

March 1, 2002

The Honorable Hamid Karzai
Chairman
Interim Authority Administration
Kabul, Afghanistan

Dear Chairman Karzai:

I am writing to request that you address an important and sensitive human rights matter that should require the urgent attention of your administration with support from the United Nations: the protection of mass grave sites in Afghanistan and a plan for their careful and objective investigation.

Physicians for Human Rights (PHR) is an organization of health professionals, scientists, and concerned citizens that uses knowledge and skills of the medical and forensic sciences to investigate and prevent violations of international human rights and humanitarian law. We have investigated and reported on human rights and health in Afghanistan for a number of years. Most recently, in our ongoing support for the people of Afghanistan and their reconstruction effort, we have strongly urged the international community to devote extensive resources to help you address the enormous needs.

In 1997 the United Nations High Commissioner for Human Rights requested that PHR participate in a preliminary assessment of reports of mass graves in northern Afghanistan. In December of that year, a forensic scientist sent by our organization traveled to Mazar-I-Sharif and its environs with a team led by the UN Special Rapporteur for Human Rights in Afghanistan. The team visited five locations alleged to be sites where executed prisoners were buried. Subsequent visits carried out in the area by the OHCHR discovered other sites where victims of massacres of civilians were buried.

We believe that a process to understand and account for the serious violations of international humanitarian law that have occurred in Afghanistan over the last twenty-five years is a crucial component of the reconstruction process. The importance of establishing appropriate human rights institutions in Afghanistan is recognized in the Bonn Agreement, which calls for the establishment of a human rights commission with the assistance of the United Nations.

In addition, proper examination of bodies found in mass graves and dignified burial of remains, are essential elements of a truth and accountability process. We believe such a process is also critical for future peace and stability.

Recently, PHR sent a three person fact-finding delegation to Afghanistan (January 7 to 23, 2002). The team spent five days in Mazar-I-Sharif investigating human rights violations and health needs in this region that included the collection of preliminary information on a number of mass gravesites. The visits to several sites were conducted at the request of local officials and with the knowledge of the Ministry of Planning in Kabul. As a follow-up to the January trip, in February PHR sent forensic experts to conduct a more detailed assessment of these sites.

A number of the sites that were visited relate to incidents dating to the conflict over the control Mazar-I-Sharif in 1997 and 1998. It is alleged that some of the sites, for instance a stone quarry located outside of Mazar-I-Sharif, contain many dozens of victims. Several local villagers told us of their strong desire to have these graves examined by scientific experts.

The forensic team also found evidence of recently disposed human remains in two of the nine gravesites that were visited. While we are not in a position to verify the provenance of the remains in these sites, we heard speculation from well-informed international observers that one of these sites, near the city of Shebarghan, could have been a disposal ground of Taliban prisoners who had surrendered to the Northern Alliance in November and December 2001.

At this alleged mass gravesite the PHR forensic team found an array of skeletal elements. Some bones were absent of flesh while others retained odor, residual fat and vestigial soft tissue, indicating more recent death. Shoes, prayer caps, prayer beads and clothing items were also found. A rubber glove was also seen on the surface. The clothing was found to be in relatively good condition, exhibiting minimal weathering and fading. It appeared that canine scavengers, whose tracks were prominent throughout the site, had gnawed many of the bones.

One eyewitness reported that he had passed the suspected mass gravesite some time between late December and early January, observing three container trucks backed into the suspected mass gravesite. At the time, he observed men covering their faces (as if avoiding bad odors) and armed guards who prompted him to take a different path to the main road.

Two eyewitnesses reported that shortly after the end of Ramadan bulldozers were seen at work in the area that was closely guarded by local soldiers. One of the witnesses remembers seeing a container truck and two bulldozers at the site towards the end of Ramadan. This account is of concern as there continues to be no reliable accounting for the numbers of prisoners resulting from the fall of Kunduz and Mazar-I-Sharif in late 2001.

Another site where PHR forensic investigators found evidence of recently disposed human remains is located east of Mazar-I-Sharif near the turn off leading to the airport. At this site our investigators found a series of deep excavated trenches where there are scattered skeletal remains of several individuals.

According to the witnesses that we interviewed, some of the bodies were those of villagers killed by the Taliban upon capturing Mazar in 1998. Also deposited in the trench were those of more recent decomposing human remains, presumably those of Taliban soldiers. These remains were allegedly deposited there after the fall of Mazar to the Northern Alliance. In addition to the open trench, other remains are being removed from a very shallow surface grave by vultures and dogs. In all, the bodies of approximately 30 individuals are above ground in various stages of dress, decomposition and scavenging.

PHR respectfully urges the Interim Administration of Afghanistan to ensure the protection of known mass gravesites throughout the country to prevent further disturbance by the elements and animals, as well as from human tampering or destruction. We especially urge that security be provided at the Shebarghan site and

the site described above east of Mazar until such time that these and other sites can be thoroughly investigated under an official mandate. We remain available for expert consultation and assistance.

Protection and eventual examination of these sites will assist, immeasurably, in the recovery and reconciliation of Afghanistan. If these sites are not protected, there can not be a thorough investigation into possible human rights violations, families and communities will not be able to bury the dead with dignity, and a truthful accounting of what happened will not be known.

Sincerely,

Leonard S. Rubenstein

Cc: Lakhdar Brahimi, UN Secretary General's Special Envoy to Afghanistan
Mary Robinson, UN High Commissioner for Human Rights
H.E. Mr. Peter Kolby, President of the United Nations Security Council
and Permanent Representative of Norway to the United Nations
Permanent Member Representatives, UN Security Council
H.E. Mr. Wang Ying Fan
H.E. Mr. Jean David Levitte
H.E. Sir Jeremy Greenstock
H.E. Mr. John D. Negroponte