, who look for leadership to the lineal descendants of the sixth Shi'a Imam, represented today by the Agha Khan. Human Rights Watch, "Massacres of Hazaras in Afghanistan," p. 2. See also Mousavi, *The Hazaras of Afghanistan...*, p. 76.

¹⁵⁹ Ahady, p. 125. See also Rubin, *The Search for Peace...*, pp. 130 and 172, note 10, and e-mail communication with Barnett R. Rubin, June 8, 2001. To channel aid to the Hizb-i Wahdat, Iran built a big airstrip at Yakaolang, the site of back-and-forth fighting and a massacre in the first half of 2001. See Human Rights Watch, "Massacres of Hazaras in Afghanistan."

¹⁶⁰ Davis, "How the Taliban..." pp. 57-58.

¹⁶¹ Massoud has said that during military operations in the fall of 1998 his tanks were going into battle with as few as four main-gun rounds per tank. Human Rights Watch interview with Commander Ahmad Shah Massoud, Takhar province, Afghanistan, June 12, 1999.

fragile, and long: transporting supplies from Iran to Afghanistan on the ground requires transiting five separate countries and crossing the Amu Darya river.¹⁶²

Representatives of several different Afghan parties with military units in the field, including Hizb-i Wahdat, Junbish, and Jamiat, confirmed to Human Rights Watch that they had received weapons from Iran.¹⁶³ In direct response to a question about weapons found on an Iranian train stopped in Osh, Kyrgyzstan, in October 1998 (see below), a United Front delegate to the U.N.-sponsored peace talks between the Taliban and the United Front in Ashgabat, the capital of Turkmenistan, in February and March 1999 told Human Rights Watch: “We do not deny receiving ammunition and arms from outside Afghanistan.”¹⁶⁴

In October 1998, a large train shipment of weapons and munitions en route from Mashhad, Iran, to United Front forces in Afghanistan was intercepted in Kyrgyzstan. (See Appendix I.) According to an inventory of the contents of the train drawn up by the Kyrgyz MNB (the successor agency to the KGB in Kyrgyzstan), these weapons from Iran included¹⁶⁵: 100mm and 115mm tank ammunition for the T-55 and T-62 tanks, respectively; YM-II antitank mines; D-30 122mm towed howitzers and ammunition; 122mm rockets for the BM-21 and BM-21V “Grad” multiple-rocket launch systems; 120mm mortar bombs; rockets for RPG-7 rocket-propelled grenade launchers; F-1 hand grenades; and 7.62mm rifle ammunition. All of these weapon systems are in wide use in Afghanistan, where they have been seen deployed. It is unclear, however, where all of these weapons have been manufactured; although all are of Soviet design, Iran boasts a growing arms industry that currently produces, among other things, 122mm rockets compatible with the BM-21 system, 120mm mortar bombs, and large-caliber tank ammunition.¹⁶⁶ In addition to these weapons, the shipment also comprised nonlethal and dual-use goods, including explosives and sundries such as boots, blankets, etc.¹⁶⁷

In addition, a number of Iranian-made antipersonnel and antivehicle mines have been found in Afghanistan, used apparently by the United Front. These include NR4 A/P (antipersonnel) blast mine (copy of Israeli No. 4 A/P mine), YM1 A/P blast mine m/m (minimum metal) (copy of Italian TS50 A/P mine), YM11 A/T (antitank, or antivehicle) blast mine m/m (copy of Italian SB81 A/T mine), YM111 A/T blast mine m/m (copy of Chinese T72 A/T mine), and M19 A/T blast mine m/m (copy of U.S. M19 A/T mine).¹⁶⁸

¹⁶² With the loss of Iranian and Uzbek border crossings, traveling from Mashhad, Iran, to United Front territory in northeastern Afghanistan requires crossing first into Turkmenistan, then across Uzbekistan, Kyrgyzstan, and Tajikistan and finally into Afghanistan.

¹⁶³ Human Rights Watch interviews with Nimatullah, First Secretary, Consul of the Embassy of the Islamic State of Afghanistan, Almaty, Kazakhstan, May 25, 1999; and with representatives of Jamiat and Hizb-i Wahdat who were present in Nimatullah’s office.

¹⁶⁴ Human Rights Watch interview with Amrullah Saleh, Dushanbe, Tajikistan, May 29, 1999. For a discussion of the abortive peace talks in Ashgabat, see 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, p. 7.

¹⁶⁵ Human Rights Watch was shown this inventory in Osh in June 1999, and was allowed to copy its contents. The inventory only gave a listing of the types of contents, not their exact numbers and weights.

¹⁶⁶ The International Institute for Strategic Studies, *The Military Balance 1999-2000* (London: Oxford University Press, 1999), pp. 132-33; Christopher F. Foss, Editor, *Jane’s Armour and Artillery 1999-2000* (Coulsdon, Surrey, U.K.: Jane’s Information Group Limited, 1999), pp. 44-46 and 780-81; and Terry J. Gander, Editor, *Jane’s Infantry Weapons 1998-1999* (Coulsdon, Surrey, U.K.: Jane’s Information Group Limited, 1998), p. 599.

¹⁶⁷ See Appendix I. A significant portion of these explosives is likely to have been used for military purposes, such as the demolition of bridges and tunnels. However, it is also possible that some of the explosives were put to civil use. Lapis lazuli and emerald mines have been a significant source of revenue for the United Front; Human Rights Watch has been told that mining is carried out by using military explosives to blast gem-bearing rock to rubble and sifting for stones. See Bowersox and Chamberlin, *Gemstones of Afghanistan*, especially p. 135, which refers to the use of military explosives in emerald mines. More information on the mining and sale of precious minerals in Afghanistan can be found at www.gems-afghan.com/news.htm.

¹⁶⁸ Human Rights Watch interview with a military expert with experience in Afghanistan, February 2001.

Aerial Resupply

Both the route and the means of transportation taken by Iranian weapons and material transfers to the United Front have shifted in the wake of Taliban military victories. Following the Taliban's capture of Herat and Kabul in September 1996, the supply of men, weapons, and other material from Iran was redirected to other United Front-held cities, most notably Bamian and Mazar-i Sharif. Both cities possess airfields capable of handling mid-sized cargo aircraft such as the Soviet-designed An-24 and An-32 and American-designed C-130 Hercules, all in service with the Iranian military. Numerous eyewitness accounts have identified Iranian military cargo planes arriving at and departing from the Bamian and Mazar-i Sharif airports during the period 1996 to 1998.¹⁶⁹ After the Taliban captured Bamian and Mazar-i Sharif, Iran was forced to rely on a circuitous land route.

Iran's aerial resupply operation at this time was not covert. Journalist Anthony Davis told Human Rights Watch that he had seen Iranian Air Force C-130s at the Mazar-i Sharif airport on numerous occasions in 1997 and 1998.¹⁷⁰ Another journalist stated that in the first two weeks following the Taliban's abortive 1997 takeover of and subsequent expulsion from Mazar-i Sharif, Iran provided twenty airplane loads of ammunition and weapons (primarily 122mm artillery shells, 120 mm mortar bombs, and 7.62mm rifle ammunition) to the United Front.¹⁷¹ An Afghan pilot who defected to the Taliban in September 1998 claimed he had been flying Russian and Iranian ammunition to United Front forces in Mazar-i Sharif.¹⁷²

In 1998, the United Front suffered a series of serious reverses on the battlefield, and the resulting loss of territory crippled the Iranian resupply effort. The loss of Konduz (June 1997), Mazar-i Sharif (August 1998), and Bamian (May 1999) interrupted resupply by air, as the United Front was left with no large airports under its control.¹⁷³ The territorial losses suffered by United Front forces in 1998 further isolated them from the outside world, sealing off land access to the borders with Iran, Turkmenistan, and Uzbekistan. As of June 2001, the only territory under United Front control giving access to an international border was located in northeastern Afghanistan, where Badakhshan, Takhar, and a portion of Konduz province's borders with Tajikistan were held by forces under Massoud.

¹⁶⁹ Statement by journalist Anthony Davis in an e-mail communication with Human Rights Watch, March 9, 1999. Davis told Human Rights Watch that he was able to ride on one such plane, which carried a large number of crates of light-machine-gun ammunition. Human Rights Watch also interviewed other persons—not for attribution—who had seen Iranian aircraft and/or Iranian personnel, as well as a Tashkent-based journalist, Tashkent, June 24-25, 1999.

¹⁷⁰ Human Rights Watch e-mail communication with Anthony Davis, March 9, 1999.

¹⁷¹ Human Rights Watch interview with a Tashkent-based journalist, Tashkent, June 24-25, 1999. A 1997 U.N. report quotes "reliable eyewitnesses" as having reported "many sorties of military deliveries in unmarked aircraft to bases of the Northern Alliance" that year. U.N. Secretary-General, "The situation in Afghanistan and its implications for international peace and security," Report of the Secretary-General, S/1997/894, November 14, 1997, para. 18. The "Northern Alliance" is another name for the United Front.

