

Prisoners of war held in horrific conditions in Afghan jails

Ben Nichols
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Months after their capture, thousands of Afghan and Pakistani prisoners of war are still being held in appalling conditions in Afghan jails. Most are in overcrowded cells, are badly underfed and lack access to elementary hygiene facilities and health care. Diseases such as tuberculosis, dysentery, cholera, pneumonia and hepatitis are widespread. An unknown number of prisoners have died.

Although hundreds of prisoners were recently released from the notorious Sheberghan prison near the northern city of Mazar-e-Sharif, at least 1,200 are still in jail. Last week another batch of 512 were set free—many of them sick, some too weak to walk unaided. Authorities only began to free the detainees after the International Red Cross publicised the horrific conditions in Sheberghan last month.

While the Red Cross would not provide figures, local authorities admitted that “dozens” of prisoners had died. Many of the surviving prisoners were severely malnourished, crammed 50, and sometimes 80 in a cell meant to house 10 to 15. The prison was designed for only 800 but, prior to the releases, held at least 2,800 and as high as 3,800 according to some estimates.

According to aid organisations, prisoners received little food and even less medical treatment. Amnesty International, which also visited the jail, stated that it had been concerned not only with when the prisoners would be released, but how long they would survive in such conditions.

The Red Cross set up tents outside the prison and began an emergency medical and feeding program to prevent further deaths. Mohammed Ebrir, 18, told local aid workers: “We feel hungry all the time.” Journalists reported young men with protruding ribs, drinking fortified milk to regain enough strength to start eating solid food.

Kirsten Gocher, a Red Cross nutritionist, told the *Washington Post* that the condition of prisoners “shows there’s been a problem of food for quite some time.” Some of the prisoners were so weak that the Red Cross had held off providing them with a wash. “We’d rather have dirty prisoners for a week,” she said.

While the Red Cross visit highlighted the situation at Sheberghan prison, the conditions in the jail had been documented months before by US-based Physicians for Human Rights (PHR). Its report released in late January concluded: “The facilities are entirely inadequate for the care of the number of people now held there, the food is insufficient in quantity and nutrition, the water supply unclean, sanitation virtually absent, clothing meager, and

barred walls open to the elements expose the inhabitants to winter conditions. Disease is rampant.

“Capacity to provide medical care is hampered by insufficient supplies and primitive facilities. Dysentery and yellow jaundice, probably due to Hepatitis A, are epidemic. When PHR asked what the death rate was, [the commanding officer] General Jarobak said that he did not know numbers but that ‘many, many, many prisoners’ had already died, mainly from dysentery, some from pneumonia.”

The PHR noted: “The commanding officer has submitted requests for further assistance and additional resources to the international community but reports that the response has been minimal.” The Kabul administration ignored the PHR’s report, as did American military authorities and aid organisations.

At least some of the prisoners finally released from Sheberghan and other jails have been forced to pay hefty bribes. According to a *New York Times* article, many families were stripped of their possessions trying to pay local warlords to get their family members out of jail. During the recent release of Sheberghan prisoners, *Associated Press* reported that a “toll fee” of 30,000 Pakistani rupees per person was paid to the jailers. A further 50,000 rupees was extorted at a military checkpoint on the way to Kabul.

Hezmotullah, who travelled from Spinboldak in southern Afghanistan to negotiate his brother’s release, said: “It was like bargaining at the marketplace. They started at 40,000 rupees and went down from there.” Many ex-prisoners told stories of torture and horrific conditions in the prison. An ex-prisoner Azizullah, aged 20, rolling up his sleeve to show his emaciated condition, said: “I’m a farmer. I assure you, I didn’t look like this before.” Another prisoner, Abdul Ahad, explained: “Each seven people would get one piece of bread to share, and then a little rice at night. We didn’t even get enough water. All we could think of was our stomachs.”

Most of the prisoners at Sheberghan have been there since the collapse of the Taliban regime last November and December. While the media sought to portray them as hardened “Al Qaeda” or “Taliban” fighters, many were simply Afghan tribesmen and farmers or Pakistanis angered at US aggression in Afghanistan. Most were taken prisoner after the fall of Kunduz as part of a surrender deal negotiated with the notorious Uzbek warlord General Rashid Dostum. More than 600 were massacred late last year at the Gali-i-Janghi fortress by Dostum’s troops operating in

concert with the US military and CIA which had been conducting interrogations.

