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Afghanistan: Reject stoning, flogging, amputation and other Taliban-era punishments

Afghanistan's proposed reinstatement of atrocious punishments would mark a dangerous return to legalized state brutality, Amnesty International said today as it urged the authorities to reject such plans.

Public stoning to death, amputation of limbs and flogging are among the brutal punishments being put forward as draft amendments to the Afghan Penal Code.

"Stoning and amputation are always torture, and so is flogging as practised in Afghanistan. All these forms of punishment are strictly prohibited under international human rights treaties which are binding on Afghanistan," said Horia Mosadiq, Afghanistan Researcher at Amnesty International.

Some of these punishments are also proposed for acts which should never be criminalized in the first place, including consensual sexual relations between adults, and choosing one's religion.

"When Afghanistan left behind such punishments with the ousting of the Taliban over a decade ago, it was a beacon of hope for gradual human rights reform in the country," said Horia Mosadiq.

"That the Afghan authorities are even considering a return to such practices is unacceptable. It would be a betrayal of the Afghan people and a setback to the government's commitment to improving and monitoring human rights."

Afghanistan's Ministry of Justice and the Ministerial Committee of Shari'a and Traditional Penalty and Investigating Crimes recently proposed at least 26 amendments to the country's Penal Code.

The changes include the reinstatement of punishments dating to the Taliban era and reflecting their interpretation of Shari'a law. Among them are public stoning to death for "adultery" by married people, amputation of hands and feet for theft and robbery, and flogging of up to 100 lashes for unmarried people found guilty of "adultery".

International law prohibits all forms of cruel, inhuman, degrading and torturous punishments. Amnesty International also opposes the death penalty – the ultimate cruel, inhuman and degrading punishment – under any circumstances and regardless of the method of execution.

Amnesty International calls on the Afghan parliament to flatly reject the draft amendments, abolish all forms of corporal punishment, and immediately establish a formal moratorium on executions with a view to abolishing the death penalty. It should also ensure that the Penal Code refrains from criminalizing behaviour such as consensual sexual relations between adults and choosing one's own religion.