¹⁷² The pilot, Commander Muhammad Khan, spoke at a news conference with four members of his crew in Kabul. Sayed Salahuddin, "Afghan defectors Say They Were Flying Iranian Arms," *Reuters*, September 30, 1998.

¹⁷³ There is a small airfield in Faizabad, but the United Front exerts only weak control there in the face of strong, autonomous local leaders. In April 1999 Hizb-i Wahdat forces were able to recapture Bamian from the Taliban, although the city was retaken by Taliban forces within three weeks. During Wahdat's brief period of control, travelers in the area noted that a rough dirt airstrip at Yakaolang several kilometers west of Bamian had been lengthened and improved, with runway lights installed to permit landings at night. One witness interviewed by Human Rights Watch said aircraft were landing at the strip in late April 1999 at the rate of four a day. The aircraft in question were described to Human Rights Watch as Antonov-32s previously used by General Dostum's forces prior to the fall of Mazar-i Sharif. Human Rights Watch interview, Islamabad, July 1999. After the fall of Mazar-i Sharif, the United Front claimed two of the planes were being kept at the Iranian Air Force base at Mashhad and three others at the Russian military base at Kuliob, in southern Tajikistan. "Pilot Defects to Taleban: Says Iran, Russia Arming Opposition," *Voice of Shari'ah Radio*, October 2, 1998; and "Taleban accuses Iran," *BBC News Online*, October 2, 1998, http://news.bbc.co.uk/hi/english/world/south_asia/newsid_185000/185206.stm. In late January 2001, Hizb-i Wahdat forces retook Yakaolang from the Taliban, and in April the airstrip was back in use. Later in April, however, the Taliban retook Yakaolang from the United Front; the Hizb-i Wahdat again forced the Taliban out on June 5, but the Taliban returned June 10-11, burning down houses and public and commercial buildings. Human Rights Watch, "Afghanistan: Inquiry Needed into New Abuses: Arrests, Burnings of Homes Reported in Yakaolang District," press release, June 14, 2001.

Despite the repeated defeats suffered by its allies in Afghanistan, Iran has continued to aid the United Front's war effort. With the loss of viable air supply routes, the Iranian government has been forced to rely on a circuitous land route to deliver supplies of weapons and goods to Afghanistan. Following the loss of Bamian, the lion's share of Iranian support began to flow to the Jamiat forces of Massoud.¹⁷⁴ Massoud's forces not only represented the last substantial anti-Taliban military units remaining in the field but also controlled the Tajik-Afghan border east of Imam Sahib. By May 2001, Massoud had lost more territory and was controlling only the border area east of Dasht-i Qala. As described to Human Rights Watch by United Front officials, Iranian military aid was divided among Massoud's Jamiat forces and the forces of Hizb-i Wahdat once it reached Afghanistan. Iranian officials reportedly monitored the shipments and ensured that Hizb-i Wahdat received the equipment intended for it.¹⁷⁵

The Bridge at Dasht-i Qala

Part of the Iranian government's support of the United Front has focused on widening ground access to outside supplies. Until the fall of Taloqan in September 2000, the bridge at Dasht-i Qala was key to this approach. Work on the bridge appears to have begun in 1999. In June of that year, Human Rights Watch interviewed eyewitnesses who said they had observed and spoken with members of an Iranian engineering and construction crew working at Dasht-i Qala.¹⁷⁶ According to these sources, at least one Iranian engineering team was involved in the construction of a new bridge across the Amu Darya river. The Iranian engineering team reportedly attempted to avoid contact with other foreigners in the area and appeared reluctant to concede that they were from Iran. At the time of this encounter, the bridge was still in the early stages of construction, although pylons were already anchored in the riverbed.

Given United front control over the border area, a bridge at this point in the river would allow direct high-volume traffic between the United Front's bases in northern Afghanistan and the A385 highway in Tajikistan. The multi-lane A385 runs directly from Dasht-i Qala to the Tajik capital, Dushanbe, with a trunk road running to the joint Russian-Tajik military base and airfield at Kuliob, which numerous reports have identified as a key staging ground for resupply efforts to military formations in Afghanistan loyal to Massoud. (See below.) However, following the Taliban military victories around Taloqan in September-October 2000, the United Front has had no use of the bridge. By May 2001, the United Front was barely holding on to the territory around Dasht-i Qala inside Afghanistan, and no transportation across the bridge, which remained under repair, was possible.¹⁷⁷

Military Training

The Iranian government has also been involved in training anti-Taliban forces in northern Afghanistan.¹⁷⁸ When Human Rights Watch visited United Front-controlled areas in June 1999, military training was being provided by small teams of approximately five to eight military instructors who arrived from Iran periodically to lead courses at a training center near the village of Farkhar in Takhar province. Human Rights Watch researchers visited the facility and spoke with a number of students, who confirmed the regular presence of five to eight

¹⁷⁴ In February 1998, Massoud, on his first trip abroad (not including Tajikistan) since 1991, reportedly visited Tehran secretly in order to meet with senior Iranian military and civilian leaders. See Ahmed Rashid, "Masud in Tehran as massive arms supplies reach all Afghan factions," *The Nation* (Lahore), March 13, 1998. In March 2000 a Western observer visiting Taloqan heard a fixed-wing aircraft landing at the Taloqan airstrip. The witness says he was told by a United Front official that Iranian aircraft had begun using the airstrip to carry injured Afghan fighters to Iran for medical treatment. Human Rights Watch telephone interview, May 16, 2000.

¹⁷⁵ This has caused considerable resentment among Massoud's officials, who argue that this course is not only militarily inefficient but intrudes upon Afghan sovereignty. They maintain that as the internationally recognized government, the United Front/ISA has the right to decide where and when to apportion military resources for national defense. These complaints have apparently made little impression on Iran, and United Front officials acknowledge that they have few alternatives to accepting Iran's conditions. Human Rights Watch interview with United Front official, Jabul Siraj, Afghanistan, June 15, 1999.

¹⁷⁶ Human Rights Watch interviews with witnesses who had recently returned from Dasht-i Qala, Dushanbe, June 19, 1999.

¹⁷⁷ Information obtained from local sources, April and May 2001.

¹⁷⁸ Prior to the fall of Mazar-i Sharif and Bamian, expatriates had reported the presence of Iranian military personnel in both cities. Any Iranian presence in these two regions, however, ended in 1998, when the Taliban captured both provinces.

Iranian military instructors at the camp.¹⁷⁹ An estimated eighty to 150 men, roughly the equivalent of junior-level officers, were training at the camp at any given time, receiving instruction in tactics, leadership, logistics, and other military skills.¹⁸⁰

The Role of the Russian Federation

Russia and the Central Asian states of the former Soviet Union have, to varying degrees, aided the United Front in Afghanistan. The Central Asian states have largely refrained from giving direct material assistance, instead providing indirect, passive, and/or political support to the anti-Taliban coalition. All of the Soviet successor states of Central Asia have repeatedly expressed their political support for the United Front 'government' of President Rabbani, although the extent to which they have acted upon this rhetoric varies widely.

Russia has played a crucial enabling role in the resupply of United Front forces by arranging for the transportation of Iranian aid, while providing considerable direct assistance itself, including logistical and support services. Military assistance to United Front forces has crossed the Tajikistan-Afghanistan border with the active collusion of the Russian government, which maintains border forces there and leads the Commonwealth of Independent States (CIS) peacekeeping forces within the country with its 201st Division.¹⁸¹ Russian Border Guard forces permit large quantities of undisguised munitions and military equipment to cross the Amu Darya river. The joint Tajik-Russian military base and airfield at Kuliob serves as the linchpin for United Front forces in the Panjshir Valley and northern Afghanistan. The base provides logistical support and maintenance services for United Front aircraft and helicopters. Moreover, Western military experts in the region have alleged that in the second half of 2000 Russia provided possibly three or four transport helicopters to the forces of United Front commander Ahmad Shah Massoud.¹⁸²

Russia has not denied providing direct military support to United Front forces in Afghanistan. The Russian government has an openly anti-Taliban stance, consistent with one of the pillars of post-Soviet strategic thinking in Moscow, namely, the containment of versions of "fundamentalist" Islam it perceives as a threat in and around the borders of the former USSR.¹⁸³ Following the Taliban's 1996 capture of Kabul, for example, the then-chairman of the Security Council in Russia, Gen. Alexander Lebed, openly urged Russia to intervene in support of the deposed Afghan government and to increase military supplies to Massoud and other anti-Taliban leaders.¹⁸⁴ Since then, the Russian government has consistently declared its support for the United Front in Afghanistan.

United Front representatives, for their own part, have not denied receiving supplies, including arms, from Russia. However, they claim that all arms shipments from Russia are paid for by the United Front and thus represent commercial transactions rather than military aid.¹⁸⁵

¹⁷⁹ Human Rights Watch interviews at the Iranian training facility, Takhar province, June 10, 1999. A United Front commander who defected to the Taliban in February 2001 also claimed that Iran had sent military experts to aid the United Front. Amir Shah, "Russia giving opposition helicopters, Iran giving military advice," *Associated Press*, February 24, 2001.

