



# Iraq

## Foreign Nationals and the Death Penalty

### Death Penalty Overview

Iraq was one of the eight out of 22 League of Arab States members to execute people during 2022. Executions are carried out either by shooting or hanging. Iraq retains the death penalty for 'ordinary crimes', despite international law stating that the use of the death penalty should be restricted to the most serious crimes. Furthermore, death sentences are often imposed in Iraq following proceedings that do not meet international fair trial standards (Amnesty International 2022). Iraq voted against the most recent UNGA resolution on a moratorium of the death penalty in 2022.

At least 7,900 individuals are thought to be on death row in Iraq, the majority of whom are for terrorism-related offences, under the Iraqi Anti-Terrorism Law no.13. This law is cause for serious human rights concerns, primarily due to its vague and overly-broad definition of 'terrorism'.

Between 2021 and 2022, recorded executions in Iraq fell by more than 35% (17 individuals to 11) and death sentences fell by 55% (91 to 41). Over the last decade, the greatest increase in death sentences was between 2017 and 2018, quadrupling from at least 65 in 2017 to at least 271 in 2018. The highest number of executions in the last decade were recorded in 2013, when at least 169 individuals were thought to have been executed (Amnesty International 2022).

#### SOME STATISTICS: (Amnesty International 2022)

|      | Executions | Death Sentences | Known number on death row |
|------|------------|-----------------|---------------------------|
| 2017 | 125+       | 65+             | +                         |
| 2018 | 52+        | 271+            | 285+                      |
| 2019 | 52+        | 87+             | 8000+                     |
| 2020 | 52+        | 27+             | 7900+                     |
| 2021 | 52+        | 91+             | 8000+                     |
| 2022 | 11+        | 41+             | 7900+                     |

'+' indicates that the figure that Amnesty International has calculated is a minimum.

Since October 2020, a wave of executions have been carried out at Nasiriyah Central Prison (commonly known as al-Hoot prison). 21 individuals were executed in October 2020, and a further 21 on 16 November; part of a plan to execute all prisoners on death row.

In August 2021, UNAMI released a report revealing interviews with more than 200 death row detainees, over half of whom shared 'credible allegations of torture' (Human Rights Watch 2021). These interviews further revealed how detainees were frequently not allowed to see a judge, refused access to a lawyer, and families of detainees were often not notified or able to communicate with those detained.



*Nasiriyah Central Prison, commonly known as al-Hoot prison, where many death row prisoners are held, under terrible conditions*

## Foreign Nationals

Foreign nationals are frequently sentenced to death in Iraq, often for terrorism, drug-related crimes, or smuggling artefacts.

Many dual nationals are also sentenced to death in Iraq for terrorism offences, such as being a member of ISIS. This is often after being transferred into Iraqi territory by US forces, following capture elsewhere in the region. This affects a large number of EU nationals as well as those from other parts of the Middle East.

Organisations such as Human Rights Watch have criticised Iraq for carrying out trials without sufficient evidence or based on confessions obtained under torture. Torture of prisoners in Iraq is a common complaint.

## Drug Offences

Although no executions for drug offences have been carried out in the past five years, Iraq continues to hand out death sentences for drug offences. In June 2023, an Iraqi court sentenced eight people to death for possession of opium, two of whom were foreign nationals.

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