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Death Penalty

AFGHANISTAN

Sayed Perwiz Kambakhsh (m), student and journalist

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University student and journalist Perwiz Kambakhsh was sentenced to death on a charge of blasphemy on 22 January in the northern city of Mazar-e-Sharif in Balkh province. Before the trial began, local religious leaders had called for him to be executed for causing offence to Islam. His trial took place in a closed session of the provincial lower court and he had no legal representation.

Perwiz Kambakhsh was convicted under the blasphemy laws for allegedly downloading material from the internet that examined the role of women in Islam and distributing it at Balkh University. His brother Yaqub Ibrahim has filed an appeal on his behalf. If the appeal is rejected by both the Appeal Court and the Supreme Court, his sentence will be passed for review to President Karzai, who under the Constitution is authorised to approve it, commute the sentence or pardon Perwiz Kambakhsh altogether.

Perwiz Kambakhsh reportedly said that the court consisted of three judges and an attorney. He was handed the written death sentence before he had a chance to defend himself and then escorted from the room by armed guards and returned to prison.

Perwiz Kambakhsh, who also works for a local newspaper in Mazar-e-Sharif, has denied all charges against him saying that his confession was coerced.

The case against Perwiz Kambakhsh appears to be politically motivated, aimed at stopping his brother Yaqub Ibrahim - also a journalist who works for the Institute for War and Peace Reporting (IWPR) a charity providing training and capacity building for local media - from publishing articles critical of local power holders. Perwiz was arrested in November 2007 after Yaqub published a series of articles voicing concerns about local leaders.

#### **BACKGROUND INFORMATION**

Fifteen people were executed in October 2007, the first executions in Afghanistan for three years. The 15 were gunned down as they attempted to flee the execution and one person sentenced to death allegedly bribed his way out of the execution. The executions were immediately followed by a 10-day hunger strike by some prisoners in Pul-e-Charkhi prison. The prisoners said that the executions were not based on fair and transparent trials, that some were politically motivated and that at least one person escaped execution by paying bribes. Between 70 and 110 people are believed to remain on death row.

The death sentence against Perwiz Kambakhsh comes despite the UN General Assembly's adoption of a resolution (18 December 2007) calling for a worldwide moratorium on the use of the death penalty and at a time when a total of 135 countries have abolished the death penalty in law or practice.

Amnesty International opposes the death penalty in all cases. The death penalty is a symptom of a culture of violence, and not a solution to it. It has not been shown to have any greater deterrent effect than other punishments, and is known to have been carried out on the innocent. The death penalty is the ultimate form of cruel, inhuman and degrading treatment, and a violation of the right to life, a right proclaimed in the Universal Declaration of Human Rights and other international human rights instruments.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Pashto or Dari or your own language:**

- calling on President Karzai to use his powers to pardon Perwiz Kambakhsh;
- expressing concern that the court proceedings fell far below international fair trial standards;
- expressing concern that the charges against Perwiz Kambakhsh appear to have been brought for political reasons;
- calling on President Karzai to re-introduce an immediate moratorium on all executions in Afghanistan, as called for in the recent UN General Assembly resolution that was passed, with a view to an eventual abolition of the death penalty in line with the worldwide trend.

**APPEALS TO:** It is difficult to get letters and emails to Afghanistan. Please send appeals to diplomatic representatives of Afghanistan accredited to your country. Ask that they be forwarded to President Karzai, Attorney General Abdul Jabar Sabit and Minister of Justice Sarwar Danish.

Please also send copies to your country's Foreign Affairs Minister and the human rights department in your country's Ministry of Foreign Affairs.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 25 March 2008.