

EXTERNAL

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Fear of amputation

8 October 1996

AFGHANISTAN **Some 70 people to be tried for looting**

On 3 October 1996, Amir Khan Motaqi, a senior Taleban official, said that about 70 people have been detained in Kabul on charges of looting. He said the detainees would be put on trial on the basis of Islamic Shari'a law.

Amnesty International fears that the detainees may be subjected to amputation.

In the past, Taleban courts, in apparently unfair trials, have imposed sentences of amputation on similar charges, which were then carried out. Amnesty International is particularly concerned about a Taleban statement carried by the international media that "when the world says the Taleban shouldn't chop off hands of thieves, sentence murderers to death, and stone adulterers, it is interference in our internal affairs".

Amnesty International takes no position with respect to the cultural, political or religious context in which administrative structures or legal and judicial systems operate, but opposes amputations in all circumstances. The organization is urging the Taleban authorities to forbid the imposition of amputations and other forms of cruel, inhuman or degrading punishments by the Islamic courts in areas under their control, and to provide information on the situation of the above-mentioned detainees.

BACKGROUND INFORMATION

Within the last two years, dozens of prisoners have received punishments including execution and amputation ordered by Islamic courts set up in areas controlled by the Taleban in Afghanistan. On several occasions sentences of amputation on charges of theft have been carried out.

Judicial amputation as well as other forms of corporal punishment and torture violate the most elementary standards of humane behaviour. Indeed the prohibition of mutilation, cruel treatment and torture is part of customary international law and is recognized in Common Article 3 of the Geneva Conventions.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters, in equal numbers, to the head of your own government and to leaders of major opposition parties in your country:

- expressing concern that the 70 detainees mentioned above are at risk of being subjected to amputation if found guilty by the Taleban judicial authorities;
- urging them to use whatever influence they can exert on the Taleban in order to obtain assurances that none of these or any other detainees will be sentenced to amputation.

The International Secretariat will appeal to the Taleban authorities directly, but due to limited avenues for communication no direct appeals from the UA Network are requested. Please forward any replies you receive from your own governments to your Section Office or the International Secretariat.

NO COPIES

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 November 1996.