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For the attention of Mr. Flip Schuller

**KhAD/WAD and the violation of human rights in Afghanistan, 1980-1992**

Report by Dr. A. Giustozzi

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1. I am a research fellow at the London School of Economics and Political Science (LSE), Development Studies Institute (DESTIN). I hold a PhD in International Relations from LSE, which I received in 1997 and I am the author of "War Politics and Society in Afghanistan, 1978-1992", a book published in 2000 by Georgetown University Press. At present I am carrying out a research project on origins, development and future prospects of the private militias in Afghanistan. I was in Afghanistan in April/May 2003 in order to carry out the research for this project.

2. I have been asked by Mr. Schuller to prepare a report regarding the violation of human rights by the Afghan intelligence service (KhAD/WAD) during 1980-1992.

3. I understand that the purpose of this report is to provide help to the court in assessing cases of Afghan asylum seekers and that my duty in this regard overrides any obligation to the party that has engaged me. This report is based on my independent opinion and I have tried to maintain the greatest possible degree of impartiality. The information provided is mostly based on my own research and personal experience. I also used V. Mitrokhin's "KGB in Afghanistan", Woodrow Wilson International Center for Scholars, 2002, and Fred Halliday and Zahir Tanin. "The Communist regime in Afghanistan," Europe-Asia Studies, 50/8 (1998).

## Training and selection of staff

4. There were throughout the history of KhAD/WAD significant transfers of personnel with other security services, like the army and the police. This was mainly due to the transformations that KhAD underwent over the years, as it increasingly took over a military role that demanded the presence of personnel with the relevant skills. Such military units were first established to secure key military installations, such as airports, throughout Afghanistan, due to the instances of desertion of whole units of the army in the early 1980s. Officers transferred from other services would not go through the usual training pattern.

5. The structure of KhAD was originally limited to just two departments, surveillance and investigation. By the mid-1980s their number had expanded to 9, as shown in the list below. I have not been able to establish to which directorate the military units of KhAD were attached. The expansion continued later, with the creation in 1988 of the National Guard, which was formed by asking for volunteers from the armed forces and then screening them, normally on the basis of party affiliation and by relying on referees. Acts of bravery on the battlefield would of course have been taken into account. The National Guard was conceived as a mobile armored reserve to be used in counter-offensives against units of the mujahidin and not as an anti-insurrection unit.

6. With regard to the standard recruitment procedure, it does not appear to have differed much from others in use in most countries. The fact that Afghanistan was involved in a conflict would of course make the loyalty of members even more precious. The fact that members of KhAD were expected to report on instances of "disloyalty" towards the regime among friends and relatives is hardly surprising and again not exceptional. The allegation that they as a rule were expected to interrogate and if necessary torture these themselves appears more a piece of propaganda than anything else.

7. That members of KhAD were more carefully selected than those of other services is also typical of security services around the world. However it should be considered that

this organization grew very rapidly in size over the years, from a few thousands in 1980 to about 100,000 at its peak (according to Soviet documents), excluding informers. It is highly unlikely that the PDPA regime would have been able to limit recruitment to loyalists and to proven individuals. We should consider that in KhAD, like in all of Afghan security services, the officers to troops ratio was very high, possibly close to 1 to 3. If the regime had been able to recruit 30,000 or more completely loyal individuals in the intelligence alone, it would mean that the social base of the regime was indeed quite large. In reality, such a huge expansion process is very likely to have led to a decline in recruitment and training standards.

8. One should also consider that instances of disloyalty among KhAD troops were relatively common during the war. A major example was the fall of the town of Kunduz in 1988, which was due to the defection of the KhAD garrison. There were several instances throughout the conflict of individuals defecting, although the desertion rate was lower than in other services. Finally, much of KhAD/WAD staff was taken over by the mujahidin as they seized power in 1992 and only a handful of officers showed their loyalty to President Najibullah, who had been head of KhAD in the first half of the 1980s. The head of WAD in 1992 committed suicide and some officers refused to serve under the new patrons, but the majority adapted to the new circumstances without much complaint. Many still serve in the Amnyat (intelligence) today.

