

# URGENT ACTION

## PALESTINIAN BORN IN IRAQ AT RISK OF EXECUTION

**At the end of August, Ahmad 'Amr 'Abd al-Qadir Muhammad, a Palestinian man born in Iraq, was transferred to al-Kadhimiya Prison in Baghdad, a prison where executions are carried out. He is at imminent risk of execution, despite serious concerns about his trial.**

On 21 July 2006, **Ahmad 'Amr 'Abd al-Qadir Muhammad** (30) was arrested by security forces in the al-Zayouna district of Baghdad, and held incommunicado for more than a year. He was reportedly tortured and coerced into "confessing" that he was a member of an armed group who had intended to plant explosives. When his mother and neighbours were granted access to him for the first time in detention in August 2007 at a detention centre in the Baladiyah district of Baghdad, they were shocked as it was clear to them that he had been tortured. Injuries, including burn scars, were visible.

On 17 May 2011, the Resafa Criminal Court in Baghdad sentenced Ahmad 'Amr 'Abd al-Qadir Muhammad to death, on the basis of the Anti-Terror Law of 2005. Defence lawyers have stated that eyewitnesses of the incident, including police officers, have given conflicting testimonies. In its verdict the court noted that he withdrew his self-incriminating testimony at court, stating that he had been coerced and tortured. The court further noted that in August 2008, an examination by the Forensic Medical Institute found he had scarring. However, in handing down the death sentence, the court explicitly included his withdrawn testimony as part of the evidence. No full and independent investigation is known to have been carried out into his allegations of torture.

Ahmad 'Amr 'Abd al-Qadir Muhammad is at imminent risk of execution since his transfer to al-Kadhimiya Prison.

### **Please write immediately in Arabic, English or your own language:**

- Calling on the Iraqi authorities to stop the execution of Ahmad 'Amr 'Abd al-Qadir Muhammad, by whatever judicial or other means available and overturn the death sentence;
- Expressing concerns that he appears not have received a fair trial and calling for him to be retried in line with international standards;
- Calling for his allegations of torture to be investigated promptly and thoroughly by an independent body, with anyone found responsible for abuses brought to justice
- 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.

### **PLEASE SEND APPEALS BEFORE 15 NOVEMBER 2012 TO:**

#### Prime Minister

His Excellency Nuri Kamil al-Maliki,  
Prime Minister  
Convention Centre (Qasr al-Ma'aridh)  
Baghdad, Iraq  
Email: [info@pmo.iq](mailto:info@pmo.iq)

**Salutation: Your Excellency**

#### Minister of Justice

Hassan al-Shammari  
Ministry of Justice  
Baghdad, Iraq  
Contactable in Arabic via web site:  
<http://www.moj.gov.iq/complaints.php>

**Salutation: Your Excellency**

#### **And copies to:**

#### Minister of Human Rights

His Excellency Mohammad Shayaa al-Sudani  
Ministry of Human Rights  
Baghdad, Iraq  
Email: [shakawa@humanrights.gov.iq](mailto:shakawa@humanrights.gov.iq)

**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.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Whilst security forces have claimed that Ahmad 'Amr 'Abd al-Qadir Muhammad was attempting to plant explosives on the day of his arrest, his family reports that he had hired a taxi to get food from a restaurant for his engagement celebration. When the vehicle was stopped and searched by security forces reportedly wearing civilian clothes, he was forced to leave the vehicle but managed to run away, fearing that he may be abducted. The taxi driver reportedly got involved in an exchange of fire with the security forces in which he and a police officer were killed. Ahmad 'Amr 'Abd al-Qadir Muhammad was later arrested nearby.

In Iraq, defendants frequently complain that their "confessions" have been extracted under torture during pre-trial interrogation, often while detained incommunicado. Iraq's Constitution (Article 35 (1) c) and its international obligations, e.g. under the United Nation's Convention Against Torture (Article 15), prohibit the use of coerced statements against that person.

Self-incriminating testimony of pre-trial detainees continue to be broadcast on Iraqi TV in violation of the principle of the presumption of innocence. Iraqi investigators have extracted "confessions" to incidents that in fact never occurred. For example, in May 2005, four Palestinians were detained and tortured by Iraqi security forces. They were paraded on al-'Iraqiyya TV channel and shown "confessing" responsibility for a bomb attack. In July 2005 the men described to their lawyer how they suffered systematic torture saying that they were beaten with cables, received electric shocks to the hands, wrists, fingers, ankles and feet, were burned on the face with cigarettes, and were left in a room with water on the floor while an electric current was applied to the water. The men signed confessions claiming responsibility for five other bomb attacks elsewhere in Baghdad. When the lawyer investigated these five alleged bomb attacks, he obtained documents showing that the attacks never actually took place. After their release the four men left Iraq.

In 2006, the year Ahmad 'Amr 'Abd al-Qadir Muhammad was detained, sectarian violence in Iraq escalated and thousands of people in Iraq became victims of violent attacks, including killings and abductions. Palestinian refugees were among those particularly targeted by armed militia groups, mainly because they are reputed to have received preferential treatment under the former Ba'ath government headed by Saddam Hussein. Among the few thousand Palestinians who remained in Iraq, scores have been killed since the US-led invasion in 2003.

The death penalty has been used extensively in Iraq. Hundreds of people have been sentenced to death and executed since capital punishment was reinstated by the Iraqi government in 2004. The government gives very little information, such as statistics, regarding executions, in violation on international standards on transparency. The total number of people executed so far this year in Iraq is at least 96.

Amnesty International is opposed to the death penalty in all cases without exception. It is a violation of fundamental human rights as laid down in the Universal Declaration of Human Rights, especially the right to life. The organization considers the death penalty to be the ultimate cruel, inhuman and degrading punishment.

Name: Ahmad 'Amr 'Abd al-Qadir Muhammad

Gender m/f: m

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