

PUBLIC

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Death penalty/fear of imminent execution

IRAQ

Muhannad Hamza Matar (m), aged 26

Muhannad Hamza Matar was sentenced to death by the Central Criminal Court of Iraq (CCCI) on 21 November 2006. He is now at risk of imminent execution, though he can still seek a pardon from the president.

He was one of five men detained in March 2005, in the town of al-Hilla, south of Baghdad, in connection with the killing of a police officer. The officer had been shot dead from a car in the al-Mashru'a district of al-Hilla.

Muhannad Hamza Matar reportedly confessed to killing the police officer during the initial police investigation, and later before an investigative judge. The five men were tried by the CCCI in al-Hilla in April 2006 in two sessions, during which Muhannad Hamza Matar withdrew his confessions, reportedly on the grounds that he had made them under duress. However, he was found guilty of murder and sentenced to life imprisonment while the other four men were acquitted and released. On 27 July the Appeal Court ruled that the life sentence was too lenient and referred the case back to the CCCI, which on 21 November sentenced Muhannad Hamza Matar to death. In accordance with Iraqi law, the case will shortly go back to the Appeal Court, which is expected to confirm the death sentence.

BACKGROUND INFORMATION

Since the reintroduction of the death penalty in Iraq in August 2004, scores of people have been sentenced to death and there has been a rapid rise in the number of executions, with at least 65 people put to death in 2006 alone, many of them after trials which may have been unfair. Under Iraqi law those sentenced to death can seek pardon from the president.

On 11 February 2007 the Iraqi authorities announced that 14 people had been executed "in recent weeks" for murder, rape and kidnapping. They gave no further details.

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

- expressing concern that Muhannad Hamza Matar has been sentenced to death and is at risk of imminent execution;
- expressing concern that he was convicted solely on the basis of confessions that may have been extracted under torture or ill-treatment;
- urging the authorities to commute Muhannad Hamza Matar's death sentence and retry him in accordance with international fair trial standards without the imposition of the death penalty;
- calling on the authorities to commute all death sentences and abolish the death penalty.

APPEALS TO:

In addition to sending direct appeals as below please also 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

Minister of Justice

Hashim al-Shibli

E-mail: minister@iraqi-justice.org

deputy@iraqi-justice.org

Salutation: Your Excellency

Minister of Foreign Affairs

Hoshyar Zebari

E-mail: press@iraqmofa.net

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Iraq accredited to your country. Ask them to send copies to the Human Rights Minister, Wajdan Mikhail

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 April 2007.