

URGENT ACTION

FIFTEEN MEN AT IMMINENT RISK OF EXECUTION

Fifteen men sentenced to death in Iraq in June could be executed at any time after 6 November, which marks the Muslim holiday of Eid al-Adha. Their sentences have reportedly now been ratified by the Iraqi presidency. The Prime Minister has the power to grant them clemency.

On 1 November, the Iraqi presidency is reported to have ratified the death sentences imposed on 15 men, including **Ibrahim Najm 'Abboud, Firas Hassan Fleih al-Juburi, Fadhel Ibrahim al-Juburi, Haydar Mut'eb 'Abdel-Qader, Hikmat Fadhel Ibrahim, Sayyid Hamadi Ahmed and Sofian Jassem Mohammad**. The 15 men were sentenced to death on 16 June by the Central Criminal Court of Iraq after "confessions" by several of them were shown on the Iraqi TV channel Al Iraqiya. The 15, said to be members of armed groups in Iraq, were found guilty of murdering dozens of people, including women and children, and the rape of women and girls, including the bride, at a wedding party in a village near al-Taji, north of Baghdad, in June 2006.

The 15 men may not have received a fair trial according to international standards. The televised "confessions" by some of the men may have been obtained through duress.

On 14 June 2011 the Chairman of the Supreme Judicial Council is reported to have said during a press conference that the 15 men "will be executed as soon as their death sentences are ratified by the Presidency." According to media reports, on 1 November the Iraqi presidency announced that the 15 would be executed after the Muslim holiday of Eid al-Adha. The holiday falls on 6 November this year.

Please write immediately in English or Arabic:

- Calling on the Iraqi authorities not to proceed with the executions of Ibrahim Najm 'Abboud, Firas Hassan Fleih al-Juburi, Fadhel Ibrahim al-Juburi, Haydar Mut'eb 'Abdel-Qader, Hikmat Fadhel Ibrahim, Sayyid Hamadi Ahmed, Sofian Jassem Mohammad and the other eight people sentenced;
- Expressing concern that the 15 people may not have received a fair trial according to international standards for fair trial;
- Urging the authorities to declare an imminent moratorium on executions;
- Calling for the commutation of all death sentences of people on death row;
- Insisting that, while recognizing that governments have an obligation to bring to justice those responsible for serious crimes, the death penalty violates the right to life and is the ultimate form of cruel, inhuman and degrading punishment, and should not be applied even for crimes of the greatest magnitude.

PLEASE SEND APPEALS BEFORE 12 NOVEMBER 2011 TO THE IRAQI REPRESENTATION IN YOUR COUNTRY AND ADDRESSED TO:

Prime Minister

Nuri Kamil al-Maliki Convention Centre
(Qasr al-Ma'aridh)
Baghdad,
Iraq

Salutation: Your Excellency

President

Jalal Talabani
Convention Centre (Qasr al-Ma'aridh)
Baghdad,
Iraq

Salutation: Your Excellency

And copies to:

Minister of Human Rights
Mohammad Shayaa al-Sudani
Convention Centre (Qasr al-Ma'aridh)
Baghdad,
Iraq

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Please check with your section office if sending appeals after the above date. This is the first update of UA 193/11. Further information:
www.amnesty.org/en/library/info/MDE14/034/2011/en

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ADDITIONAL INFORMATION

The 15 men were reportedly detained for several weeks incommunicado, that is without access to their legal representatives or relatives. This increases the risk of detainees being tortured or otherwise ill-treated, including the risk of being coerced into making confessions. In addition, at least some – possibly all – of the men's families were not informed about the start of the trial, which also raises serious concerns. This prevented them from consulting with the defendants on the appointment of legal representatives of their own choosing, a right guaranteed under international standards for fair trial. Given the grave nature of the charges it is of particular concern that the defendants may not have had adequate legal representation. The trial is said to have lasted only a few days. Several Iraqi government officials publicly called for the public execution of the 15 men even before the trial had been completed, which jeopardized their right to a fair trial and violates the presumption of innocence, a fundamental principle in criminal law.

Over the years many defendants have been sentenced to death in Iraq on the basis of “confessions” which they made as a result of torture in pre-trial detention, when they were held incommunicado and had no access to lawyers of their choosing. Some have been executed on the basis of such “confessions”.

The death penalty has been used very extensively in Iraq. Hundreds of people have been sentenced to death since the death penalty was reinstated by the Iraqi government in 2004, following a one-year suspension by the then head of the Coalition Provisional Authority (CPA), Paul Bremer. The government gives very little information, such as statistics, about executions. At least 1,000 people are said to be under sentence of death. Amnesty International is opposed to the death penalty in all cases because it is a violation of two fundamental human rights, as laid down in Articles 3 and 5 of the Universal Declaration of Human Rights: the right to life and the right not to be tortured or subjected to any cruel, inhuman or degrading punishment. The organization considers the death penalty to be the ultimate cruel, inhuman and degrading punishment.

Amnesty International has repeatedly condemned human rights abuses by armed groups in Iraq, some of which are war crimes and crimes against humanity, including kidnapping, torture and killing of civilians, and continues to call for those responsible to be brought to justice.

Name: Ibrahim Najm ‘Abboud, Firas Hassan Fleih al-Juburi, Fadhel Ibrahim al-Juburi, Haydar Mut’eb ‘Abdel-Qader, Hikmat Fadhel Ibrahim, Sayyid Hamadi Ahmed, Sofian Jassem Mohammad and eight others

Gender m/f: M

Further information on UA: 193/11 Index: MDE 14/044/2011 Issue Date: 02 November 2011