

# URGENT ACTION

## MAN REMAINS IN DETENTION DESPITE COURT ORDER

**An Iraqi man formerly under sentence of death who was acquitted at the end of 2010 by the Court of Cassation continues to be detained in al-Kadhimiya prison in Baghdad. Amnesty International is calling for his immediate release.**

**Ibrahim Karim Mohammed al-Qaragholi** was sentenced to death on 28 October 2008 by the Central Criminal Court of Iraq (CCCI) in Baghdad for the kidnapping and murder of three US soldiers in June 2006. Three defence witnesses reportedly failed to attend the trial sessions and he was convicted after the second court session on evidence given by four forensic experts from the Criminal Forensic Department who were also prosecution witnesses. The forensic experts testified that his fingerprints had been found on a vehicle used by the three soldiers before they were kidnapped.

Amnesty International has been lobbying on his behalf since 2009 and has previously raised concerns that his trial, conducted over two sessions and without the presence of defence witnesses, appeared to have failed to meet international fair trial standards. Ibrahim Karim Mohammed al-Qaragholi's family, who apparently had not been informed of his trial, appointed a second lawyer in December 2008.

In 2009 Ibrahim Karim Mohammed al-Qaragholi's lawyer appealed the sentence before the Court of Cassation. At the end of 2010 the Court of Cassation gave its ruling and acquitted Ibrahim Karim Mohammed al-Qaragholi and ordered his release. However, he has been kept in Section 5 of al-Kadhimiya prison in Baghdad since then. His lawyer told Amnesty International that his family has been asked for money as exchange for his release despite the release order from the Court of Cassation.

Amnesty International is now calling for the immediate release of Ibrahim Karim Mohammed al-Qaragholi as it believes he is being detained arbitrarily.

### PLEASE WRITE IMMEDIATELY in Arabic or English:

- Expressing concern that Ibrahim Karim Mohammed al-Qaragholi is being detained arbitrarily despite a release order from the Court of Cassation and calling on the authorities therefore to release him immediately;
- Calling on the authorities to commute all other death sentences and declare an immediate moratorium on executions.

### PLEASE SEND APPEALS TO THE IRAQI EMBASSY IN YOUR COUNTRY AND ADDRESSED TO THE TARGETS BELOW BEFORE 29 JULY 2011 TO:

Prime Minister and Acting Minister of Defence and Interior  
His Excellency Nuri Kamil al-Maliki,  
Prime Minister  
Convention Centre (Qasr al-Ma'aridh)  
Baghdad, Iraq  
**Salutation: Your Excellency**

Minister of Human Rights  
His Excellency Mohammad Shayaa al-Sudani  
Convention Centre (Qasr al-Ma'aridh)  
Baghdad, Iraq  
**Salutation: Your Excellency**

Minister of Justice  
Hassan al-Shammari  
Convention Centre (Qasr al-Ma'aridh)  
Baghdad, Iraq  
**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 19/09. Further information: <http://www.amnesty.org/en/library/info/MDE14/003/2009/en>  
FU UA: 19/09 Index: MDE 14/032/2011 Issue Date: 16 June 2011

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