

PUBLIC

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Death penalty

IRAQ

**Ibrahim Karim Mohammed al-Qaragholi (m), aged 30**

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Ibrahim Karim Mohammed al-Qaragholi has been sentenced to death for kidnapping and killing three US soldiers. According to one of Ibrahim Karim Mohammed al-Qaragholi's lawyers, the Court of Cassation will meet to consider his appeal within the next two weeks. If the Court upholds the sentence, and Iraq's Presidential Council ratifies it, Ibrahim Karim Mohammed al-Qaragholi could face execution.

On 28 October 2008 the Central Criminal Court of Iraq (CCCI) in Baghdad sentenced Ibrahim Karim Mohammed al-Qaragholi to death for the kidnapping and killing of three US soldiers in June 2006 in Babil province, south of Baghdad. He, his brother and father were arrested on 10 July 2006 by US forces from their home in the village of al-Jumblatiya, south of Baghdad and taken into US-military custody near Baghdad airport, possibly at Camp Cropper. Amnesty International has no details regarding the circumstances surrounding the alleged kidnapping and killing of the three soldiers.

While his brother and father were later released, Ibrahim Karim Mohammed al-Qaragholi was charged with the kidnapping and killing of three US soldiers and referred to the CCCI for trial. After two sessions during which three defence witnesses reportedly failed to respond to the court's summons, Ibrahim Karim Mohammed al-Qaragholi was sentenced to death on the basis of evidence given by four prosecution forensic experts. The experts testified that Ibrahim Karim Mohammed al-Qaragholi's fingerprints had been found on a car used by the three US soldiers before they were kidnapped. Ibrahim Karim Mohammed al-Qaragholi denied all charges against him. He is being detained in al-Kadhimiya prison in Baghdad and has had visits from his family and lawyers, who lodged an appeal against the sentence on 19 November 2008.

#### **BACKGROUND INFORMATION**

The death penalty was suspended in 2003 while Iraq was under occupation by a US-led coalition. However, since its reintroduction by the Iraqi government in August 2004, hundreds of people have been sentenced to death and scores have been executed. At least 65 people were put to death in 2006 alone, many of them after unfair trials. In 2007 at least 199 people were sentenced to death and 33 were executed, and in 2008 at least 285 people were sentenced to death and 34 executed. The totals could be much higher as there are no official figures for the number of prisoners facing execution, and the Iraqi press's reporting of death sentences is erratic at best.

Amnesty International has expressed serious concerns about proceedings before the CCCI, which consistently fall short of international standards. Defendants often complain that "confessions" have been extracted from them under torture and that they could not choose their own legal counsel.

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

- expressing concern that Ibrahim Karim Mohammed al-Qaragholi has been sentenced to death after a trial that appears to have failed to meet international fair trial standards;

- urging for the death sentence against him to be commuted immediately;
- calling for Ibrahim Karim Mohammed al-Qaragholi to be re-tried in accordance with international fair trial standards without the imposition of the death penalty;

**- APPEALS TO: fax numbers and e-mail addresses are not available for all Iraqi authorities. Please send appeals via the Iraqi embassy or diplomatic representative in your country, asking them to forward your appeals to:**

President

Jalal Talabani

**Salutation: Your Excellency**

Prime Minister

Nuri Kamil al-Maliki

**Salutation: Your Excellency**

**E-mail: admin@cabinet.iq**

Minister of Justice

Safa-al-Din al-Safi

**Salutation: Your Excellency**

Minister of Foreign Affairs

Hoshyar Zebari

**Salutation: Your Excellency**

Minister of Human Rights

Wajdan Mikhail Salam

**Fax: +9641 538 2007**

**Email: Wj\_mohr\_min@yahoo.com**

**Salutation: Your Excellency**

President of the Supreme Judicial Council

Midhat Mahmood

**E-mail: [info@iraqijudicature.org](mailto:info@iraqijudicature.org)**

**Salutation: Dear Sir**

**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 6 March 2009.