

PUBLIC

AI Index: MDE 14/017/2006

29 March 2006

Further Information on 299/05 (MDE 14/046/2005, 30 November 2005) and follow-up (MDE 14/048/2005, 22 December 2005) - Unfair trial/possible prisoner of conscience New concern: Fear for safety

IRAQ

Kamal Sayid Qadir (m), aged 48, Austrian national, writer

On 26 March a criminal court in the Kurdish-controlled city of Arbil retried Kamal Sayid Qadir and sentenced him to 18 months' imprisonment for "defamation". The charge arose from articles he had written which were published on the internet. It was claimed that these articles strongly criticized the leadership of the Kurdish Democratic Party (KDP), one of two parties holding power in the Kurdish-dominated region.

Kamal Sayid Qadir was initially tried for "defamation" in December 2005, at proceedings which fell far short of international standards for fair trial, and sentenced to 30 years' imprisonment. However, after worldwide protests and international pressure, the Court of Cassation referred the case back to a criminal court for re-trial.

Kamal Sayid Qadir is being held in Arbil at a place of detention controlled by Parastin, the KDP's security and intelligence service. He is reported to be in fear for his own safety because of threats made against him by Kurdish intelligence officials and supporters of Kurdish political leaders. Amnesty International believes that he may be a prisoner of conscience, detained for exercising his right to freedom of expression.

Kamal Sayid Qadir was abducted on 26 October 2005 by members of Parastin. During the first days of his detention he was reportedly coerced into signing a statement relating to the charge of "defamation." He initially refused to sign the statement, but was put in solitary confinement for three days without food and water. As a result of his ill-treatment he agreed to sign the statement. During a brief trial session on 9 March he complained to the judge about his treatment but his complaints were ignored.

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

- expressing concern that Kamal Sayid Qadir may be a prisoner of conscience, detained for exercising his right to freedom of expression, who should be released immediately and unconditionally;
- seeking assurances that he is being treated humanely in detention, and expressing concern for his safety after reports that threats have been made against him by Kurdish intelligence officials;
- calling on the authorities to take action, in accordance with his own wishes, to ensure the safety of Kamal Sayid Qadir;
- calling for a prompt and independent investigation into allegations of ill-treatment against him during his pre-trial detention, with anyone found responsible brought to justice.

APPEALS TO:

Please send appeals via the KDP offices abroad, asking for them to be forwarded to President Barzani:

KDP International Relations Bureau, London, United Kingdom

Fax: +44 20 7498 2531

Email: kdpinternational@yahoo.com

Salutation: Your Excellency

KDP Europe, Berlin, Germany

Fax: +49 30 797 437 46

Email: kdpeurope@t-online.de

Salutation: Your Excellency

KDP Office, Washington, USA

Email: pdk7usa@aol.com

Salutation: Your Excellency

KDP Office, Ankara, Turkey

Fax: + 90 312 447 3532

Email: info@kdp-ankara.org.tr

Salutation: Your Excellency

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 May 2006.