

URGENT ACTION

FOUR MEN EXECUTED IN IRAQ, TWO REMAIN AT RISK

Four men were executed in Iraq yesterday. Two more men, including one Saudi Arabian national, could be executed at any time.

Four Iraqi nationals were executed on 2 April; they are **Manaf 'Abdulrahim 'Abdulhamid 'Issa al-Rawi, Mohammad Nouri Matar Yassin, Ibrahim 'Abdulqader 'Ali 'Antik, and Mohammad Jaber Tawfiq 'Obaid**. Two other men, **'Safa Ahmad 'Abul'aziz 'Abdullah** and a Saudi Arabian national, **Abdullah 'Azzam Saleh Musfer al-Qahtani** could be executed at any time. They were all sentenced to death by the Central Criminal Court in Baghdad on 16 March 2011. Their sentences were upheld and sent for ratification by the Iraqi Presidency.

They were accused of taking part in an armed raid in a shop in Baghdad in 2009 during which the two owners were killed. The six men initially "confessed" to being members of al-Qa'ida and carrying out the raid to raise funds for the organization. They later recanted their "confessions" stating that they had made them after being subjected to torture and other ill-treatment. On 26 February 2013 Abdullah 'Azzam Saleh Musfer al-Qahtani informed one of his lawyers that he had been tortured during his pre-trial detention. He stated that the torture included severe beatings, pulling his genitals, burning with cigarettes and partial asphyxiation with a plastic bag. In its verdict, the court admitted the defendants' "confessions" as evidence, despite their allegations of torture and coercion in pre-trial detention. Prior to his conviction, in breach of his and his co-defendants' right to fair trial, al-Fayha TV broadcast an interview with Abdullah 'Azzam Saleh Musfer al-Qahtani in which he "confessed" to affiliation with an armed group and committing other crimes.

Please write immediately in English or Arabic:

- Calling on the Iraqi authorities not to proceed with the executions of 'Abdullah 'Azzam Saleh Musfer al-Qahtani and Safa Ahmad 'Abul'aziz 'Abdullah and overturn their sentences;
- Expressing concern that the two men may not have received a fair trial in line with international standards;
- Urging the authorities to declare an official moratorium on executions with a view to abolishing the death penalty, and to commute without delay all death sentences;
- Insisting that, while recognizing governments have an obligation to bring to justice those responsible for serious crimes, the death penalty violates the right to life;

PLEASE SEND APPEALS BEFORE 15 MAY 2013 TO DIPLOMATIC REPRESENTATIVES OF IRAQ IN YOUR COUNTRY AND ADDRESSED TO:

Prime Minister and Acting Minister of
Defence and Interior

His Excellency Nuri Kamil al-Maliki,
Prime Minister
Convention Centre (Qasr al-Ma'aridh)

Baghdad,

Iraq

Salutation: Your Excellency

Minister of Human Rights

His Excellency Mohammad Shayaa
al-Sudani

Convention Centre (Qasr al-Ma'aridh)

Baghdad,

Iraq

Salutation: Your Excellency

And copies to:

Minister of Justice

Hassan al-Shammari

Convention Centre (Qasr al-Ma'aridh)

Baghdad,

Iraq

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country

Please check with your section office if sending appeals after the above date. This is the first update of UA 259/12. Further information:

<http://amnesty.org/en/library/info/MDE14/013/2012/en>

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INTERNATIONAL**



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ADDITIONAL INFORMATION

Iraq is one of the world's leading executioners, as the government continues to battle against a high level of violence by armed groups. Since the death penalty was reinstated in August 2004, at least 447 people have been executed. Hundreds of prisoners are currently held on death row.

Many, probably the majority, of those sentenced to death have been convicted of violent crimes under the Anti-Terrorism Law of 2005, including politically-motivated and sectarian bomb and other attacks that have killed and injured numerous civilians. Many, however, were sentenced, and in some cases executed, after trials that, due to their unfairness, undermined rather than upheld justice.

The death penalty has a long history in Iraq. It was used extensively under Saddam Hussein as a tool of political repression. For a brief period, from the time of Saddam Hussein's overthrow in March/April 2003, until the US-led Coalition Provisional Authority handed power back to an Iraqi interim government, use of the death penalty was suspended. At this time steps were already underway to bring Saddam Hussein and his associates to justice for crimes committed under their rule. By the time a special court, the Supreme Iraqi Criminal Tribunal (SICT), had been established to try the men, Iraq's interim government had already restored the death penalty and the SICT (see below) was empowered to impose it.

Amnesty International opposes the death penalty in all circumstances as a violation of two fundamental human rights articulated in the Universal Declaration of Human Rights, the right to life (Article 3) and the right not to be tortured or subjected to any other cruel, inhuman or degrading treatment or punishment (Article 5). Amnesty International considers the death penalty a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment. Its irrevocability, combined with its capacity to be inflicted on the innocent due to the fallibility to which all criminal justice systems are subject, makes it an especially egregious punishment, while assertions of its crime deterrent effect are not borne out by scientific research and examination.

In Iraq, the death penalty has been increasingly used in recent years in circumstances that give added grounds for concern, as the United Nations Assistance Mission for Iraq (UNAMI) pointed out in May 2012, when it expressed "serious reservations about the integrity of the criminal justice system in Iraq, including abuses of due process, convictions based on forced confessions, a weak judiciary, corruption and trial proceedings that fall short of international standards [...] Any miscarriage of involving capital punishment cannot be undone".

Name: Manaf 'Abdulrahim 'Abdulhamid 'Issa al-Rawi, Mohammad Nouri Matar Yassin, Ibrahim 'Abdulqader 'Ali 'Antik, Mohammad Jaber Tawfiq 'Obaid, 'Abdullah 'Azzam Saleh Musfer al-Qahtani and Safa Ahmad 'Abul'aziz 'Abdullah
Gender m/f: m

Further information on UA: 259/12: Index: MDE 14/005/2013 Issue Date: 03 April 2013