¹⁸⁰ During multiple visits to the training camp, Human Rights Watch representatives witnessed no operational heavy weapons systems, save for one ZSU-23 truck-mounted antiaircraft gun. Other areas in the camp held barracks, classrooms, and an obstacle course.

¹⁸¹ The Commonwealth of Independent States is a loose confederation of twelve post-Soviet states, formed in 1992.

¹⁸² Human Rights Watch interviews with diplomatic sources in Islamabad, October 2000. The same claim was made by a senior United Front commander, Karim Abed, who defected to the Taliban in February 2001. The defector claimed that Russia had given four helicopters to Massoud, and had helped build an airport for him at his new base in Khoja Bahauddin in northern Takhar province following his defeat in Taloqan in September 2000. Amir Shah, "Russia giving opposition helicopters, Iran giving military advice," *Associated Press*, February 24, 2001.

¹⁸³ In May 2001 signatories to the 1992 Collective Security Agreement of the Commonwealth of Independent States agreed to create a 3,000-man Rapid Reaction Force intended to combat Islamist guerrillas infiltrating Uzbekistan from Tajikistan and Afghanistan. (See below.) As is underscored by Russia's close relationship with Iran, concerns about Islamic "fundamentalism" do not impede trade or cooperation on other strategic interests.

¹⁸⁴ *Nezavisimaya Gazeta* (Moscow), September 29, 1996.

¹⁸⁵ Human Rights Watch interview with Amrullah Saleh, Dushanbe, May 29, 1999. In statements to journalists, Massoud has claimed that Russian military supplies he has obtained were purchased from the Russian Mafia. James Risen, "Russians are Back in Afghanistan," *New York Times*, July 27, 1998.

The Russian government has played a leading role in securing regional cooperation (or at least acquiescence) amongst Central Asian states as well as Iran in facilitating supplies of arms and other war materiel to Massoud's forces in Afghanistan. Shipments from Iran, for example, in order to reach United Front forces in northeastern Afghanistan, must either be flown from Mashhad to the Russian military airfield at Kuliob, Tajikistan (see section on Kuliob below), or transported by land via Turkmenistan, Uzbekistan, Kyrgyzstan and, finally, Tajikistan. Both options require a high level of regional inter-state cooperation and coordination, in order to expedite customs procedures, border crossings, the use of airspace, and transportation hand-offs. Since the breakup of the Soviet Union, Russia has proven the only state in the region capable of engineering this level of multilateral coordination, often under the aegis of the CIS Collective Security Agreement.¹⁸⁶ Russia was also the driving force behind the sharp diplomatic response from CIS countries—including those *not* directly affected by an internal Islamist threat—to the Taliban's seizure of Kabul in 1996 and advance to the border in 1997. In fact, when the Taliban reached the Uzbekistan-Afghanistan border in 1997, Russian Defense Minister Igor Rodionov promptly announced that his government was prepared to take military action to protect the southern borders of CIS states.¹⁸⁷

Prior to the Taliban's 1996 capture of Kabul, the major points of entry for Russian assistance to the Rabbani government was the Bagram airbase sixty kilometers (35 miles) north of Kabul.¹⁸⁸ Western observers reported a steady flow of Russian and Bulgarian-piloted Antonov and Tupolev jets—some painted in Tajikistani colors—offloading mortars, small-arms ammunition and missiles.¹⁸⁹ In addition, a Western journalist based in Central Asia claimed to have seen twelve new Soviet-designed fighter aircraft at Shiberghan airport (approximately one hundred kilometers west of Mazar-i Sharif, in neighboring Jowzjan province) in November 1996. The aircraft had reportedly been provided by Russia and still had plastic coverings on the windows, indicating its recent arrival.¹⁹⁰ A defecting Afghan pilot claimed in September 1998 that he had been flying ammunition from Russia and Iran from the joint Russian-Tajik military base at Kuliob in Tajikistan to the Bagram airbase to supply United Front forces in Mazar-i Sharif.¹⁹¹

Border Crossings

In addition to providing the political and diplomatic support necessary to establish and maintain international supply lines for United Front forces, the Russian government has also provided a range of more direct assistance to the United Front, utilizing its considerable assets in personnel and materiel in the region. Russian military

¹⁸⁶ The Collective Security Agreement of the Commonwealth of Independent States, signed on May 15, 1992, loosely binds nine of the Soviet successor states (Russia, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Azerbaijan, Georgia, and Uzbekistan) to cooperate with one another on military issues. The treaty was renewed in May 1999 by six of the original signatories; Azerbaijan, Georgia, and Uzbekistan declined to stay on. The treaty failed to create a post-Soviet version of NATO or the European Union—two institutions its creators compared it to. Its successes have been chiefly in the field of unified air defense and peacekeeping operations within the former Soviet Union. The capture of Taloqan by the Taliban in September 2000 reinvigorated the security provisions of the treaty: On May 26-27, 2001 signatory states formally agreed to set up a 3,000-man Rapid Reaction Force for Central Asia, intended to combat Islamist guerrillas infiltrating Uzbekistan from Tajikistan and Afghanistan. The force was expected to be based in Bishkek, Kyrgyzstan, and to operate in both Kyrgyzstan and Tajikistan. See "Rapid Deployment Units of Kyrgyzstan and Tajikistan to Be Stationed in Bishkek," *Pravda* (Moscow), May 25, 2001; Yuri Golotyuk, "Helmet Color Is Significant," *Vremya Novostei* (Moscow), April 28, 2001; and Oleg Odnokolenko, "Collectivization of Combat Brotherhood Fails," *Segodnya* (Moscow), November 14, 1998.

¹⁸⁷ "Russia, Central Asian republics seek to contain Afghan conflict," *Agence France-Presse*, February 25, 1997.

¹⁸⁸ In October 1995 an Ilyushin-76 carrying a cargo of military supplies was intercepted by Taliban aircraft and forced to land at Qandahar; the Russian crew was interned by the Taliban for a year. Robert Fisk, "Circling Over a Broken, Ruined State," *Independent* (London), July 14, 1996. The operation may have been the work of private Russian actors, as the plane was carrying Kalashnikov ammunition from Albania and was registered to a private company in Tatarstan. Human Rights Watch e-mail communication with Barnett R. Rubin, May 2000.

¹⁸⁹ Fisk, "Circling Over a Broken, Ruined State."

¹⁹⁰ Human Rights Watch interview with a journalist, Tashkent, Uzbekistan, June 24, 1999. The aircraft were most likely SU-22 fighter/ground attack planes; a number of these remain in service with the Taliban, flying out of Mazar-i Sharif, Kabul, and Shiberghan.

¹⁹¹ Salahuddin, "Afghan defectors Say They Were Flying Iranian Arms."

forces based in Tajikistan, rather than the Tajik government itself, expedite the bulk of foreign military assistance flowing out of Tajikistan to Afghanistan. From a peak of perhaps 30,000 troops in 1993, Russian military strength in Tajikistan, according to official Russian sources, stood at 25,000 troops in 1995, including Border Guards.¹⁹² Western sources have put the figure in the 15,000-18,000 range.¹⁹³ Of these, Border Guard strength has been estimated at about 10,000-12,000.¹⁹⁴

Russian Army forces within Tajikistan consist of the 201st Motorized Rifle Division and assorted support units, which are concentrated in the Dushanbe-Kuliob-Kurgan-Teppe triangle in southwest Tajikistan, and command the main lines of communication between Dushanbe and the Afghan frontier.¹⁹⁵ Although Russia does not share a common border with Afghanistan, Russian Border Guards are currently stationed on the Tajikistan-Afghanistan border in Tajikistan.¹⁹⁶ They are deployed in five bases along the border, at Pianj, Moskovskii, Kalaikhum, Khorog, and Murgab, from which they can mount patrols of the border area and exert control over the primary crossing points into Afghanistan (and, in the latter case, China).

According to officers who served in the United Nations Mission of Observers in Tajikistan (UNMOT), the major border crossings on the Afghan-Tajik frontier are tightly controlled by Russian Border Guards using minefields, checkpoints, and other “technical means.”¹⁹⁷ In the opinion of these professional military officers, the main mountain passes along the border are similarly blocked, rendering cross-border road traffic dangerous and difficult without the consent of Russian Border Guards.¹⁹⁸ Border Guard inspections of cargo vehicles are rigorous in the extreme; drivers are required to unload their vehicles, arrange the contents for inspection, and then

¹⁹² This is the figure given by the Russian Peacekeeping Directorate, cited in Michael Orr, “The Russian Army and the War in Tajikistan,” in Mohammad-Reza Djalili, Frederic Grare, and Shirin Akiner, eds., *Tajikistan: The Trials of Independence* (New York: St. Martin’s Press, 1997), p. 159.

¹⁹³ *Ibid.*, and Catherine Poujol, “Some Reflections on Russian Involvement in the Tajik Conflict, 1992-93,” in Djalili et al., pp. 100-01. The figure of 18,000 Russian troops includes Army, Air Force, and Border Guards. For more recent (anecdotal) information, see Ahmed Rashid, “A Long, Hot Summer Ahead,” *Far Eastern Economic Review* (Hong Kong), April 19, 2001.

¹⁹⁴ Orr, “The Russian Army...,” p. 156.

