

PUBLIC

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Incommunicado detention/Fear of torture

04 March 2004

IRAQ/UK

Qutaiba Taha 'Abd al-Hamid Hamdani (m), aged 24
'Uday Nasser Badr (m), aged 28
Yasser Hamad (m), aged 30
Firas 'Imad (m)

The four men named above are being held in incommunicado detention at the "Intelligence Directorate" in Iraq's second largest city of Basra where it is feared that they may be tortured. It is not known exactly why they were arrested between 22 and 25 February, though they may be suspected of involvement in activities against the Coalition forces.

Qutaiba Taha 'Abd al-Hamid Hamdani is a graduate of Basra University who works in an information technology office. He was arrested with his colleague 'Uday Nasser Badr on 22 February in Hay al-Risala, Basra. Yasser Hamad is a teacher at the Grand Mosque of Basra. He was arrested at his home in the al-Mishraq district of Basra on 25 February on the same day as Firas 'Imad who was arrested at his home in Hay al-Risala.

All four men are Sunni Muslims who live in Basra, which along with all provinces in the southern Iraq is dominated by Shi'a Muslims. Sunni Muslims and other religious minorities in these areas have reportedly been targeted for abuse by radical Shi'a Muslim armed groups.

BACKGROUND INFORMATION

Since April 2003, Iraq has remained under the control of the Coalition Provisional Authority (CPA). Parts of southern Iraq, including the city of Basra, and the town of al-'Amara are currently under British control.

The body known as the "Intelligence Directorate" was reportedly formed a few months ago and is allegedly controlled by the *Badr* organization. The *Badr* organization is the armed wing of the main Shi'a Muslim political group, the Supreme Council for the Islamic Revolution in Iraq (SCIRI). Several people are said to have been held incommunicado and tortured at the headquarters of the "Intelligence Directorate" in Basra. Methods of torture include lashing on various parts of the body, specifically on the back with an iron stick inserted inside a plastic pipe. The British military authorities in Basra are reportedly aware of allegations that detainees have been tortured by members of the "Intelligence Directorate", but have so far failed to take adequate measures to prevent the use of torture.

Under Article 4 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, the CPA and any of its components, as occupying powers are obliged to respect the rights of civilians in occupied territories. According to Articles 71 to 76 of the Convention, detainees must be given access to the outside world, protected from torture, and visited by delegates from the International Committee of the Red Cross (ICRC).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern for the safety of Qutaiba Taha 'Abd al-Hamid Hamdani, 'Uday Nasser Badr, Yasser Hamad and Firas 'Imad who were arrested between 22 and 25 February in the city of Basra and who are currently being held in incommunicado detention at the "Intelligence Directorate" in the city of Basra;
- expressing concern that they may be subjected to torture, as have several other people who have been detained by the "Intelligence Directorate";

- calling for an investigation into reports the body known as the "Intelligence Directorate", which is controlled by the *Badr* organization of the Supreme Council for the Islamic Revolution in Iraq (SCIRI) may be responsible for the arrest of the four men;
- reminding the British authorities that the United Kingdom as an Occupying Power is under obligation to maintain law and order, provide security for the Iraqi population in the areas it controls, as well as ensure respect for the rights of detainees as stipulated in international humanitarian laws such as the Fourth Geneva Convention;
- urging them to take measures to ensure that places of detention are controlled by an appropriate legal body operating under accountable procedures.

APPEALS TO:

Rt Hon Tony Blair MP
Prime Minister
Prime Minister's Office
10 Downing Street
London SW1A 2AA, UK
Email: tblair@no10.x.gsi.gov.uk
Salutation: **Dear Prime Minister**

Rt Hon Geoffrey Hoon MP
Secretary of State
Ministry of Defence
Old War Office Building
Whitehall
London SW1A 2E, UK
Fax: **+44 20 7218 7140**
Email: public@ministers.mod.uk
Salutation: **Dear Secretary of State**

COPIES TO: Diplomatic representatives of UK accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 April 2004.