



Mr Stephen Smith
Minister for Foreign Affairs
c/- DFAT
CANBERRA ACT 2600

Friday 25 January 2008

Dear Minister

CLA requests that you protest formally on behalf of Australia over the reported sentencing to death of a journalism student in Afghanistan.

Reliable reports say that the student, 23-year-old Sayad Parwez Kambaksh, has been found guilty by three judges of 'discussing women's role in society', using information from the internet. The student is alleged to have shown papers to a university teacher and classmates. There are allegations by some classmates that Kambaksh wrote the papers himself.

The 'offence' of discussing women's role in society – using papers of whatever origin – has apparently been deemed to have insulted Islam and invoked Article 130 of the Afghanistan Constitution, allowing for execution consistent with Hanafi law.

We understand that the Afghan Council of Mullahs has recommended the death sentence.

CLA asks that you make representations to the Afghanistan Government to have the death sentence overturned, or commuted, or a pardon given, because:

- Australian troops are giving their lives for a 'democratic' Afghanistan; a death sentence for the alleged offence is not 'democracy' as Australians understand it;
- Australia as a nation is opposed to the death penalty, and our representations against it in international forums are consistent; we believe the death penalty has no place in the civilised society, which Afghanistan says it is, or is becoming; and
- The nature of being a student, in any country in the world, permits and encourages exploration of the boundaries of knowledge and practice in society: Australia does not support any Afghanistani governmental, judicial or religious decisions which deny the peaceful exploration of new ideas and concepts to university students.

Further, it is unlikely to be possible for Australia to provide additional support to education in Afghanistan, particularly in universities, in a climate where students are not free to explore what are considered reasonable topics for discussion in other universities, including in the Arabic/Islamic world, and most certainly in Australia.

Yours sincerely,

Dr Kristine Klugman