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Iraq urged to commute death sentences as 11 are hanged

The Iraqi authorities must commute all death sentences and ensure verdicts are not based on forced confessions involving torture, Amnesty International said today after 11 people, convicted of terrorism-related offences were hanged in Baghdad on Wednesday.

Among the executed men was a Tunisian national who was sentenced to death for his alleged involvement in an attack against the al-‘Askari Shi’a Muslim Shrine in Samarra in February 2006 which sparked an eruption of sectarian violence. A further 10 people are reportedly due to be executed in Iraq today.

“While the Iraqi government has the right to bring to justice those responsible for serious crimes, the death penalty violates the right to life and should not be used in any case” said Philip Luther, Amnesty International’s Acting Director for the Middle East and North Africa.

“Given the appalling state of Iraq’s justice system, it is questionable whether these 11 people received a fair trial.

“Iraq must immediately commute the death sentences of the hundreds of people remaining on death row in the country. The authorities must also ensure that trials meet international standards for fair trial, and are not based on confessions extracted under torture and other ill-treatment,” he said.

Yosri Trigui, a Tunisian who had been living in Iraq since 2003, was arrested in 2006 by US forces for his alleged involvement in terrorist acts.

In October 2006 he was sentenced to death for his involvement in a bomb attack in Samarra in February 2006. The shrine was considered one of Shi’a Islam’s holiest sites and the attack sparked a surge in sectarian violence between Sunni and Shi’a Muslims in Iraq.

He was also convicted of the killing of a female Iraqi journalist from the Al Arabiya TV channel, Atwar Bahjat.

Amnesty International has previously voiced concern that Yosri Trigui’s trial did not appear to meet international standards.

The execution of the 11, including one woman, took place in spite of attempts by Tunisian authorities to obtain a pardon for Yosri Trigui.

Trials in Iraq consistently fall short of international standards for fair trials. The Central Criminal Court of Iraq (CCCI), established by the Coalition Provisional Authority in 2003 after the US-led military invasion of the country, is the main criminal court, which handles crimes relating to terrorism, sectarian violence, organized crime and government corruption.

The court has handed down the vast majority of the death sentences. Defendants often complain that “confessions” are extracted under torture and other ill-treatment during pre-trial interrogation, often when they were held incommunicado in police stations or in detention.

Defendants are often not brought before an investigative judge within a reasonable time and not told of the reason for their arrest.

The “confessions” extracted from them are often used as evidence against them at their trials, and accepted by the courts without taking any or adequate steps to investigate defendants’ allegations of torture.

Such “confessions” have also frequently been broadcast on the Iraqi government- controlled satellite TV Al Iraqiya. This practice undermines the presumption of innocence, which is a fundamental human right.

Trial proceedings before the CCCI are very brief, often lasting only a few minutes before verdicts are handed down.