¹⁹⁵ The 201st MRD, also known as the Gatchinskaya Division, consists of: the 92nd Motor Rifle Regiment, 401st Tank Regiment, Divisional HQ, support and air units, all based in Dushanbe; the 149th Motor Rifle Regiment, based in Kuliob; and the 191st Motor Rifle Regiment in Kurgan-Teppe. Orr, “The Russian Army and the War in Tajikistan.” According to one report in *Izvestia*, the 201st is routinely rated as one of the ten most combat-ready formations in the Russian Army. Soldiers receive special allowances that increase their pay to 50 percent above the norm in a Russia-based unit. In addition to its internal security duties within Tajikistan, the 201st is tasked with providing fire support and reinforcements when necessary to the Border Guards during skirmishes. See Gennadi Charodeyev, “The 201st MRD in Tajikistan,” *Izvestia*, March 19, 1998. See also Sergei Babichev, “They Guard Peace,” *Orientir* (a magazine published by the Russian Ministry of Defense), no. 12, 2000; and Yuri Golotyuk, “Only a River Stands Between Russia and a War,” *Vremya Novostei* (Moscow), October 2, 2000.

¹⁹⁶ Russian Border Guards had also been stationed in Uzbekistan and Kyrgyzstan in the past, but have now been withdrawn. A Western diplomatic source in the region told Human Rights Watch in an e-mail communication in April 2001 that Russian Border Guards appeared to have left Kyrgyzstan (none were present at the Osh airport or on the Uzbek-Kyrgyz border at that time), but that at least one hundred Russian Army officers and other ranks had arrived in Kyrgyzstan in anticipation of the expected spring offensive by the Islamic Movement of Uzbekistan (IMU), apparently as advisers to the Kyrgyz military. See also Rashid, “A Long, Hot Summer Ahead.”

¹⁹⁷ Human Rights Watch interview with Lt. Col. Viktor Zenkin (Ukrainian Army) and General Hvidegaard (Danish Army), commanding officer, United Nations Mission of Observers in Tajikistan (UNMOT), Dushanbe, Tajikistan, May 29, 1999. The UNMOT mission ended in June 2000 and was replaced by the United Nations Tajikistan Office of Peace Building (UNTOP).

¹⁹⁸ Those crossing the Afghan-Tajik border without permission risk violent responses from Border Guards, who regularly employ artillery, air support, and light arms against drug smugglers. See “Border guards in Tajikistan seize heroin, kill one,” *Reuters*, July 31, 1999. Firefights between Border Guards and drug smugglers are frequent.

reload after the inspection. Only military vehicles and accredited NGOs with good relations with the Border Guard Command in Dushanbe are spared these searches.¹⁹⁹

Foreign workers who regularly cross the Tajikistan-Afghanistan border told Human Rights Watch that on numerous occasions they had seen considerable quantities of weapons and ammunition stacked on either side of the border, awaiting either transportation across the Amu Darya River or further transportation to destinations in Takhar and Badakhshan provinces. Specifically, witnesses have claimed firsthand sightings at the barge-ferry crossing at Dasht-i Qala and at the bridge at Ishkashim.²⁰⁰

The witnesses described seeing stores of rocket and artillery rounds awaiting delivery at the border ferry crossing at Dasht-i Qala. The rocket projectiles were most likely 122mm rockets for BM-21 “Grad” truck-mounted multiple-rocket launch systems (MRLS); the artillery shells for M-30/D-30 towed howitzers, respectively.²⁰¹ Other witnesses said they also observed at different times—but were forbidden to photograph—BM-21 and BM-21V truck-mounted MRLS, as well as wooden crates with hand grenades and large-caliber rockets stacked up on the Tajik side of the crossing, partially covered by tarps.²⁰² On one occasion a witness described seeing a BM-21 being ferried across the river on the barge-ferry at Dasht-i Qala.²⁰³

Combining the widespread reports of arms shipments passing into Afghanistan with the known level of control over border crossings exerted by Russian forces leads to the conclusion that military assistance to United Front (specifically, Jamiat) forces has crossed the border with the active collusion of the Russian government. The consistency, volume, and lack of subterfuge or concealment of shipments²⁰⁴ that have crossed the border strongly imply that the Russian role is not the result of isolated, unit-level agreements or arrangements,²⁰⁵ but rather the result of a broader government policy. A high-level Russian government commitment to resupply Massoud is further confirmed by reports that many of the supplies that have crossed into Afghanistan at Dasht-i Qala originated from the Russian military base in Kuliob, Tajikistan.²⁰⁶

¹⁹⁹ Border Guard search procedures were described to Human Rights Watch by an international relief worker based in Peshawar, Pakistan. Representatives of several NGOs involved in the shipment of bulk supplies to Afghanistan from Tajikistan also emphasized the rigor of Border Guard inspections. NGO personnel who wish to cross the border must first obtain permission from the Russian Border Guard Command in Dushanbe, then from the regional Russian Border Guard Command, the Tajik Ministry of Internal Affairs, and the Russian FSB (successor to the KGB). Approval can take two weeks or more and is generally given only to recognized NGO personnel involved with relief activities. Human Rights Watch interview with an international relief worker, Peshawar, July 1999.

²⁰⁰ Human Rights Watch interviews with expatriate workers, Dushanbe, Tajikistan, and Almaty, Kazakhstan, May-June 1999.

²⁰¹ Ibid.

²⁰² Ibid.

²⁰³ The witnesses interviewed by Human Rights Watch in May-June 1999 noted that there were often significant variations in the amount of munitions moving across the river. The accounts were of a somewhat general nature in terms of specific dates and amounts but agreed that the shipments were a constant presence going back at least to 1997.

²⁰⁴ Although there is insufficient information to estimate the quantity of arms crossing from Tajikistan into Afghanistan, the frequency of independent sightings of military supplies at the border indicates a fairly regular flow. As for concealment, trained Russian military personnel could not mistake a Russian-built, forty-barrel, truck-mounted BM-21 artillery system for anything else. This implies official knowledge of the nature of the shipments.

²⁰⁵ According to Tajik and foreign journalists and diplomatic sources, such “financial arrangements” between Russian Border Guards and private smugglers are not uncommon. Human Rights Watch interviews with expatriate workers, Dushanbe, Tajikistan, and Almaty, Kazakhstan, May-June 1999.

²⁰⁶ Human Rights Watch interview with a Tajik source who claims to have seen military supplies being carried in trucks southward from Kuliob and then later seeing some of the same vehicles at the Dasht-i Qala crossing, Almaty, Kazakhstan, May 1999. An unnamed defector from the Russian intelligence service, the FSB, has claimed that advisers from Russia’s foreign and military intelligence services worked with Massoud and Dostum, and that at least some of the arms shipments sent to northern Afghanistan were arranged by Russian military intelligence. Quoted in Risen, “Russians Back in Afghanistan,” *New York Times*, July 27, 1998.

Kuliob and Osh

Taliban authorities in Kabul have long charged that Jamiat forces also maintain a “secret base” across the border in Kuliob, Tajikistan.²⁰⁷ Although there is no public evidence of the Jamiat having its own base, available evidence suggests that the United Front has been able to make use of the joint Tajik-Russian base at Kuliob. Russia maintains a large military presence in Kuliob, including the 149th Motorized Rifle Regiment of the 201st Motorized Rifle Division, as well as a joint military-civil airfield. Human Rights Watch was unable to visit Kuliob. But diplomatic sources confirmed media reports describing Kuliob as an assembly point for military supplies headed to the former de facto (until September 2000) United Front capital at Taloqan (Takhar province) via the crossing at Dasht-i Qala.²⁰⁸

The use of Kuliob as a logistics base for Massoud’s forces has also been described in the accounts of two separate defectors to the Taliban. In the spring of 1997, an Afghan government Mi-17 helicopter (number 353) defected to the Taliban. According to one account, the three-man crew later claimed to have made repeated resupply flights between Kuliob and Jamiat forces in Afghanistan. The pilot reportedly said that in one flight he delivered 400 RPG-7 rounds from Kuliob to the Panjshir Valley.²⁰⁹ The pilot is also reported to have claimed that Jamiat An-12 cargo planes based in Kuliob were being used to ferry military supplies from Mashhad, Iran. This charge was bolstered when, a year later, the five crewmembers of an Antonov transport plane landed their aircraft at Kabul Airport and defected to the Taliban. The aircraft’s pilot, Commander Muhammad Khan, claimed to have been based in Kuliob and to have flown Russian and Iranian ammunition to United Front forces, in particular to Mazar-i Sharif.²¹⁰ Since then, military defeats have denied fixed-wing access to most Jamiat forces in Afghanistan. However, in June 1999 Human Rights Watch spoke with journalist Anthony Davis, who has extensive experience in Afghanistan, who confirmed the presence at that time of at least one Antonov still active with Massoud’s forces in northern Afghanistan.²¹¹

There is also a possibility that Kuliob has been used in the past as a base for United Front fighter jets. In the wake of its September 1997 takeover of the Mazar-i Sharif airport, the Taliban charged that five of the eight jets based at Mazar flew to Kuliob in Tajikistan, where they continued to operate.²¹² During fighting in northern Afghanistan in the fall of 1999, Taliban forces alleged that they had been attacked by aircraft, but the reports did not make clear whether these were helicopters or fixed-wing aircraft.²¹³ Supply flights of Mi-17 helicopters, ferrying ammunition from Kuliob to Takhar province, Panjshir valley, and other areas under United Front control, are reported to be commonplace.²¹⁴

Another resource employed by the Russian government to expedite shipments of military materiel to anti-Taliban forces is the Russian Army’s transportation battalion based in Osh, Kyrgyzstan. Much less prominent than the facilities at Kuliob, the Russian transportation battalion in Osh nevertheless came to play an important part in the resupply of United Front forces in 1998-1999. The 1998 Taliban victories in Bamian and Mazar-i Sharif, as noted, effectively cut the air link between United Front forces and Iran. Human Rights Watch has learned that, as a result of this cutoff, renewed emphasis was placed on consolidating a stable land corridor from

²⁰⁷ Uzbek officials have made similar charges. Human Rights Watch e-mail communication with Barnett R. Rubin, May 2000.

