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Iraq: Spiralling executions signal urgent need to end use of death penalty

Amnesty International reiterates its urgent call to stop all executions in Iraq after the Iraqi Ministry of Justice announced that six people were executed on 4 October 2012 in Baghdad, raising the total number of executions this year to 102.

When Amnesty International delegates met with Iraqi officials in Baghdad in mid-September, including with representatives of the Human Rights Ministry and the Higher Judicial Council, they were repeatedly told that death sentences are only implemented following fair procedures as established under Iraqi law. However, Amnesty International continues to document cases where persons have been sentenced to death in trials that have failed to meet international fair trial standards.

Many prisoners on death row who are at imminent risk of execution have stated that they were tortured during investigations and coerced into making self-incriminating statements. Among them is a Palestinian born in Baghdad who was detained in 2006 and made self-incriminating statements while held for more than a year in incommunicado detention. In handing down the death sentence in May 2011, the court noted that he withdrew his “confession” 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 However, the court explicitly included his withdrawn testimony as part of the evidence against him.

Another prisoner on death row is a Saudi national who was sentenced to death in March 2011 together with five other defendants after having “confessed” to taking part in an armed raid on a goldsmith’s shop in Baghdad in 2009 during which the two owners were killed. However, his defense team recently presented official documents reportedly proving that he was already in detention at the time of the alleged crime.

The latest executions bring the total number of people executed this year to at least 102. This is a significant and worrying increase compared to the previous year. According to Amnesty International’s information, in 2011 at least 68 people were executed in Iraq.

Since the death penalty was reintroduced in Iraq in 2004, hundreds of people have been sentenced to death and are now on death row. Since then, Amnesty International has documented many trials of those sentenced to death which failed to meet international standards for fair trials, including instances where “confessions” obtained under torture or other ill-treatment had been used as evidence against them. Some Iraqi television stations continue to broadcast self-incriminating testimonies of detainees even before the opening of a trial, undermining the internationally recognized right of defendants to be considered innocent until proven guilty and not to be compelled to testify against his or herself or confess guilt.

Amnesty International is urging the Iraqi authorities to refrain from using the death penalty, to commute all death sentences and declare a moratorium on executions. This year, the UN High Commissioner for Human Rights and the UN Special Rapporteur on extrajudicial, summary or

arbitrary executions have both called for the establishment of a moratorium on the death penalty in Iraq.

Amnesty International opposes the death penalty – the ultimate cruel, inhuman and degrading punishment – in all cases without exception, as a violation of the right to life.

Public Document

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