

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Working Group on Arbitrary Detention**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

REFERENCE: UA G/SO 218/2 G/SO 214 (33-27)  
IRQ 1/2012

28 June 2012

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions and Chair-Rapporteur of the Working Group on Arbitrary Detention pursuant to Human Rights Council resolutions 17/5 and 15/18.

In this connection, we would like to draw the attention of your Excellency's Government to information received regarding the execution of Mr. **Abed Hamoud** and the imminent execution of Mssrs. **Tariq Aziz** and **Sadoun Shakir**, sentenced to death following a trial before the Supreme Iraqi Criminal Tribunal (SICT), the independence of which has allegedly been undermined by political interference. They were convicted for participating in the killings of opposition political activists during the rule of Mr. Saddam Hussein.

The aforementioned individuals were the subject of a previous communication sent by our mandates on 3 November 2010 (A/HRC/17/28/Add.1, pp. 205-207). In that communication, in light of concerns regarding non-respect of international standards on due process safeguards and of restrictions on deprivation of liberty and the imposition of capital punishment, we called on the Government of Iraq to have their death sentences commuted. We regret that this communication remains unanswered as of today.

We are informed that despite our appeal, Mr. Abed Hamoud (full name Abid Hamid Mahmoud) was executed by hanging on 7 June 2012. Should the death sentences against Mssrs. Tariq Aziz and Sadoun Shakir be confirmed by the court of appeals, they could be executed at any time.

On the basis of the additional information received, we condemn the execution of Mr. Abed Hamoud, which on the facts available to us, was carried out in violation of international human rights law.

Regarding the detention of and death sentences against Mssrs. Tariq Aziz and Sadoun Shakir, we refer to the applicable international instruments as mentioned in our urgent appeal dated 3 November 2010. We remain concerned that their detention and

death sentences do not comply with international safeguards applicable to deprivation of liberty and the imposition of capital punishment.

We therefore urge your Excellency's Government **not to execute the abovementioned persons and** to take all necessary measures to ensure that their rights are fully respected and to respond to the questions contained in our previous communication. Unless your Excellency's Government is able to demonstrate respect for these individuals' fundamental procedural safeguards, which flow from the international obligations endorsed by Iraq, the death sentences must be commuted.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the present communication.

We undertake to ensure that your Excellency's Government's response is accurately included in the report we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Christof Heyns  
Special Rapporteur on extrajudicial, summary or arbitrary executions

El Hadji Malick Sow  
Chair-Rapporteur of the Working Group on Arbitrary Detention