²⁰⁸ Human Rights Watch interviews with foreign diplomats, Almaty, Kazakhstan, and Dushanbe, Tajikistan, May-June 1999.

²⁰⁹ Jake Border, “Taliban Turnaround,” part 2, p. 62.

²¹⁰ Salahuddin, “Afghan Defectors Say They Were Flying Iranian Arms.”

²¹¹ Human Rights Watch interviews with Anthony Davis, Dushanbe, Tajikistan, June 1999.

²¹² Border, “Taliban Turnaround,” part 2.

²¹³ In 1999 Human Rights Watch did see and inspect two Mi-35 attack helicopters (the Mi-35 is an export version of the Soviet-designed Mi-24 Hind gunship) parked in the Panjshir Valley, however. These helicopters were inherited from former Afghan government stocks and were in serviceable condition.

²¹⁴ Human Rights Watch interviewed numerous journalists and government officials in Pakistan, Afghanistan, and several Western countries who attested to the importance of the Kuliob facility for the United Front forces. Such flights continued in June 2001. The helicopters are not capable of carrying weapons cargo, but do provide needed stocks of ammunition. Information provided by a security expert in the region, June 2001.

Iran to northern Afghanistan. This took the form of a resupply route from Iran that allowed cargos to be shipped directly from Mashhad to the rail terminus at Osh, and from there to Afghanistan via trucks. (See the case study in Appendix I for an example of one arms shipment from Iran that took that route.) In this schema, road maintenance and security during the final portion of the trip were provided by the Russian Battalion in Osh. Both the importance and difficulty of this task should not be overlooked. The route from Osh to Ishkashim follows the M41 highway and then the former “Stalin Track” parallel to the Tajik-Afghan frontier. The road from Osh to the Afghan border is subject to extreme weather conditions in winter and runs through Gorno-Badakhshan Autonomous Oblast.²¹⁵

The Role of Tajikistan

Of all the former Soviet Central Asian states, Tajikistan has by far the strongest vested interest in the outcome of the fighting in Afghanistan. The two countries share a 1,200-kilometer border that even during the height of the cold war proved porous at many points. The majority population of Tajikistan, moreover, shares a close ethnic affinity with Afghan Tajiks, and Tajikistan’s internal stability is intimately tied to the situation in Afghanistan.

From 1992 to 1993, Tajikistan was wracked by civil war, during which fighters of the United Tajik Opposition (UTO) established military bases and training camps in ethnically Tajik regions of northeastern Afghanistan. Cross-border raids into Tajikistan from Afghanistan were commonplace, and violent clashes between drug smugglers and Russian and Tajik Border Guards remain common. Military incursions northward were followed by large refugee flows southbound *into* Afghanistan when, in 1993, Tajik government forces emerged victorious in the civil war and engaged in reprisals against elements of the civilian population suspected of sympathizing with the opposition, most notably in Gorno-Badakhshan and among the Garmis in Kurgan-Teppe.²¹⁶ Tajikistan’s dependence on Russia for military and political support derives from the critically important role Russia played in the Tajikistan government’s victory in the civil war and in the country’s security arrangements thereafter.²¹⁷ Russia was also pivotal in negotiating the 1997 peace agreement that ended the civil war.

The government of Tajikistan itself does not appear to be providing direct military assistance to United Front forces in Afghanistan. Unpatrolled areas of the Tajik border have been the scene of northbound drug smuggling and southward arms shipments, but these small-scale movements (usually with goods transported by mule or horse) do not appear to be sanctioned by the Tajik government, which is crippled by a moribund economy, infighting among the ruling elite and persistent tension with various domestic opposition movements, and is not currently capable of extending substantive military aid to the United Front.

The United Front forces have contracted with Tajik Airlines, a state-owned concern, to provide servicing of United Front Mi-17 helicopters at the civil airport at Dushanbe. Human Rights Watch researchers saw one such

²¹⁵ According to UNMOT officers who spoke with Human Rights Watch, the road is impassable during the winter months. However, numerous Tajik truck drivers and civilians claimed in interviews with Human Rights Watch that trucks, in fact, drive the route year-round. Human Rights Watch interviews in Dushanbe, Tajikistan, May 28-June 8, 1999. A U.N. World Food Program official indicated that their own assessments of the road had found it to be open year-round. Human Rights Watch interview with a WFP official, Peshawar, July 1999.

²¹⁶ According to UNHCR, all refugees from Tajikistan were repatriated following the June 1997 peace agreement. See <http://www.unhcr.ch/world/asia/tajikist.htm>. For more on reprisals by government forces, see Helsinki Watch (now Human Rights Watch) and the Inter-Republic Memorial Society, “Tajikistan: In the Wake of Civil War,” *A Human Rights Watch Short Report*, December 1993.

²¹⁷ For example, in 1993 Emomali Rakhmonov, now president of Tajikistan, expressed his gratitude to Russia for its assistance upon the signing of a friendship treaty, saying that were it not for “Russia and Boris Yeltsin personally, and Uzbekistan and Islam Karimov personally, then Tajikistan would have already ceased to exist.” Vera Kuznetsova, “Yeltsin and Rakhmonov Confirm Their Mutual Positions,” *Nezavisimaia Gazeta* (Moscow), May 26, 1993.

helicopter in a partially disassembled state at the airport in early June 1999.²¹⁸ Eyewitnesses interviewed by Human Rights Watch reported that the helicopter flights from Dushanbe to Taloqan, although primarily used for the transport of civilian passengers, carried a variety of military equipment, including automatic rifles, rocket-propelled grenades, and small arms ammunition. Flights from Taloqan to Dushanbe have carried seriously wounded soldiers for treatment in Tajik hospitals.²¹⁹

On the whole, Tajikistan's role has been more of a facilitator of military assistance from Russia and especially Iran intended for the United Front forces. Yet this is no small matter. By permitting Russian forces to use their facilities in Tajikistan to support United Front military operations Tajikistan opened itself up to charges by the Taliban that it had become a party to the conflict. The Taliban has, on multiple occasions, charged the government of Tajikistan with interference in Afghanistan's internal affairs and threatened unspecified retaliation.²²⁰

The Role of Uzbekistan

Uzbekistan, as a post-Soviet "frontline state" sharing a border with Afghanistan, has played a role in the successive Afghan conflicts since it was part of the U.S.S.R. In 1979, Soviet troops crossed the Friendship Bridge in Termez, initiating the Soviet Union's invasion of Afghanistan. Ten years later, in 1989, Soviet Gen. Boris Gromov crossed north into Uzbekistan along the same bridge, officially bringing the occupation to a close.

Following the dissolution of the Soviet Union and after the emergence of the Taliban and its successes on the battlefield, the government of Uzbekistan took a hostile attitude toward the Taliban. Uzbek President Islam Karimov frequently branded the Taliban's advance a threat to his country's national security. Indeed, the government's campaign against its own internal critics and against proponents of any form of Islam other than that espoused by the official Muslim Board of Uzbekistan is pervasive and integral to the government's conceptualization of its own internal security.²²¹

However, despite the rhetoric, Uzbekistan's support for the Taliban's opponents has not been consistent or uniform. Until the fall of Mazar-i Sharif to Taliban forces in August 1998, Uzbekistan supplied its main Afghan ally, the National Islamic Movement of Afghanistan (NIMA), or Junbish, forces under Gen. Abdul Rashid

²¹⁸ The helicopter was identified to Human Rights Watch as a United Front helicopter by a United Front official on June 8, 1999. Moreover, the ousted Afghan government's symbol of an upward-pointing two-tone green delta arrowhead on the rear of the fuselage was clearly discernible. The servicing arrangement was described to Human Rights Watch by a United Front official in Dushanbe in the first week of June 1999. The Mi-17 itself is a large utility helicopter used for carrying personnel and freight; it can also be equipped with a variety of weapon systems. The supply of maintenance services constitutes military support when the main function of the helicopter fleet being serviced is military tactical transport, as is the case with the United Front helicopters.

