

## **EXECUTION LOOMS FOR IRAQI OIL TECHNICIAN**

### **IRAQ**

#### **Osama Jamal 'Abdallah Mahdi (m)**

The case files of Osama Jamal 'Abdallah Mahdi are now with the office of the President of the Republic for review. If his death sentence is ratified, he could be executed at any time.

Osama Jamal 'Abdallah Mahdi, a father of two, is detained in Kadhimiya Prison, northern Baghdad. He was sentenced to death by Branch 1 of the Central Criminal Court of Iraq (CCCI) in Baghdad on 26 December 2011. His sentence is believed to have been upheld by the Court of Cassation in 2012.

Under Iraqi law, once a death sentence has been confirmed by the Court of Cassation, the case is then sent to the President's office. The President has the authority to ratify the sentence, commute it or grant a pardon.

Osama Jamal 'Abdallah Mahdi was convicted under the 2005 Anti-Terrorism Law in connection with the killing of an Iraqi army officer on 26 November 2008. Although in court he withdrew "confessions" extracted from him under torture, the court found that these "confessions" were sufficiently detailed and supported by the initial – but later withdrawn – testimony of his co-defendant. His manager said he had been at work at the time of the killing, 120km from where it took place. Those who testified in court were not eyewitnesses to the killing.

#### **Please write immediately in Arabic, English or your own language:**

- \* Expressing concern that Osama Jamal 'Abdallah Mahdi has been sentenced to death after proceedings that did not meet international standards for fair trial;
- \* Calling on the President not to ratify Osama Jamal 'Abdallah Mahdi's death sentence;
- \* Calling on the authorities to order an independent body to investigate his allegations of torture, and bring anyone responsible to justice;
- \* Urging them to declare a moratorium on executions, with a view to abolishing the death penalty completely, and commute all outstanding death sentences without delay.

#### **PLEASE SEND APPEALS BEFORE 9 JULY 2014 TO DIPLOMATIC REPRESENTATIVES OF IRAQ IN YOUR COUNTRY, ADDRESSED TO: (Time difference = GMT + 3 hrs / BST + 2 hrs)**

President  
His Excellency Jalal Talabani  
President  
Convention Centre (Qasr al-  
Ma'aridh)  
Baghdad,  
Iraq  
Salutation: Your Excellency

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

And copies to:  
Minister of Justice  
Hassan al-Shammari  
Convention Centre (Qasr al-  
Ma'aridh)  
Baghdad,  
Iraq

#### **PLEASE SEND COPIES OF YOUR APPEAL TO**

His Excellency Mr Faik Ferik Abdileziz Nerweyi, Embassy of the Republic of Iraq, 21 Queens Gate, London SW7 5JE Fax: 020 7590 7679 Tel: 020 7590 7650 Email: lonemb@mofaml.gov.iq Web: www.mofamission.gov.iq

## **BACKGROUND INFORMATION:**

Osama Jamal 'Abdallah Mahdi was detained on 15 January 2010 at his workplace and held incommunicado for about eight months, during which time he was tortured to make him "confess". According to his relatives, the torture included beating with sharp objects, kicking, being suspended by the arms, injuries caused by the use of a drill and electric shocks to various parts of his body. The Forensic Medical Institute in Baghdad examined him on 14 November 2010 and found "20 discolouration marks in various shapes with their size varying from 1 cm x 0.5 cm to 5 cm x 3 cm".

Osama Jamal 'Abdallah Mahdi's lawyer told Amnesty International that during his trial he withdrew his "confession", saying he had been coerced and tortured. Another man, sentenced to life imprisonment in the same trial, also withdrew his pre-trial testimony, in which he had incriminated Osama Jamal 'Abdallah Mahdi. The court noted that both defendants had denied charges brought against them, but neither mentioned their torture allegations nor referred to Osama Jamal 'Abdallah Mahdi's forensic medical examination.

Iraq is one of the world's leading executioners, as the government continues to battle against a high level of violence by armed groups. Hundreds of prisoners are on death row: at least 169 people were executed in 2013.

Amnesty International has documented numerous cases of death row inmates in Iraq who were convicted of terrorism or other serious crimes on the basis of "confessions" the condemned inmates say were coerced from them under torture when they were detained without access to lawyers or any contact with the world outside their place of incarceration.

For further information please see the following Amnesty International report:

Iraq: A decade of Abuse (<http://amnesty.org/en/library/info/MDE14/001/2013/en>); and the following Amnesty International video entitled Iraq's lethal confession culture (<http://www.youtube.com/watch?v=kCfEnbDKp2I>).

Iraqi law requires that all death sentences, once imposed, are reviewed by another judicial body; normally, they are referred automatically for review by the Court of Cassation. However, the Court of Cassation may reach its decision on a paper-based review of the court verdict and dossiers; it is not required to conduct a re-examination of the evidence, although it is entitled to do so if it determines that this is required (Article 258 of the Criminal Procedure Code). Once a death sentence has been confirmed by the Court of Cassation, Article 286 of the Criminal Procedure Code requires that it is then sent to the President to decide whether it should be ratified and the offender executed, have his sentence commuted or be pardoned.

## **PLEASE CHECK WITH THE INDIVIDUALS AT RISK PROGRAMME AT AIUK BEFORE SENDING APPEALS AFTER 9 JULY 2014 DIPLOMATIC REPRESENTATIVES OF IRAQ IN YOUR COUNTRY, ADDRESSED**

Individuals at Risk Programme, Amnesty International UK, 17-25 New Inn Yard, London EC2A 3EA, 0207 033 1572, [iar@amnesty.org.uk](mailto:iar@amnesty.org.uk).