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Torture in Iraq: ‘I did not recognize him because of the torture’

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The torture had so disfigured him that even his own mother had trouble recognizing him when she visited him in prison.

But as Ahmad ‘Amr ‘Abd al-Qadir Muhammad’s mother explained, what happened to her son behind bars is not unusual in Iraq.

“For a year I thought he was dead and then I was told that he was in prison. On my first visit I did not recognize him because of the marks of torture on him ... The burn on his shoulder, the burn on his leg, the injury from a drill in his arm,” she told Amnesty International.

Her son Ahmad, a Palestinian born in Iraq, was arrested on 21 July 2006 in the Zayouna district of Baghdad, at the height of the sectarian violence that crippled the country, and held incommunicado for more than a year.

The authorities accused him of being a member of an armed group that was planning to plant explosives, and sentenced him to death 17 May 2011 after a trial marred by torture allegations.

When he saw his mother for the first time in a year, in a detention centre in the al-Baladiyat district of Baghdad, he just said:

“They tortured me to force me to ‘confess’.”

A medical examination carried out by the Forensic Medical Institute around two years after Ahmad’s arrest documented “brown large scars” on various parts of his body, congruent with his account.

Conflicting stories

The Iraqi security forces say that on the day Ahmad was arrested, he had just fled the scene of an armed confrontation in which a police officer and a taxi driver were killed.

His family, however, insists Ahmad had hired a taxi to collect food from a restaurant for his engagement celebration and when the vehicle was stopped by plainclothes security forces he ran away, fearing abduction.

In a “confession” which he later withdrew, Ahmad also admitted to involvement in several bomb explosions in Baghdad. According to his lawyers, no other evidence linking him to these explosions was presented to the Resafa Criminal Court in Baghdad.

Ahmad was sentenced to death on 17 May 2011, under the draconian Anti-Terrorism Law of 2005.

His defence lawyers said eyewitnesses, including police officers, gave conflicting testimonies during the trial.

Despite the court noting that Ahmad withdrew his self-incriminating testimony during the trial, saying it had been obtained under torture, no investigation was ever carried out into his allegations and Ahmad's conviction was based on the tainted "confession".

'Confessions'

In Iraq, defendants routinely complain that their "confessions" have been extracted under torture and other ill-treatment during interrogation, often while they are detained incommunicado.

Such self-incriminating testimonies are often broadcast on Iraqi TV, in violation of the principle of the presumption of innocence.

In some cases, Iraqi investigators have even extracted "confessions" to incidents that in fact never happened.

In May 2005, for example, four Palestinians were detained and tortured by the Iraqi security forces and were paraded on the TV channel al-'Iraqiyya and shown "confessing" responsibility for a series of bomb attacks in Baghdad.

Two months later, the men told their lawyer they had been tortured to "confess" to the crimes – including by being beaten with cables, receiving electric shocks and being burned on the face with cigarettes.

When the lawyer investigated the alleged bomb attacks, he obtained documents showing that they had never actually taken place. After their release the four men left Iraq.

Waiting to be killed

In 2006, the year Ahmad was arrested, thousands of people were attacked, killed in bomb explosions or abducted amid a surge in sectarian violence across Iraq.

Palestinian refugees were among those particularly targeted by some militia groups because they were seen as having enjoyed preferential treatment under Saddam Hussein's Ba'ath regime.

Despite all the questions raised about his "confession" being allegedly extracted under torture, an appeal court later upheld Ahmad's death sentence and he is now on death row in Camp Justice in Baghdad.

Hundreds of people have been sentenced to death and executed in Iraq since capital punishment was reinstated in 2004.

Amnesty International has documented at least 129 executions in 2012, almost twice the known total for 2011. This places Iraq as the third most prolific executioner in the world. During the first four months of 2013 at least 40 people were executed.

"I am worried 24 hours a day. At any moment the execution could be carried out. I wish that Jalal Talabani [Iraq's President] would hear me, that Nuri al-Maliki [Iraq's Prime Minister] would hear me, that the judges would hear me, that the world would hear me," Ahmad's mother said.