

EXTERNAL

AI Index: MDE 23/06/91
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MEDICAL CONCERN

**@AMPUTATIONS
£SAUDI ARABIA**

In the first week of December 1991, three judicial amputations were carried out in Saudi Arabia. On 5 December, 'Ali bin 'Issa bin Hassan al-'Ali, a Saudi national, had his right hand severed from the wrist in the town of 'Ihsa. According to a statement issued by the Ministry of the Interior, he had been convicted of stealing money from eight houses and of committing a number of other thefts in the area. The punishment was imposed by the High Court in 'Ihsa and endorsed by the Court of Cassation and the Supreme Judicial Council before final ratification by Royal Decree.

The following day, on 6 December 1991, two further sentences of amputation were carried out against Ahmad bin Nasser bin Ahmad Suleiman, a Yemeni national, and Obeid bin Muhammad bin Hammad al-Dusari, a Saudi national. The punishment was imposed by the High Shari'a Court in Jeddah after the men had been convicted of breaking into a shop and stealing a safe. Again, the punishments were upheld on appeal and finally ratified by Royal Decree.

Islamic law (*Shari'a*), as practised in Saudi Arabia, imposes amputation of the right hand as punishment for repeated theft where there are no mitigating circumstances. Amnesty International holds amputation to be a cruel, inhuman and degrading punishment which, as such, is prohibited internationally by the United Nations' Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment, and by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Amputations are mostly carried out in public and an ambulance is generally present to transfer the amputee to hospital for aftercare. Amnesty International does not have details of the role played by doctors or the training given to those who perform the amputations, but believes that some prior medical instruction may be given.

Any use of medical skills by physicians to assist in the infliction of any form of cruel, inhuman or degrading treatment would be contrary to international codes of medical ethics. The World Medical Association's Declaration of Tokyo, adopted in 1975, states at Article 2:

"The doctor shall not provide any premises, instruments, substances or knowledge to facilitate the practice of torture or other forms of cruel, inhuman and degrading treatment or to diminish the ability of the victim to resist such treatment."

Similarly, the United Nations' Principles of Medical Ethics adopted in 1982 state:

"It is a gross contravention of medical ethics as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage, actively or passively in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment". (Article 2)

Article 4(b) states that it contravenes medical ethics for doctors and other health professionals to:

"certify, or participate in the certification of prisoners or detainees for any form of treatment or punishment that may adversely affect their physical or mental health ... or to participate in any way in the infliction of such treatment or punishment..."

Amnesty International believes judicial amputations to be incompatible with international human rights standards and is calling for an end to the punishment.

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To: Medical professionals
 From: Medical Office / Research Department - Middle East
 Date: 18 December 1991

MEDICAL LETTER WRITING ACTION

**AMPUTATIONS
 SAUDI ARABIA**

Keywords

Theme: Amputations

Summary

Three judicial amputations were carried out in Saudi Arabia in the first week of December 1991. Amnesty International opposes the punishment, considering it to constitute cruel, inhuman and degrading treatment. These are the first amputations known to have been carried out in Saudi Arabia in the course of 1991.

Recommended Actions

Letters are requested from medical professionals to the address given below:

- expressing concern at the amputations which were carried out in 'Ihsa and Jeddah on 5 and 6 December 1991, stating that you hold amputation to be a form of cruel, inhuman and degrading punishment which violates international standards of human rights
- noting that internationally-agreed codes of medical ethics prohibit doctors and other medical personnel from countenancing, condoning or facilitating such practices, and expressing concern about the possible involvement of medical personnel or the use of medical skill in carrying out judicial amputations
- appealing for all sentences of amputations to be replaced by other punishments

Letters to the Minister of Health in particular should seek information about the role of doctors, who performs the amputation, what type of prior instruction is given, whether the amputee is examined by a doctor, whether a doctor is present at the amputation, etc.

Addresses

The Custodian of the Two Holy Shrines
 King Fadh bin 'Abd al-'Aziz
 Head of State, Custodian of the Two Holy Shrines and Prime Minister
 Office of His Majesty the King
 Riyadh
 Kingdom of Saudi Arabia

His Excellency
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