

EXTERNAL (for general distribution)

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Amputation

24 June 1994

IRAQ Two men sentenced to amputation for theft

Two men convicted of stealing carpets from the Bahriz al-Kabir mosque have been sentenced to amputation of the hand by the Criminal Court in Diyala, north east of Baghdad. The court issued an arrest warrant for a third person said to be involved in the crime, and who is therefore at risk of the same punishment. There is no indication of when the sentences may be carried out, or if the defendants will have an appeal hearing.

This is the first time that such sentences have been imposed by Iraqi courts since Islamic judicial punishments for theft were introduced in early June 1994, apparently in response to the rapid rise in crime resulting from the worsening economic conditions being experienced in Iraq since the imposition of UN sanctions in 1990. People convicted of theft will face the punishment of amputation of one hand, followed by amputation of one foot if they offend a second time. The punishment of amputation is also to be imposed on farmers who fail to send their grain harvests to government silos, the Council of Ministers in Iraq announced last week. In addition, the punishment will be used against people convicted of changing hard currency in unlicensed exchanges.

Amnesty International considers amputation to be cruel, inhuman and degrading punishment, prohibited internationally by the Universal Declaration of Human rights and the International Covenant on Civil and Political Rights (ICCPR) which Iraq ratified on 25 January 1971. Iraq is not a State Party to the UN Convention against Torture, but the amputation sentences contravene Iraq's obligations under its Unilateral Declaration against Torture or Other Cruel, Inhuman and Degrading Treatment or Punishment which Iraq made on 3 September 1979.

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

- expressing grave concern at the sentences of amputation imposed in June 1994 on two men convicted of theft, and appealing that the sentences be replaced by another penalty which is compatible with international human right standards;
- expressing concern at the introduction of this cruel, inhuman and degrading punishment into Iraqi Law;
- stating that punishment by amputation contravenes Iraq's obligations under the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights, as well as Iraq's Unilateral Declaration against Torture or Other Cruel, Inhuman and Degrading Treatment or Punishment of 1979.
- urging that Iraq abolish this penalty from its law and replace it with another punishment not involving torture or cruel, inhuman or degrading punishment.

APPEALS TO

1) H.E. President Saddam Hussain
President of the Republic
Presidential Palace
Karadat Mariam
Baghdad, Iraq

Telexes: 212299 alqasr ik
Telegrams: President Hussain, Baghdad, Iraq
Salutation: Your Excellency

2) H.E. Muhammad Sa'id al-Sahhaf

Minister of Foreign Affairs

Baghdad, Iraq

Telexes: 212201

Telegrams: Foreign Affairs Minister al-Sahhaf, Baghdad, Iraq

Salutation: Your Excellency

3) H.E. Watban Ibrahim al-Hassan

Minister of Interior

Ministry of Interior

Baghdad, Iraq

Telegrams: Interior Minister al-Hassan, Baghdad, Iraq

Salutation: Your Excellency

4) H.E. Shabib Lazem al-Maliki

Minister of Justice

Ministry of Justice

Baghdad, Iraq

Telegrams: Justice Minister al-Maliki, Baghdad, Iraq

Salutation: Your Excellency

* Regular postal services to Iraq have been suspended since the imposition of sanctions in 1990. However, it appears that recently postal services to Iraq have resumed in some countries on a limited basis. **Before sending appeals, please check with the postal services in your country to find out what services are available.** If you cannot write directly to Baghdad, send appeals to Iraq's diplomatic representative in your country.

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 August 1994.