The Bush administration and the Pentagon have denied any responsibility for the fate of the thousands of prisoners held at Sheberghan and other jails. But American personnel were closely involved with Dostum's men in screening and questioning prisoners. Any detainees that the US wanted for interrogation were handed over, flown to the US military base near Kandahar and then in some cases to Cuba. According to the PHR, outside access to the prisoners was completely cut off during the screening process of two to three weeks. Just prior to the arrival of the PHR investigative team in January, two US military personnel controlled the jail entrance.

The conditions at Sheberghan directly contravene the Geneva Convention and the United Nations Standard Minimum Rules for the treatment of prisoners which require that they be treated humanely and provided with adequate food, shelter, hygiene and medical care. The Bush administration has contemptuously ignored the Geneva agreement in relation to the prisoners of war directly under the control of the US military in Afghanistan and Cuba. As the PHR pointed out, the same is the case with the prisoners at Sheberghan.

Under the Geneva Convention, all parties to the taking of prisoners share the same obligations for their humane treatment. Moreover, one party cannot simply extinguish its responsibility by transferring custody to another. Any transfers require that those accepting custody of the prisoners are both willing and able to look after them under the terms of the Geneva Convention.

As the PHR commented: "In the end, the United States cannot wash its hands of responsibility for prisoners whose fate from the start it has been in a position to influence or determine. The military campaign in Kunduz included the participation of the United States. Access to the prisoners and their disposition until very recently had been controlled by the United States. Finally, and perhaps of most importance of all, it is known by the United States that the forces having current physical custody of the prisoners have no capacity to provide the material supports essential to meet the standards of the Convention, whereas the United States does have such capacity. The Conventions cannot be fairly interpreted to permit a party to it to avoid responsibility for prisoners of war by ceding custody to an ally without the capacity to respect the Convention."

Another PHR report released in early May points to even more disturbing possibilities. At the request of the United Nations High Commission for Human Rights, the organisation sent a team of forensic scientists to investigate mass graves near Mazar-e-Sharif that were thought to contain the victims of Taliban atrocities in the late 1990s. In the course of their investigations, however, the team came across two sites of far more recent origins—one outside Mazar-e-Sharif and the other near the Sheberghan prison.

While the PHR team did not have the time or facilities to exhume and identify the bodies, they spoke to local witnesses and carried out a preliminary examination. "Several sources reported that the bodies at the Sheberghan site include Taliban prisoners from the recent coalition war in the north, who were transported to these sites in truck containers," the report stated.

According to one witness, during December 2001 and early January 2002 six container trucks were seen backed up at the mass grave near Sheberghan. Another witness had seen three container trucks during the same period, with armed soldiers guarding the trucks. Both witnesses reported seeing men covering their faces, as if to avoid a bad odour. Other witnesses reported seeing bulldozers at work, closely guarded by soldiers. The grave is only a short distance from the Sheberghan military prison.

PHR board member Dr Jenny Leaning told the press that the team estimated that the site could hold up to 1,000 bodies. She noted that as many as 5,000 Taliban supporters were captured after the fall of Kunduz and Taloquan but only 3,000 have been accounted for. Many of the prisoners were transported to Mazar-e-Sharif and Sheberghan in locked containers in freezing conditions. The wounded received no medical assistance.

At the second site, outside of Mazar-e-Sharif, exploded and unexploded ordinance was scattered in the vicinity and there were half-decomposed human remains in the grave. PHR concluded that the bodies had been placed there after the fall of Mazar-e-Sharif to the Northern Alliance in November 2001. The exact number of dead in the two gravesites is not known.

The PHR team had completed its report by the end of February and wrote to Afghan interim leader Hamid Karzai on March 1. The organisation only released its findings publicly after Karzai failed to respond. "There is a deep reluctance to look into something that could be politically explosive," Leaning commented.

One should add—politically explosive not only in Afghanistan but in the US as well. The evidence so far points to hundreds of Taliban prisoners either dying en route or being summarily executed while in the care of Dostum's troops who were known to be collaborating closely with US special forces soldiers and CIA agents.

Sheberghan prison is just one of a number of sites in Afghanistan where prisoners of war are being held. According to a recent *Reuter's* report, "Afghan intelligence sources" estimate about 6,000 Pakistanis alone are still detained in Afghan jails.



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