

EXTERNAL (for general distribution)

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Further information on UA 103/93 (MDE 19/02/93, 7 April 1993) and follow-up (MDE 19/03/93, 6 July) - Legal Concern

**LIBYA: Inclusion of the judicial punishments of amputation and flogging in the Penal Code.**

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Amnesty International is gravely concerned that the judicial punishments of flogging and amputation have now been introduced in Libya.

These laws, described as the "*purification*" laws, came into effect in February, after being approved by the General People's Congress during its session in late January. According to their provisions, theft is punishable by the amputation of the limbs and murder, rape and some types of sexual offences are punishable by execution.

Amnesty International fears that these laws may be used to punish political opponents. In a speech in April 1993, Colonel Mu'ammur al-Gaddafi said that he "*would like to see the hand of the thief cut off... and also for the man or the woman who commits adultery to be given 100 lashes*". Amnesty International had urged Libya at the time not to introduce these laws, but there was no response to this appeal from the government.

Amnesty International considers amputation and flogging to be cruel, inhuman and degrading punishments; as such, they are prohibited internationally by the *United Nations' Convention against Torture or Other Cruel, Inhuman and Degrading Treatment or Punishment*, and by the *Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR)*.

In May 1970, Libya became a State Party to the ICCPR, and in May 1989, it also became a State Party to the UN Convention against Torture, without making any reservations to that treaty.

**RECOMMENDED ACTION: Please send telegrams, telexes and airmail letters either in English, Arabic or in your own language:**

- expressing grave concern at the introduction of the judicial punishments of amputation and flogging in Libya;
- stating that these punishments amount to cruel, inhuman and degrading treatment which is prohibited by the Convention against Torture and Article 7 of the International Covenant on Civil and Political Rights to which Libya is a State Party, as well as to Article 31 (c) of Libya's own constitution;
- urging the Libyan government to abolish these penalties and replace them with other punishments not involving torture or cruel, inhuman or degrading punishment.

**APPEALS TO:**

1) His Excellency Mu'ammur al-Gaddafi  
Leader of the Revolution  
Office of the Leader of the Revolution  
Tripoli  
Great Socialist People's Libyan Arab Jamahiriya

**Telegrams: colonel al-Gaddafi, Tripoli, Libya**  
**Telexes: 70 0901 20162 ALKHASU LY**  
**Salutation: Your Excellency**

2) 'Umar Mustapha al-Muntasir  
Secretary of the People's Committee  
of the People's Bureau for Foreign Liaison  
and International Cooperation  
Tripoli  
Great Socialist People's Arab Jamahiriya  
**Salutation: Your Excellency**

3) His Excellency  
Zanati Mohammad al-Zanati  
Secretary of the General People's Congress  
Secretariat of the General People's Congress  
Tripoli  
Great Socialist People's Libyan Arab Jamahiriya  
**Telegrams: Excellency al-Zanati, General People's Congress, Tripoli, Libya**  
**Salutation: Your Excellency**

**COPIES OF YOUR APPEALS TO:** diplomatic representatives of Libya accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 18 April 1994.