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Afghanistan: Commute death sentence for Afghan soldier who killed French troops

An Afghan soldier who killed five French soldiers in January has been sentenced to death by a military court, prompting Amnesty International to urge the Afghan authorities to commute the sentence.

Abdul Saboor opened fire on French forces during a joint operation in a remote part of the north-eastern Kapisa province. He was overpowered and arrested before he could flee.

This attack in Kapisa is part of a growing trend of “Green-on-Blue” incidents in which Afghan soldiers attack international forces fighting alongside them.

“While the Afghan authorities should investigate and try Abdul Saboor for his suspected crimes, the death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment,” said Polly Truscott, Amnesty International’s South Asia Director.

“Amnesty International opposes the death penalty in all cases and its continued use in Afghanistan goes against the global trend towards abolition.”

During the interrogation and trial, Abdul Saboor accepted all the charges against him. A military court in Kabul handed down the death sentence on Sunday 15 July.

He has the right to appeal to the military appeal court. The verdict can subsequently be revised or approved by the military court or Afghanistan’s Supreme Court.

Amnesty International urges the Afghan government to ensure that Abdul Saboor has access to a defence lawyer in all stages of his appeal, at both the appeal court and Supreme Court, and is able to receive visits by family members and friends.

According to the media reports Abdul Saboor’s family raised concerns over the state of his mental health condition.

“The Afghan authorities must ensure an independent medical expert has unfettered access in order to ascertain Abdul Saboor’s state of health. International standards prohibit the imposition of the death penalty against people with mental disabilities.”

Amnesty International calls on the Afghan government to immediately impose an official moratorium on executions as the first step toward abolition of the death penalty in the country.

Background

In June 2011 the Afghan authorities resumed executions by hanging two male prisoners at Pul-e-Charki prison outside Kabul after a gap of two years.

The men, Zar Ajam, a Pakistani national from North Warizistan, and Mateullah from Kunar province in Afghanistan, were convicted of killing approximately 40 people and injuring some 78 others during a raid at a branch of Kabul Bank in the eastern city of Jalalabad on 19 February 2011. The Taleban claimed responsibility for the attack.

A total of 141 countries from all regions of the world have abolished the death penalty in law or practice and there is an overall decline in the number of reported executions.

In 2011, less than half of the 58 retentionist countries were known to have carried out executions.

Since 2007, the United Nations General Assembly has adopted, with increased cross-regional support, three resolutions calling upon UN Member States to establish a moratorium on executions with a view to abolishing the death penalty.