²¹⁹ Human Rights Watch's own observations during flights from Dushanbe to Taloqan and from Taloqan back to Dushanbe, June 1999, and interview with a Western intelligence officer who made the same flight in October 1998. Human Rights Watch telephone interview, May 9, 1999.

²²⁰ For example, see "Taliban Accuse Tajikistan of Providing Arms to Northern Alliance," RFE/RL Newsline (Prague), vol. 3, no. 194 (October 5, 1999).

²²¹ President Karimov, himself a former communist strongman, has led this campaign against domestic opponents under the guise of combating "Islamic extremists" and "Wahabis." Human rights violations attending the campaign have been documented and condemned by international human rights organizations. See, for example, Human Rights Watch, "Memorandum: U.S. Policy in Central Asia," May 2001, <http://www.hrw.org/background/eca/uzbekistan0605-bck.htm>; International Crisis Group, *Central Asia: Islamist Mobilisation and Regional Security*, an ICG Asia Report, no. 14, March 2001; Human Rights Watch/Europe and Central Asia, "Crackdown in the Farghona Valley: Arbitrary Arrests and Religious Discrimination," *A Human Rights Watch Short Report*, vol. 10, no. 4(D), May 1998; and Human Rights Watch/Europe and Central Asia, "Uzbekistan: Persistent Human Rights Violations and Prospects for Improvement," *A Human Rights Watch Short Report*, vol. 8, no. 5(D), May 1996.

Dostum, with arms, ammunition, and fuel.²²² The garrison town of Termez, home to a large Uzbek military air and land presence, was the main base for this assistance, serving both as a supply point for arms transfers as well as a maintenance depot. From Termez supplies, including small arms, artillery, ammunition, and fuel, were transported across the Friendship Bridge to Mazar-i Sharif and elsewhere.²²³ During this period, the Uzbek government reportedly also provided General Dostum with spare parts and supplies for tanks, armored personnel carriers, and other mechanized vehicles. Moreover, Junbish combat aircraft—both fixed-wing jet aircraft and helicopters—used to receive maintenance and servicing at Termez airport.²²⁴ And on at least one occasion, in September 1998, Uzbekistan allowed a large shipment of Iranian military goods for United Front forces to cross its territory. (See Appendix I.)

With the destruction of the Junbish forces in 1998, Uzbekistan's leaders apparently decided upon a strategic shift, giving up active support of any faction in Afghanistan—although they continued to cooperate in the shipment of Iranian military goods across Uzbekistani territory—in favor of fortifying the border and a more energetic pursuit of a diplomatic solution to the conflict. President Karimov hosted the July 1999 Six Plus Two contact group conference in Tashkent.²²⁵ Uneasy about the prospects for increased Russian influence in the area, Uzbek officials in the late 1990s started increasing their diplomatic contacts with the Taliban. They remain concerned, however, about possible Taliban support for the radical Islamic Movement of Uzbekistan (IMU) and see Massoud as an important check on the IMU's influence.²²⁶

The Role of Turkmenistan

Turkmenistan does not appear to have provided direct military assistance to any of the warring parties in Afghanistan.²²⁷ But Turkmenistan has, however, reportedly sold large quantities of gasoline to both the Taliban

²²² The Junbish military forces under General Dostum were ethnically Uzbek. Uzbeks in Afghanistan constitute approximately 6 percent of the overall population, but predominate in many northwestern provinces bordering Uzbekistan, especially in areas of Balkh, Samangan, Sar-i Pol, Jowzjan, and Faryab provinces. In an illustration of General Dostum's importance to Tashkent's political elite, President Karimov, in reference to Dostum, stated on Uzbekistan state-run TV: "...He defends a very important sector which in essence defends the north of Afghanistan from the arrival of the Taliban. If we really want to prevent a further escalation of the war...then we must do everything possible so that Mr. Dostum can hold on to the Salang." Uzbekistan Television, quoted in *Inside Central Asia*, no. 141 (September 30-October 6, 1996). "The Salang" refers to the strategic Salang Pass connecting the north of Afghanistan to the fertile Shamali plain and the national capital, Kabul.

²²³ The bridge is high capacity (up to an estimated 11,000 metric tons per day) compared with other available means of crossing the Amu Darya river, and connects with a two-lane paved road that runs directly to Mazar-i Sharif. See U.N. Secretariat, "A Review of the Options on Embargo of Military Supplies to the Warring Factions in Afghanistan," undated "Non-Paper" (1998 or 1999),

http://www.afghan-politics.org/reference/Sanctions/embargo_military_supplies_to_factions.htm.

²²⁴ Human Rights Watch interviews with foreign and Uzbek journalists, Tashkent, Uzbekistan, June 23-24, 1999; and with Western diplomats, Tashkent, Uzbekistan, and Almaty, Kazakhstan, May-June 1999.

²²⁵ According to Uzbek government as well as foreign diplomatic sources in Tashkent, officials in Uzbekistan were greatly disappointed with Dostum after the Junbish forces' defeat in late 1998. As one official of the Uzbek security ministry, the SMG (successor to the KGB), told Human Rights Watch: "He [Dostum] is no longer seen as a military contender." Human Rights Watch interviews with foreign journalists and Uzbek security ministry official, Tashkent, June 22-25, 1999. According to Uzbek and foreign journalist sources, Junbish forces remained active in Uzbek parts of Faryab and Sar-i Pol provinces. However, Jamiat officials in Taloqan claimed that Junbish retained only two or three active field commanders/commands. Human Rights Watch interviews with foreign journalists, Tashkent, June 24, 1999.

²²⁶ In June 1999, Massoud met with representatives of the Uzbek SMG in Termez. Human Rights Watch interview with a United Front official, Dushanbe, June 3, 1999.

²²⁷ Turkmenistan has become an important trading partner for western Afghanistan; on an average day in 1999, one foreign observer reported over a hundred heavy KAMAZ trucks carrying commercial goods passing through each of the two major crossings on the Turkmen-Afghan border. Human Rights Watch interview with a diplomatic source, Islamabad, July 1999.

and—prior to the fall of Herat—the United Front.²²⁸ And professions of neutrality notwithstanding, there is considerable evidence that Turkmenistan has allowed forces on both sides of the conflict to cross its borders. United Front sources have told Human Rights Watch that in July 1998 Taliban forces transited Turkmen territory to attack the Junbish-held cities of Andkhoy and Maimana from the rear.²²⁹ This account was subsequently corroborated by a citizen of Kazakhstan involved in the oil industry in northern Afghanistan who reported Taliban formations in pickup trucks traveling on the road parallel to the Turkmen-Afghan border through Turkmen territory in the summer of 1998.²³⁰

At the same time, a portion of the Turkmen railroad system has been used on at least one occasion to transport large volumes of weapons and munitions from Iran to Massoud's forces in Afghanistan. Train wagons filled with weapons left the Iranian military base in Mashhad on September 23, 1998, and arrived in Sarakhs shortly thereafter, whereupon rail gauge-shifting equipment was used to convert the trains to Soviet-caliber gauge. Since May 1996, a spur line has linked Sarakhs with the former Soviet/Turkmenistan railway system at Tejen, Turkmenistan. It was along this line that Iranian weapons were transported, crossing the Turkmen border in the process and continuing along the Tejen-Merv-Charjou route before leaving Turkmen territory and crossing into Uzbekistan. It should be noted that train cargo crossing into or out of Turkmenistan is subject to customs verification and search and that the chances of weapons shipment(s) crossing in from Iran and transiting Turkmenistan without some sort of official sanction are extremely small.²³¹ (See the case study in Appendix I.)

The Role of Kyrgyzstan

There is no indication that Kyrgyzstan has provided direct military assistance to any warring factions in Afghanistan. However, there is evidence that suggests the Kyrgyz government, at least until October 1998, gave its permission for cargos to transit through its territory to United Front forces in Afghanistan. (For details, see the case study in Appendix I.)

Kyrgyzstan has become more concerned with sources of instability emanating from Afghanistan since late August 1999, when armed militants crossed into southern Kyrgyzstan and took several hostages, including four Japanese geologists, a general of the Kyrgyz Ministry of Internal Affairs, and several Kyrgyz soldiers. Kyrgyz forces responded militarily with assistance from Uzbekistan and Russia; almost 5,000 people were displaced during the fighting.²³² The hostages were rescued. In August 2000, Uzbek rebels of the IMU engaged in armed clashes with Kyrgyz government forces, taking hostages. The government responded with bombing raids on border areas in Kyrgyzstan and Tajikistan.²³³ In February 2000 the Kyrgyz government requested permission to

²²⁸ Human Rights Watch interview with a Western diplomat, Washington, D.C., April 26, 1999. A media story in May 2001 reported: "The Taliban is not officially recognized by most of the Central Asian states, but Turkmenistan has relatively close relations with it. This relationship is mainly in the economic arena, and in particular includes gasoline sales to Afghanistan. During the last three years selling gasoline has become a major private business. The oil refinery in the city of Seidi serves as a starting point. Huge trucks, specially designed to carry five to 30 or more tons of gasoline the Taliban is desperate to have, transport gasoline at a constant pace. The deal is good for both sides: it is a sales market for Turkmenistan, and it is an important and easily available product for Afghanistan. The gasoline is usually taken to the border and then pumped into Afghan trucks. Anyone with the necessary documents can drive into the neighboring country for a few kilometers, and this increases the profit greatly. This kind of relationship with its neighbor does not receive any coverage in Turkmenistan's media." "Turkmenistan Sells Gasoline To Taliban," Radio Free Europe/Radio Liberty (Prague), May 15, 2001.

