

prisoners from 2002 and that: "more than two years later, no US personnel have been charged with homicide in any of these deaths, although US Department of Defense documents show that five of the six deaths were clear homicides." <http://hrw.org/english/docs/2005/05/20/afghan10992.htm>

On 19 December 2005, Human Rights Watch released information about a US operated 'secret dark prison in Kabul' which revealed:

"Accounts from detainees at Guantanamo reveal that the United States as recently as last year operated a secret prison in Afghanistan where detainees were subjected to torture and other mistreatment. Eight detainees now held at Guantanamo described to their attorneys how they were held at a facility near Kabul at various times between 2002 and 2004. The detainees, who called the facility the 'dark prison' or 'prison of darkness', said ... US interrogators slapped or punched them during interrogations. They described being held in complete darkness for weeks on end, shackled to rings bolted into the walls of their cells, with loud music or other sounds played continuously. Some detainees said they were shackled in a manner that made it impossible to lie down or sleep, with restraints that caused their hands and wrists to swell up or bruise. The detainees said they were deprived of food for days at a time, and given only filthy water to drink." <http://hrw.org/english/docs/2005/12/19/afghan12319.htm>

And from the 2006 World Report by Human Rights Watch:

"US and coalition forces active in Afghanistan under Operation Enduring Freedom since November 2001, continue to arbitrarily detain civilians and use excessive force during arrests of non-combatants. Ordinary civilians arrested in military operations are unable to challenge the legal basis for their detention or obtain hearings before an adjudicative body. They have no access to legal counsel. Generally, the United States does not comply with legal standards applicable to its operations in Afghanistan, including the Geneva Conventions and other applicable standards of international human rights law."

So much for the NZ government's commitment "to the maintenance of human rights" and the reassurance that "New Zealand will not engage in military co-operation or exercises with the armed forces of states which sanction the use of their armed forces to suppress human rights" .



Peace Movement Aotearoa, PO Box 9314, Wellington

Tel (04) 382 8129 pma@xtra.co.nz <http://www.converge.org.nz/pma>

NZ SAS deployments to Afghanistan breach defence policy on human rights

The government's Defence Policy Framework states: "New Zealand will not engage in military co-operation or exercises with the armed forces of states which sanction the use of their armed forces to suppress human rights."

Yet since 2001, they have deployed SAS combat troops to Afghanistan three times to support the US-led occupation - an occupation which involves gross human rights violations.

The most recent deployment of the SAS to Afghanistan was from June to November 2005. As with the previous deployments, there was no detailed information available on where they were or what they did.

According to the Minister of Defence's statement announcing that deployment, the troops would specialise "in the planning and execution of long-range reconnaissance and direct action missions inside Afghanistan" and "operate with other special forces from countries contributing to coalitions forces in Afghanistan." They would be commanded by an NZ officer, and be deployed with their new Pinzgauer Special Operations Vehicles "to provide independent tactical mobility".

While the impression was given that the SAS operate independently from overall US military command and control, that is not the case.

SAS troops deployed to Afghanistan have been integrated with other Special Forces in the Combined Joint Special Operations Task Force - under US military command. Along with US Special Forces, "six foreign nations including New Zealand and Australia, also assigned some of their best "hunters and killers" to the group" which is headquartered near Bagram air base." www.globalsecurity.org/military/agency/dod/socent.htm

The Defence Policy Framework and human rights

All of the SAS deployments have been a clear breach of the Defence Policy Framework that was announced in June 2000. It was advertised by the government as a new approach to the armed forces, but has proved in practice to be indistinguishable from the old approach. The broad strategic outcomes outlined in the Point 11 of the Framework include:

"A global approach which supports New Zealand's place in an international community committed to the maintenance of human rights and the collective security responsibilities enshrined in the United Nations Charter, and which strengthens New Zealand's international economic linkages."

Point 18 of the Framework states: "New Zealand will not engage in military co-operation or exercises with the armed forces of states which sanction the use of their armed forces to suppress human rights. This does not preclude New Zealand involvement in UN peace support or other appropriate multinational peace support operations where the armed forces of such countries are also involved."

What a sick joke the Framework has proved to be. The only bit the government has taken into account when deploying combat troops overseas has been strengthening "New Zealand's international economic linkages" - namely, currying favour with the US government in their increasingly desperate attempts to persuade that government to negotiate an NZ/US 'free' trade agreement.

Human right violations in Afghanistan

That the US-led occupation of Afghanistan has resulted in gross human rights violations in a general sense - that is, the bombing and killing of civilians and the use of weapons with indiscriminate effects - is undeniable. Equally undeniable are the specific human rights violations relating to the arbitrary arrests, torture of suspects, and illegal detention of an unknown number of people in Afghanistan.

In March 2004, Human Rights Watch released the report 'Enduring Freedom: Abuses by US Forces in Afghanistan'. That Report begins:

"Following the September 11, 2001 attacks, the United States went to war in Afghanistan in the name of national security and the protection of fundamental rights and freedoms, and with a stated secondary aim of liberating the people of Afghanistan from the cruel and capricious rule of the Taliban.

Yet today, on Afghan soil, the United States is maintaining a system of arrests and detention as part of its ongoing military and intelligence operations that violates international human rights law and international

humanitarian law (the laws of war). In doing so, the United States is endangering the lives of Afghan civilians, undermining efforts to restore the rule of law in Afghanistan, and calling into question its commitment to upholding basic rights. This report, based on research conducted in southeast and eastern Afghanistan in 2003 and early 2004, focuses on how US forces arrest and detain persons in Afghanistan. It details numerous abuses by US personnel, including cases of excessive force during arrests; arbitrary and indefinite detention; and mistreatment of detainees. The report also details the overall legal deficiencies of the US-administered detention system in Afghanistan, which, as shown here, operates almost entirely outside of the rule of law." <http://hrw.org/reports/2004/afghanistan0304/>

That these same human rights violations continue to be perpetrated by US forces in Afghanistan is also undeniable.

In February 2005, the Independent Expert of the United Nations Commission on Human Rights on the Situation of Human Rights in Afghanistan, reported he was:

"gravely concerned at allegations of arrest, detention and mistreatment committed by foreign forces in Afghanistan." www.unhcr.ch

A Human Rights Watch summary of US abuse of detainees around the world, released on 27 April 2005, has a section on Afghanistan that states:

"Nine detainees are now known to have died in US custody in Afghanistan - including four cases already determined by Army investigators to be murder or manslaughter. Former detainees have made scores of other claims of torture and other mistreatment.

In a March 2004 report, Human Rights Watch documented cases of US personnel arbitrarily detaining Afghan civilians, using excessive force during arrests of non-combatants, and mistreating detainees. Detainees held at military bases in 2002 and 2003 described to Human Rights Watch being beaten severely by both guards and interrogators, deprived of sleep for extended periods, and intentionally exposed to extreme cold, as well as other inhumane and degrading treatment.

In December 2004, Human Rights Watch raised additional concerns about detainee deaths, including one alleged to have occurred as late as September 2004. In March 2005, The Washington Post uncovered another death in CIA custody, noting that the case was under investigation but that the CIA officer implicated had been promoted." hrw.org/english/docs/2005/04/27/usint10545.htm

In a report released on 20 May 2005, Human Rights Watch pointed out that US forces in Afghanistan were involved in killings, torture and other abuses of