

**Flygtningenævnets baggrundsmateriale**

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## Hanging of 42 prisoners in Iraq raises concern over flawed due process – UN rights chief

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The mass hanging of 42 prisoners on Sunday in a prison in southern Iraq raises massive concerns over the country's use of the death penalty, the UN human rights chief said Wednesday.

“I am [appalled](#) to learn of the execution of 42 prisoners in a single day,” UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein said in a press release from his Office ([OHCHR](#)), referring to the hanging at Al Hoot prison in the city of Nasiriyah.

“Under international law, the death penalty may only be imposed after a strict set of substantive and procedural requirements have been met,” he added.

Mr. Zeid said it was “extremely doubtful” that these strict due process and fair trial guarantees – including the men's rights to effective legal assistance and a full appeals process, and to seek pardon or commutation of their sentence – had been met in every one of these 42 individual cases.

Iraqi government officials have stated that the executed prisoners were Iraqis affiliated to the Islamic State of Iraq and the Levant (ISIL/Da'esh) or al-Qaeda, who had been charged under anti-terrorism laws with offences including kidnapping, killing members of the security forces, carrying out armed robberies, and detonating improvised explosive devices.

However, no information has been released about their names, places of residence, exact crimes, trials, date of sentencing, or the appeals processes which Iraqi officials say they have exhausted.

Iraqi officials have stated that around 1,200 of the estimated 6,000 prisoners held in Nasiriyah have been sentenced to death.

OHCHR has repeatedly warned that the Iraqi justice system as a whole is too flawed to allow for any executions, expressing concern over reports that Iraq may be planning to expedite the process of executing prisoners already sentenced to death while urging the Government to step back from its policy of accelerated or mass executions.

Mr. Zeid called on the Government to establish a special judicial oversight body to make recommendations on legal reforms that would ensure respect for due process and fair trial standards, as well as to monitor any future trials related to capital punishment.

He also urged the authorities to halt all imminent executions and to establish an immediate moratorium on the use of the death penalty.

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