²²⁹ Human Rights Watch interview with General Nimat, formerly a high-ranking official under General Dostum, Almaty, Kazakhstan, May 25, 1999.

²³⁰ Human Rights Watch interview with Viacheslav Konstantinovich Shukhovtsov, Almaty, Kazakhstan, May 22-23, 1999.

²³¹ The information in this section is based on interviews and documents gathered in Osh, Kyrgyzstan, and Almaty, Kazakhstan, May-July 1999.

²³² See B. Pannier, "Kyrgyzstan: Former Security Chief Criticizes Strategy Against Militants," *RFE/RL Research Report*, September 20, 1999; and Human Rights Watch, *World Report 2000: Events of 1999* (New York: Human Rights Watch, 1999), p. 277.

²³³ Human Rights Watch, *World Report 2001: Events of 2000* (New York: Human Rights Watch, 2000), p. 306.

join the U.N.-sponsored Six Plus Two contact group in order to play a part in future efforts to negotiate an end to the Afghan conflict.²³⁴

²³⁴ “Kyrgyz Head Applies to UN to Admit Kyrgyzia [sic] into 6+2 Group on Afghan Crisis,” *Asia-Plus News Agency*, Dushanbe, February 2, 2000.

APPENDIX I

Case Study: Supplying the United Front: Iranian and CIS cooperation

In October 1998, a large train shipment of weapons and munitions en route from Mashhad, Iran to United Front forces in Afghanistan was intercepted and impounded at the rail terminus in Osh, Kyrgyzstan.²³⁵ During the period April-July 1999, Human Rights Watch investigated the circumstances surrounding this significant shipment.

Arms Hidden in Aid Shipment

According to official statements by the Kyrgyz government, the train, consisting of sixteen railway boxcars, was stopped and searched during the night of October 9-10, 1998. During a press conference, Kyrgyzstan's Minister of National Security Misir Ashirkulov claimed that this search uncovered approximately 700 metric tons of armaments in the train, hidden amidst humanitarian aid supplies.²³⁶ At the same time, the Kyrgyz Ministry of Foreign Affairs denied involvement in the attempted shipment. First Deputy Foreign Minister Aclikbek Dzhekshenkulov claimed: "It was a complete surprise for us that the cargo arrived in Osh."²³⁷ According to press reports, the armaments were returned, via rail, to Iran in early November 1998.²³⁸ One week after the shipment was exposed, First Deputy Minister of the Kyrgyz MNB (the successor agency to the KGB in Kyrgyzstan), V. Verchagin, flew to Moscow for urgent consultations with Russian Foreign Ministry and FSB officials.²³⁹ Human Rights Watch has learned that United Front officials told a Western intelligence official they did, in fact, receive the contents of the shipment; they denied this publicly, however.²⁴⁰

In actuality, the covert shipment that originated in Iran was spread among *three* different trains.²⁴¹ Between October 4 and October 6, 1998, two shipments from Mashhad arrived at the Osh-1 station as part of larger trains; one shipment consisted of six wagons, the other ten.²⁴² Another wagon with identical documentation arrived within a third train during the night of October 12-13. According to a Kyrgyz government document obtained by Human Rights Watch, the shipment of October 12-13 originally consisted of five wagons. This information was confirmed by a Kyrgyz journalist who told Human Rights Watch that, in fact, five rail cars en route to Osh were stopped in Bekabad, Uzbekistan.²⁴³ According to this source, of the five cars stopped, only one was ultimately allowed to continue on to Osh, with two rerouted back to Iran and two impounded by Uzbek authorities.²⁴⁴

The rail station at Osh is not the closest in the region to the Afghan frontier. Indeed, both Dushanbe and Kuliob, Tajikistan, are closer to the border and connected to the former Soviet rail network. Moving sensitive cargos through Osh, however, allows the shipment, during its transit through Tajikistan, to move through a single contiguous administrative and political territory—Gorno-Badakhshan Autonomous Oblast—directly along the M41 road and former Stalin Track to the border crossing at Ishkashim. According to local experts, there is less

²³⁵ For the nature of the contents, please see the section on Iran in chapter IV above.

²³⁶ Institute for War and Peace Reporting, Daily Update, vol. 5, no. 198, October 15, 1998.

²³⁷ "Kirghiz foreign ministry denies involvement in arms scandal," *Xinhua News Agency*, October 12, 1998.

²³⁸ "Boepripasy vernutsia v Iran?," *Vechnii Bishkek* (Bishkek, Kyrgyzstan), October 21, 1999.

²³⁹ *Ibid.*

²⁴⁰ Human Rights Watch interviews with Amrullah Saleh, Dushanbe, Tajikistan, May 29, 1999; and with a former Western intelligence officer, April 14, 1999. Diplomatic sources in Dushanbe also told Human Rights Watch (in June 1999) that the munitions ultimately found their way across the border to Afghanistan and that the wagons sent back to Iran were empty.

²⁴¹ Human Rights Watch interview with a local shipping agent who works at the Osh-1 station, Osh, Kyrgyzstan, July 1, 1999.

²⁴² Railroad officials at sorting stations in CIS countries have the authority to consolidate wagons into trains. Human Rights Watch interview with a foreign shipping manager, Almaty, Kazakhstan, May 24, 1999.

²⁴³ Human Rights Watch interview with Alisher Toksonbaev, editor, *Asaba* newspaper, Osh, Kyrgyzstan, July 2, 1999.

²⁴⁴ The temporary seizure of these boxcars in Bekabad was confirmed to Human Rights Watch by a Western journalist who was there on or around October 10, 1998. Human Rights Watch e-mail communication with the journalist, April 1999.

danger of an arms shipment being intercepted and seized for local use along this route, as opposed to the rail lines to Dushanbe and/or Kuliob, which cross ethnically heterogeneous territory controlled by numerous different armed formations.²⁴⁵ Furthermore, the Osh-1 train station, thanks to its history as a Soviet military depot, is well equipped with the necessary storage and loading infrastructure to handle shipments of arms.²⁴⁶

On October 9, the sixteen wagons then on the track at the Osh-1 station were officially inventoried by Osh MNB and customs officials. Four days later, at 10:00 a.m. on October 13, the late-arriving boxcar was similarly searched. A total of approximately 700 tons of weapons and ammunition was found, concealed amid 300 tons of flour.²⁴⁷ Eyewitness reports as well as photographs in Human Rights Watch's possession confirm that the train's contents included: antitank mines, F-1 grenades, 122mm artillery shells, mortar bombs, and 122mm rockets. The 300 tons of flour on board the train were, according to one source, sufficient to produce bread to sustain a force of 5,000 men for a twenty-week winter period.²⁴⁸ This flour, according to the Kyrgyz government, was eventually delivered to northern Afghanistan. When questioned about the fate of the munitions on the train, United Front officials denied ever receiving the shipment; however, these officials had previously told a Western intelligence official in October 1998 that they had received the contents of the shipment. (See above.)

The shipping documentation accompanying the seventeen boxcars from Mashhad listed the consignee as the Embassy of Iran in Kyrgyzstan and the contents as "humanitarian aid" bound for Afghanistan. Inside the wagons, crates of weapons were surrounded and covered with bags of flour.²⁴⁹ Osh customs officials found that the overall weight for the 17 wagons was approximately 1,000 metric tons. This figure was too high for the boxcars to have been loaded exclusively with flour and triggered their suspicions.²⁵⁰

Kyrgyz Government Knowledge

The government of Kyrgyzstan has, on several occasions, denied having given permission for the transit of Iranian-supplied weapons to Afghanistan, or indeed having any advance knowledge of the shipment at all. The impounding and exposure of the shipment would tend to confirm this—or that the government's responsible agencies were not all privy to its nature. Human Rights Watch has found evidence—both direct and circumstantial—that suggests the shipment had in fact been authorized at a high level. Given the space and equipment limitations at the Osh-1 railroad station, for example, the transfer of 700 tons of munitions and 300 tons of flour onto waiting trucks would have been an operation the scope and profile of which implied the expectation of official cooperation.

²⁴⁵ Human Rights Watch interview with Mahamaja Hamidov, deputy editor, *Echo Osh* newspaper, Osh, Kyrgyzstan, July 3, 1999. Trucking industry sources in Osh have told Human Rights Watch that the planned route for the Iranian "humanitarian" cargo was: Mashhad (Iran) to Tejen (Turkmenistan) to Charjou (Turkmen-Uzbek border) to Samarkand (Uzbekistan) to Bekabad (Uzbekistan) to Osh, and then by truck from Osh to Gulcha (Kyrgyzstan), Murgab (Tajikistan), and on to the border crossing at Ishkashim. Human Rights Watch interviews with a local trucker and Kyrgyz government officials, Osh, Kyrgyzstan, July 1-3, 1999. The "Stalin Track" is the old road that runs directly along the Tajik-Afghan border from Khorog down through Ishkashim and up to Langar. (See "Pamir Track" below.)