#### **Tasks of KhAD/WAD members**

9. The fact that the majority of KhAD members serving in the surveillance and investigation directorates were accepted in the ranks of the mujahidin should be an indication that no complaint was lodged against these individuals by members of the mujahidin. As shown in Table 1 at the end of this report, a number of specialized directorates existed. From the functional point of view the tasks of KhAD were the following:

- 1) fighting counter-guerrilla warfare;
- 2) providing security of specific installations;
- 3) infiltration of the opposition;
- 4) extraction of information from prisoners;
- 5) surveillance and monitoring;
- 6) coordination of information gathering;
- 7) administration, processing of information and delivery of information to higher instances;
- 8) investigation of specific events, such as terrorist attacks, etc.;
- 9) propaganda activities;
- 10) recruitment of pro-government militias.

10. I would exclude much circulation of staff between 1-2 and the other areas of activity. I know instead of several examples of circulation of staff between 1-2 and other armed services, such as the army or the ministry of interior. There must have been much circulation of staff between 4 and 5 and to a lesser extent 3, in part at least through promotions, career advancement, etc. Deliberate rotation, which would have been necessary if every member of KhAD had to be implicated in the violation of human rights, in my view can only have played a limited role, because many positions in KhAD must have been highly skilled. As a result, and given the sheer size of the organization, a large number of KhAD members, including officers, must have been permanently involved in administrative, information gathering, logistical and organizational work, which is unlikely to have involved them in violations of human rights. Some military units of KhAD (point 1) would have had greater chances of being involved in human right violations, as would the regular army itself, but still this would not have been part of their task and would have depended mainly on the attitude of individual officers.

11. The recourse to torture during interrogations was no doubt extensive, especially in the early 1980s, when KhAD officers were under pressure to put an end to a wave of terrorist attacks in Kabul against government officials and Soviet advisors and troops. By 1983 Kabul had been largely secured and it seems likely that the recourse to means like torture

was reduced. Known examples of resistance commanders who died in custody generally date back to those early years. Extra-judicial executions also took place, although mujahidin sources greatly inflated the figures. As a rule, however, prisoners would be referred to special courts to be tried, although these were admittedly summary proceedings. Generally speaking there is no reason to believe that most violations of human rights were carried out by others than specialized "interrogators", as they exist in all intelligence services. Their methods were brutal, but it appears highly unrealistic to assert that every officer in KhAD/WAD was involved in such activities.

### **Role of high-ranking officers**

12. High ranking generals would have had greater chances of being involved in human rights violations during their career, but still it cannot be assumed that all of them would. There were high-ranking officers in each directorate of KhAD and their career could well have been within relatively untainted directorates such as foreign intelligence etc. Orders to carry out extra-judicial executions in my view must have been occasional and must have targeted particular individuals that it would have been impossible or too difficult to arrest, such as mujahidin commanders. The regime was not intent on exterminating any particular ethnic group and with regard to political adversaries, as a rule the first attempt would have been to turn them over and convince them to work with the government. If they refused, they would be tried and then sentenced to prison or executed. Many of the extra-judicial killings which took place were in my view the result of the brutality of individual officers, more than of a central policy. Only a relatively limited number of professional "interrogators", special agents and their officers would have violated human rights as part of their tasks.

13. Most of the interrogation activity appears to have taken place in Kabul. Provincial headquarters of KhAD/WAD were more focused on maintaining security of key military installations, such as airports, for which military units of KhAD had been created in the first place. Comparatively few arrests would take place in the provinces, due to character

of the conflict. There was little underground activity outside Kabul and this was limited to a few urban centers, mainly in the form of information-gathering. In most cases, important members of the resistance, if arrested, would be transferred to Kabul.

**Table 1: Directorates of KhAD, circa 1985. Table might not be 100% precise.**

- 1 Counter-intelligence
- 2 Surveillance of foreigners in Afghanistan
- 3 Surveillance of party and government members, including KhAD personnel
- 4 investigation directorate
- 5 Counter-insurgency contacts with mujahidin
- 6 Foreign diplomats
- 7 Surveillance of intellectuals
- 10 Foreign intelligence directorate
- 12 Operations along and across the Pakistani frontier

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