



**amnesty
international**

INTERNATIONAL SECRETARIAT
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**URGENT
ACTION**

EXTERNAL (for general distribution)

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Death Penalty

1 May 1990

AFGHANISTAN: Seyed Hamza son of Seyed Mahboob

Seyed Hamza was sentenced to death by a Special Revolutionary Court in April-May 1988, following his arrest on 24 December 1987, for his alleged involvement in an armed confrontation with the government. There is no judicial review of the sentences passed by the Special Revolutionary Courts (renamed as Special Courts of National Security in mid-1989). The only available remedy is that death sentences passed by these courts have to be confirmed by the President (and reportedly all other sentences). Amnesty International opposes the death penalty in all cases, and is appealing to the government of Afghanistan that, in line with the international standards for the protection of life, the death sentence passed on Seyed Hamza be commuted. There are currently grave fears that his execution may be imminent.

BACKGROUND INFORMATION

Seyed Hamza son of Seyed Mahboob, 28 years old, a resident of Shah Shahid in Kabul was arrested on 24 December 1987. He was a member of the Afghan Mujahideen group, Jamiat-e-Islami. He was arrested, with 11 others, for his alleged part in a Jamiat armed confrontation with the government.

Prior to his trial, Seyed Hamza was taken to a WAD (security police) detention centre at Sedarat in Kabul, where he was tortured and kept in solitary confinement. His torture included standing naked in the cold weather for 15 days, beating, kicking and electric shocks. The whereabouts of Seyed Hamza were not known until about one month after his arrest, and he has never been allowed family visits.

Among those arrested with Seyed Hamza was Ghulam Sakhi, also sentenced to death but released in September 1989, in an exchange of prisoners between the government and Ahmad Shah Massoud, a senior commander of Jamiat-e-Islami in Panjshir Valley in north-eastern Afghanistan.

The remaining ten prisoners, who were understood to have been sentenced to between six and 18 years' imprisonment, have reportedly been released under the terms of a decree for general amnesty for political prisoners, announced in 1987, as part of the government's policy of national reconciliation.

Seyed Hamza is reportedly held in Block 2, Second Floor, Pul-e-Charkhi Prison, Kabul. It is not yet clear whether his death sentence has been confirmed by the President.

Telephone: 01-833 1771 Fax: 01-956 1157 Telegrams: Amnesty London WC1 Telex: 28502

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for all *political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners*.

RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

- expressing concern that Syed Hamza has been sentenced to death;
- stating Amnesty International's unconditional opposition to the death penalty on the grounds that it is a violation of the right to life, and amounts to a cruel, inhuman and degrading form of punishment as proclaimed in the Universal Declaration of Human Rights;
- urging the authorities that his death sentence be commuted.

APPEALS TO:

President Najibullah
Office of the President
Kabul
Afghanistan

Telegrams: President Najibullah, Kabul, Afghanistan
Telexes: 326 KHAREJA AF

Abdol Wakil
Minister of Foreign Affairs
Ministry of Foreign Affairs
Shar-i-Nau
Kabul
Afghanistan

Telegrams: Foreign Minister Wakil, Kabul, Afghanistan

Lt Col Hakeem Zurmati
Chief of Pul-e-Charkhi
Pul-e-Charkhi Prison
Kabul
Afghanistan

Telegrams: Chief Pul-e-Charkhi Prison, Kabul, Afghanistan

COPIES TO: The diplomatic representatives of Afghanistan in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 June 1990.

Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

- Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

- The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

Copies of appeals should be sent to relevant diplomatic representatives in your country.

In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

- Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.