

EXTERNAL (for general distribution)

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Further information on UA 83/94 (MDE 14/01/94, 3 March 1994) - Death Penalty

IRAQ: Kated Sabri Sa'id Shahada, Jordanian national, aged 28  
'Ali 'Issa  
Sirwan Hassan  
Ghazi 'Abd al-Majid  
Qais Latif

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Amnesty International has received a reply from the Ministry of Foreign Affairs in Iraq, to a letter sent in December urging that the death sentences passed on 'Ali 'Issa, Sirwan Hassan, Ghazi 'Abd al-Majid and Qais Latif be commuted. Amnesty International had drawn attention to world trends to abolish the death penalty and pointed out that the numerous executions reported each year in Iraq are not compatible with Iraq's obligations under international law, which supports the reduction of crimes punishable by death penalty, leading to its abolition. Moreover they are incompatible with Iraq's obligations as a signatory to the International Covenant on Civil and Political Rights (ICCPR).

In its response the Ministry of Foreign Affairs stated that the death sentences passed were on the basis of evidence that the defendants had "perpetrated the most serious of drug-related crimes" (drug-trafficking) and that Iraq's law on drugs reflects the seriousness of the crime and its effect on society, health and the economy. The Ministry seeks to justify the imposition of the death penalty on drug-traffickers by noting that the international community considers drug-related crimes to be particularly serious and that severe punishment is called for. The Ministry cited the Convention on Drugs of 1961.

The Iraqi government noted in its letter that Article 6 of the ICCPR, "permits the death penalty for the most serious crimes" and that this is particularly applicable to the defendants, who have committed such a serious crime.

In fact, in General Comment 6 on Article 6, the Human Rights Committee has stated that the expression "most serious crimes" should be read "restrictively to mean that the death penalty should be a quite exceptional measure".

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes and airmail letters \* either in English or in your own language:**

- appealing once again for the commutation of the death sentences against Kated Sabri Sa'id Shahada, 'Ali 'Issa, Sirwan Hassan, Ghazi 'Abd al-Majid and Qais Latif;
- noting that the General Comment 6 on Article 6 of the ICCPR states that the term "most serious crimes" should be read "restrictively to mean that the death penalty should be quite an exceptional measure" and that this is not indicated by the large number of executions carried out in Iraq;
- noting that minor traffickers may be punished while those behind the crimes may escape punishment;
- noting that a deterrent effect of the death penalty for drug offences has

never been clearly established.

**APPEALS TO:**

1) H.E. President Saddam Hussain  
President of the Republic  
Presidential Palace  
Karadat Mariam  
Baghdad, Iraq

**Telegrams: President Hussein, Baghdad, Iraq**  
**Telexes: 212299 alqasr ik**  
**Salutation: Your Excellency**

2) H.E. Muhammad Sa'id al-Sahhaf  
Minister of Foreign Affairs  
Baghdad, Iraq

**Telegrams: Foreign Affairs Minister al-Sahhaf, Baghdad, Iraq**  
**Telexes: 212201**  
**Salutation: Your Excellency**

3) H.E. Watban Ibrahim al-Hassan  
Minister of Interior  
Ministry of Interior  
Baghdad, Iraq

**Telegrams: Interior Minister al-Hassan, Baghdad, Iraq**  
**Salutation: Your Excellency**

4) H.E. Shabib Lazem al-Maliki  
Minister of Justice  
Ministry of Justice  
Baghdad, Iraq

**Telegrams: Justice Minister al-Maliki, Baghdad, Iraq**  
**Salutation: Your Excellency**

\* Regular postal services to Iraq have been suspended since the imposition of sanctions in 1990. However, it appears that recently postal services to Iraq have resumed in some countries on a limited basis. **Before sending appeals, please check with the postal services in your country to find out what services are available.** If you cannot write directly to Baghdad, send appeals to Iraq's diplomatic representative in your country.

**COPIES TO:** diplomatic representatives of IRAQ accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 July 1994.