

EXTERNAL (for general distribution)

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Further information on UA 319/94 (MDE 14/05/94, 1 September 1994) - Amputation / Tattooing

IRAQ Sham'un Bulos
 Isma'il Ahmad Sa'id
new name: 'Ali Ubaid Abed 'Ali, aged 37

Amnesty International has learned that on 9 September 1994, 'Ali Ubaid Abed 'Ali was shown on Iraqi television following the amputation of his hand and the branding of his forehead. He had been convicted of the theft of a television and 250 Iraqi dinars.

In the original action of 1 September 1994, Amnesty International reported that Sham'un Bulos and Isma'il Ahmad Sa'id had been sentenced to amputation of the hand and having a tattoo applied to the forehead. The organization has now learned that Revolutionary Command Council Decree 109 in fact states that a **brand** (not a tattoo) will be applied to the forehead of a person having the hand amputated following conviction of theft. It is not yet known if Sham'un Bulos and Isma'il Ahmad Sa'id have had their sentences carried out.

BACKGROUND INFORMATION

Decree Number 59 of 4 June 1994 ruled that those convicted of theft will face the amputation of one hand, followed by amputation of the left foot if they offend a second time.

Punishment by branding is repeated in another decree passed by the RCC on 25 August, which rules the cutting off of the outer part of the ear of those who are convicted of deserting the army, evading draft to the army, or sheltering deserters or evaders. It states that anyone punished by having the ear cut off will also have a brand applied to their forehead. The decree adds that the other ear will be cut off if the offence is repeated. If the offence is committed a third time, the death penalty will apply.

The punishments of branding and ear-cutting are unprecedented in Iraq, and are not Islamic judicial punishments. Amputation and branding are cruel, inhuman and degrading punishments, and these punishments outlined in Decrees 59, 109 and 115 are 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.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes and airmail letters

- condemning the amputation of the hand and branding of the forehead of 'Ali Ubaid 'Abed 'Ali, and expressing concern that he was then displayed on public television;
- stating that punishments by amputation of the hand, foot or ear and branding of the forehead are cruel, inhuman and degrading and as such contravene provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, as well as Iraq's Unilateral Declaration against Torture or Other Cruel, Inhuman and Degrading Treatment of Punishment of 1979;
- urging that Iraq abolish these penalties from its law and replace them 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 postal services to Iraq have recently 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 17 November 1994.