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OHCHR – UN Office of the High Commissioner for Human Rights

Afghanistan: UN experts call on the Taliban to immediately halt public floggings and executions

GENEVA (16 December 2022) – UN experts are deeply aggrieved about a public execution and that flogging has resumed in Afghanistan and call on the de facto authorities to halt immediately all forms of torturous, cruel and degrading forms of punishments. They said in a statement issued today:

“Since 18 November 2022, the de facto authorities have reportedly carried out floggings of over 100 individuals, both women and men, in several provinces including Takhar, Logar, Laghman, Parwan and Kabul. Each were given between 20 and 100 lashes for alleged crimes including theft, ‘illegitimate’ relationships or violating social behaviour codes. While criminalisation of relationships outside of wedlock seem gender-neutral, in practice, punishment is overwhelmingly directed against women and girls. The flogging has been carried out in stadiums in the presence of officials and members of the public.

On 7 December 2022, the Taliban publicly executed a man in Farah city, Farah province, in what appears to be the first public execution since seizing power in August 2021. Senior de facto officials, including the Deputy Prime Minister and Chief Justice, were in attendance. The application of these punishments began after the Supreme Leader on 13 November 2022 ordered the judiciary to implement Hudood (crimes against God) and Qisas (retribution in kind) punishments across the country.

Public floggings and public executions violate universal principles prohibiting torture and other cruel, inhuman or degrading treatment or punishment. Afghanistan is a State party to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which prohibits torture, or other cruel, inhuman or degrading punishment. The public spectacle of these punishments make them especially distasteful and undignified.

We are additionally raising doubts about the fairness of the trials preceding these punishments, which appear not to satisfy basic fair trial guarantees. International human rights law prohibits the implementation of such cruel sentences, especially the death penalty, following trials that apparently do not offer the required fair trial guarantees.

We call on the de facto authorities to immediately establish a moratorium on the death penalty, prohibit flogging and other physical punishments that constitute torture, or other cruel, inhuman or degrading treatment or punishment and guarantee a fair trial and due process in accordance with international standards. At all times, no matter the status of a person, they are entitled to dignity and respect.”

*The experts: **Richard Bennett**, Special Rapporteur on the situation of human rights in Afghanistan; **Reem Alsalem**, Special Rapporteur on violence against women and girls, its causes and consequences, **Fionnuala Ní Aoláin**, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; **Dorothy Estrada Tanck** (Chair), **Ivana Radačić** (Vice-Chair), **Elizabeth Broderick**, **Meskerem Geset Techane** and **Melissa Upreti**, Working Group on discrimination against women and girls; **Alice Jill Edwards**, Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; **Morris Tidball-Binz**, Special Rapporteur on extrajudicial, summary or arbitrary executions.

ecoi.net summary:

According to reports, more than 100 men and women have been publicly whipped since 18 November 2022; punishment for "illegitimate" relationships is mostly practiced against women and girls

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Afghanistan

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