

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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To \ World Congress Against Death Penalty

13 June 2013

Dear Organizers, Members and Participants of the 5th World Congress against the Death Penalty:

I would first like to express my deepest gratitude and appreciation to Ensemble Contre la Peine de Mort and all those united for this cause for all of your commitment, effort and work, which make this important event possible. As a member of the Iraqi House of Representatives and Chairman of its Human Rights Committee, I stand in solidarity with your efforts in ending the violation to the right to life through the use of the death penalty.

In Iraq the situation regarding the use of the death penalty is dire. A decade after the onset of the US-UK-led invasion, the Iraqi judicial system is still in deep crisis and rampant with injustices and human rights violations. The most negative impact derives from the executive authority's continuous interference, which makes the independence of the judiciary impossible. All sectors of the judicial system are tightly controlled by the executive authorities. Judges and lawyers are under pressure, sometimes under death threats, to follow the orders and wishes of the authorities. Under these conditions of fear and intimidation, legal and judicial personnel cannot be fair or independent and it is the people of Iraq who pay the consequences.

Anyone who falls into the custody of authorities or the police is likely to become victim of a wide-range of abuse and violations, from the initial arrest and methods of interrogation, to unfair trials and mass executions. Even the most basic of due process requirements are not met. Cases abound of detainees being held in prison for years with no access to family members, lawyers, trials and without knowing the charges against them.

In Iraq the death sentence has become a political tool, used for intimidating and punishing government opponents and those who have the courage to raise their voices against human rights violations in the country. This has become most evident with the implementation of the Anti-Terrorism Law of 2005. Tens of thousands of people have been arrested under Article 4 of the this law, which approves the death sentence for those who allegedly commit terrorist crimes, as well as for those who allegedly finance, provoke, plan or enable these acts. The anti-terrorism law allows aol-mukhbir al-sirri (secret informers), protected by anonymity and amnesty, to report alleged terrorist activities. The result of this has been the arrest and execution of persons under false reports and accusations. Death sentences are imposed and carried out based on confessions obtained through physical abuse and torture, which include: beatings; death threats; handcuffing and suspension from iron bars; electric shocks; heated metal nails being driven under finger nails; cigarette burns; suffocation; deprivation of food, water and sleep, and death or rape threats against family members. Executions under these circumstances undoubtedly constitute arbitrary executions.

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You may be aware that for years Iraq has ranked among the top executing states in the world. Under Iraqi law, the death penalty can be imposed for some 48 crimes, most of which are non-lethal crimes. Violations are open to wide interpretation, which allows for a greater number of people to be convicted under these crimes. Over the years the number of executions carried out has been increasing significantly. This increase demonstrates the prime minister and his authorities continued disregard for international law and the most fundamental of human rights, as well as the numerous calls expressed by United Nations officials and the international community concerning the cessation of the use of the death penalty under the current context.

In 2011, 67 people were executed. In 2012 this number almost doubled to 129. It appears that 2013 will not be an exception. On 14 March 2013, the Iraqi minister of justice announced that eight “terrorists” had been executed. These first executions were followed by ten more on 17 March; four on 1 April; 7 on 7 April, and 21 on 16 April, bringing the total, as of May 2013, to 53 executions. There are tens of thousands of people in Iraqi prisons at the present time and some 1,400 of those are on death row, of which according to the ministry of justice, 150 are in imminent danger of being executed.

According to Article 73, Para 8 of the Iraqi constitution, a presidential decree is necessary for any execution to be carried out, but even this has been manipulated by the prime minister and his authorities. The president had been reluctant to sign off on all execution orders, refusing some, so in 2011 a vice president that better suited the prime minister was appointed. This vice president’s main duty is to ratify the death sentences. It is important to note that this is done against the Iraqi constitution, under which it is still only the president that holds the final authority over executions.

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Dear members and participants of this conference

We are in need of your unwavering support in order to put an end to this situation where the prime minister and his authorities take the destiny of peoples' lives into their own hands.

The Iraqi minister of justice has reaffirmed time and again that his ministry will not cede to international calls for a moratorium or end of the death penalty in Iraq. He has reaffirmed time and again that his ministry will continue to carry out executions. Cases like Iraq are why your continued persistence and work are so invaluable. Tens of thousands of lives around the world can be saved by your non-relenting push towards fulfilling your mission of putting an end to the death penalty. In the case of Iraq, your success could not be more urgent.

In my capacity as a member of the Iraqi House of Representatives and Chairman of its Human Rights Committee, I will continue to fight against these injustices and violations of the right to life and encourage and support you in your important mission to protect lives from the death penalty. It is my hope that all of you will also continue to push forward with your work and that you will grant us your support as we move forward on this issue of utmost importance.

Best regards,



Dr. Salim Al-Jubouri
Chairman of the Iraqi House of Representatives Human Rights Committee

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