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Iraq: Televised 'confessions', torture and unfair trials underpin world's fourth highest executioner

Iraqi authorities are increasingly imposing the death penalty including after pretrial televised "confessions", uninvestigated allegations of torture and unfair trials, according to a new report from Amnesty International.

Iraq has now become the country with the fourth highest number of executions after China, Iran and Pakistan, with the execution of at least 65 people last year.

Since reinstatement of the death penalty in mid 2004, more than 270 people have been sentenced to death and at least a hundred people have been executed. The broadcast of televised "confessions" ceased in late 2005 but many of those who appeared continue to be held on death row or have been executed.

"The dramatic increase in use of this cruel, inhuman and degrading punishment represents a dangerous slide into the brutal errors of the past, particularly when so many executions have come after unfair trials, televised 'confessions' and uninvestigated allegations of torture," said Malcolm Smart, Director of Amnesty International's Middle East and North Africa Programme. "Despite official justifications of the death penalty as a deterrent, rising violence on Iraqi streets suggests that its reinstatement may simply have contributed to the brutalisation of Iraqi society."

The report, *Unjust and unfair: the death penalty in Iraq*, is based on Amnesty International's examination of hundreds of verdicts issued by the Central Criminal Court of Iraq (CCI), as well as the testimonies of families of those convicted and their lawyers. It also includes a detailed analysis of Iraqi laws that undermine the right to a fair trial.

The report's main findings include:

- Insufficient or no investigation of allegations of torture despite frequent reliance on "confessions" made during detention to obtain convictions for capital offences;
- Pretrial televised "confessions" and the inclusion in court of evidence identifying the accused from witnesses who have previously seen the confession;
- Inadequate access to defence lawyers and the intimidation of lawyers including death threats and attacks;

Vague and overly broad definition of capital offences under Iraqi law including abductions that do not involve killing and damage to public property with the aim of undermining security or stability.

Amnesty International opposes the death penalty in all cases without exception as a violation of the right to life and as the ultimate form of cruel, inhuman and degrading punishment. At an international level, Iraq's restoration of the death penalty also represents a seriously retrograde development. At the beginning of 2007, no less than 128 countries had taken the momentous step of abolishing the death penalty in law or in practice with an average of more than three countries a year moving to abolition over the last decade.

"The shocking manner of Saddam Hussain's execution exposed the grotesque cruelty of the death penalty in Iraq, yet his was only one of at least 65 executions last year and the toll is continuing to mount," said Malcolm Smart. "Amnesty International calls on the Iraqi government to immediately establish a moratorium on executions, commute all pending death sentences and ensure that the most rigorous standards for fair trial are respected in all cases. Without such action, Iraq will continue to live under the brutal legacy of the past."

From 20 April, a copy of the report, *Unjust and unfair: the death penalty in Iraq*, will be available at: <http://web.amnesty.org/library/index/engmde140142007>

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