²⁴⁶ During a visit to the Osh-1 station in July 1999, Human Rights Watch saw sixty-foot loading docks, storage warehouses, and cranes for loading/unloading cargo. Truck parks are also conveniently located next to the train lines.

²⁴⁷ Human Rights Watch telephone conversation and brief interview with a Kyrgyz official who claimed to have assisted with the inspection and inventory of the cargo, Osh, July 2, 1999.

²⁴⁸ A source with Western military experience told Human Rights Watch that approximately three to four kilograms of flour is consumed as bread per week per man on average, when supplemented with fresh meat and vegetables. Murgab—one of the transit points between Osh and the Afghan border—has a mill that relief organizations use to grind wheat in order to make bread.

²⁴⁹ This means that the munitions were loaded first, and then a wall of flour sacks was built screening them from the cargo doors of the boxcar; a layer of sacks was also laid across the top of the munitions pallets. Human Rights Watch was able to obtain photographs taken inside one of the wagons that confirmed this arrangement.

²⁵⁰ One boxcar of the type seized in Osh can typically carry forty-one tons of flour, according to shipping experts with experience in delivering humanitarian aid. Seventeen boxcars carrying a total of 1,000 tons of material results in a per-wagon average of 58.8 metric tons carried, just under the sixty-ton maximum load-carrying capacity of a boxcar.

A Kyrgyz government official in Bishkek told Human Rights Watch that the Kyrgyz ambassador to Iran, M. Aseyinov, met with an Iranian deputy minister of foreign relations on September 23, 1998, at which time a request was made for permission to transit “humanitarian and special” cargos to Afghanistan.²⁵¹ This account has since been publicly confirmed by Kyrgyz minister of foreign affairs, M.S. Imanaliev.²⁵²

Human Rights Watch obtained a copy of a letter that discusses the Iranian shipments. The letter, dated October 7, 1998, appears authentic. It was written by a Kyrgyz official in Osh and addressed to Minister of Foreign Affairs Imanaliev. (See Appendix II, Figure B.) Translated from the Russian, it reads as follows:

On October 6, 1998, 16 cars of freight from Iran came into the Osh railroad station, heading towards Afghanistan (another 5 cars are on the approach). The passage of the given cargo through the territory of our republic has been agreed to by the Deputy Minister of Foreign Affairs E. Abdyl daev, according to a communication of the embassy of Iran in the Kyrgyz Republic. However, he is currently away on business.

In connection with this we await your written orders concerning this freight. [We] urgently request you to communicate via fax (33222)2-74-05.

Head of the Osh oblast Committee for Foreign Economic Ties,
A. Shamshiev

This letter indicates that Kyrgyz authorities first of all were aware of the presence of the Iranian cargo at least as early as October 6 and did not, as they at first publicly claimed, discover the trains during the night of October 9-10. This also supports local journalists’ allegations that the “special cargo” from Iran sat, unopened, at the Osh station for up to five days, from October 4 to October 9, before being searched and “discovered.” The contents of the letter also suggest that the Kyrgyz government had warning of the train’s approach when it was still in Uzbekistan, since the author of the letter, referring to the second installment of the shipment, mentions five more wagons still en route. As mentioned above, four of the five wagons in this second consignment were either rerouted or impounded in Bekabad, Uzbekistan. The letter, then, makes clear that Kyrgyz authorities were made aware—most likely by Uzbek rail or government authorities—of the train’s approach before it reached the Kyrgyz border, in fact, before it had even reached Bekabad, on the Uzbek-Tajik border.

The exact reasons the arms shipment was stopped are not entirely clear. From interviews it appears that the search, seizure, and eventual return of the train to Iran were apparently the result of miscommunication and missteps within different branches of the Kyrgyz government, combined with Kyrgyz domestic politics.

Workers at the Osh-1 railroad station, as well as an employee of the Osh customs office, told Human Rights Watch that the train was detained and searched on orders of the chief of the Osh Customs Department at the time, I. Masaliev, and the head of the Osh MNB, Col. O. Suvanaliev.²⁵³ According to one unconfirmed report, Masaliev and/or Suvanaliev may have been unaware of the “special” contents of the Iranian boxcars, and thus ordered them searched after being unable to locate Abdyl daev, the Kyrgyz deputy foreign minister named in the letter (above). Once the wagons were officially opened and the contents exposed to public and media scrutiny, it was too late to proceed and the Kyrgyz government denied any foreknowledge of the shipment. This explanation

²⁵¹ Human Rights Watch interview with a Kyrgyz government official, Bishkek, Kyrgyzstan, June 30, 1999.

²⁵² K. Karabekov, “MNB Syralo v yaishik,” *Vechernii Bishkek*, October 14, 1999.

²⁵³ On October 8 Colonel Suvanaliev was in Tashkent with MNB chief Ashirkulov. One source close to Suvanaliev told Human Rights Watch that, upon hearing about the train, Suvanaliev hurried back to Osh, where, between 9:00 and 10:00 p.m., he gave the order to have the wagons opened. Human Rights Watch interview, Bishkek, June 30, 1999.

is consistent with the facts and is supported by the Kyrgyz government's only concrete reaction to the scandal: Suvanaliev and Masaliev—the two men instrumental in exposing the shipment—were unceremoniously fired.²⁵⁴

According to several independent sources, other, smaller shipments of armaments transited Osh from Iran en route to Afghanistan prior to the October 1998 incident. None of these, however, approached the October shipment in size; according to a Kyrgyz truck driver who claims to have helped deliver one such shipment to Gorno-Badakhshan, these cargos did not exceed one metric ton in weight.²⁵⁵

Since the Iranian arms scandal in October 1998, there has been no indication of any further arms shipments from Osh to Afghanistan. However, the matter remains extremely sensitive within Kyrgyzstan.

Implications: Multinational Complicity in the Covert Shipment of Arms

The Iranian arms cargo incident in October 1998 makes clear that there is substantial regional cooperation in allowing, if not directly expediting, the resupply of United Front forces by Iran. Customs procedures at each interstate border within the CIS are fairly uniform and require that every wagon be accompanied by a “certificate of origin” and a “bill of lading” listing the cargo contained. Each shipment must also have documentation listing the consignee and final destination, as well as a pre-designated shipping agent who pays for the rail code fees prior to departure—in fact, before the boxcars are even at the marshaling area. Finally, in order to open a wagon and unload cargo, a customs declaration must be completed. Customs officials first require the certificate of origin, listing the transit codes and stamps of all transit countries.²⁵⁶ In short, it is impossible to ship a consignment by rail from Iran to Osh without passing through and being inspected by customs officials at five separate border crossings. And, as the actions of the Uzbek authorities in Bekabad illustrated (i.e., arresting, rerouting, and/or impounding portions of the October arms shipment), the Kyrgyz government was not the only one aware of the train's cargo.

The scores of heavy trucks that would have been required to transport the 700 tons of arms and 300 tons of flour seized in Osh could not have traveled from Osh to Khorog or Ishkashim on the Afghanistan border without the knowledge and permission of Russia's military and its foreign ministry. In addition to the fact that the Russian army transportation battalion regularly patrols and maintains the main M41 road from Osh to Khorog, Russian Border Guards in Kyrgyzstan are based in the town of Gulcha, through which the consignment from Iran would have passed had it not been halted.²⁵⁷ A shipping agent based in Osh with experience in transporting freight through Tajikistan told Human Rights Watch that a high level of cooperation with Russian forces is necessary just to get a convoy of trucks from Osh to Gulcha, since it requires interfacing with two separate Russian military commands: the Russian transportation battalion based in Osh and the Border Guards forces based in Gulcha.²⁵⁸

²⁵⁴ Suvanaliev was fired on October 29, 1998. Alisher Niyazov, “Kyrgyzstan to Return Afghan Arms to Iran,” *ITAR-TASS*, October 29, 1998. In Suvanaliev's case, there may have been a strong element of Kyrgyz domestic politics at play in his firing as well: He was reportedly a close associate and head of the election fund for former KGB head and Vice President Kulov, who was prevented from standing as a candidate in presidential elections held on October 29, 2000. “Eight Presidential Candidates out of Election Campaign,” Kyrgyz Radio First Programme, September 19, 2000.

²⁵⁵ Human Rights Watch interview, Osh, Kyrgyzstan, July 2, 1999.

²⁵⁶ Information in this paragraph is based on Human Rights Watch interviews with an Osh-based shipping agent, Osh, July 1-3, 1999.

²⁵⁷ The 300 tons of flour eventually did arrive in Afghanistan via Gulcha.

²⁵⁸ Human Rights Watch interview with a shipping agent, Osh, July 1-3, 1999.

APPENDIX II

Selected Documents

Figure A: Sketch of Rishikor Army Base

Figure B: Kyrgyz Document on Train Shipment from Iran (see Appendix I)

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