

August 23, 2006

## **Anfal Survivor Testifies in Saddam Trial**

By The Associated Press

BAGHDAD, Iraq—A survivor testified Wednesday at the genocide trial of Saddam Hussein that Iraqi warplanes bombarded a Kurdish village with chemical weapons in 1987 and helicopters pursued those who fled into the hills and bombed them.

For a second day, survivors took the stand in the trial, in which Saddam and six co-defendants are charged over the 1987-88 Anfal campaign, a military sweep against the Kurds of northern Iraq in which tens of thousands of people were killed.

After hearing from four survivors, chief judge Abdullah al-Amiri adjourned the trial until Sept. 11, to allow time to consider an appeal from defense lawyers about the court's legitimacy.

Adiba Oula Bayez described the Aug. 16, 1987, bombardment of her village of Balisan, saying warplanes dropped bombs that spread a smoke that smelled "like rotten apples."

"Then my daughter, Narjis, came to me, complaining about pain in her eyes, chest and stomach. When I got close to see what's wrong with her, she threw up all over me," Bayez, a mother of five, said. "When I took her in to wash her face ... all my other children were throwing up."

"Then my condition got bad, too. And that's when we realized that the weapon was poisonous and chemical," she said.

Bayez said the villagers fled to nearby caves on mules, "but the helicopters came and bombed the mountains to prevent the villagers from taking refuge anywhere."

Like many villagers, she was blinded by the gas, she said. In the caves, people were vomiting blood and many had burns. "All I knew was that I was holding tight my five children," she said. "I couldn't see, I couldn't do anything, the only thing I did was scream, 'Don't take my kids away from me.'"

The villagers were taken by the military to a prison camp, and Bayez said four people kept in the same room with her died. On the fifth day in jail, she said she pried open her swollen eyes with her fingers to see, and "I saw my children's eyes swollen, their skin blackened."

Balisan resident Badriya Said Khider said nine of her relatives were killed in the bombing and the military sweep afterward, including her parents, two brothers, husband and son.

A man claiming to be a former Kurdish guerrilla, or peshmerga, also took the stand, describing several attacks he witnessed in 1987 and 1988 -- including one with chemical weapons in August 1988 on the village of Ikmala in which his brother's family was killed.

"On the ground outside their house, my brother Saleh and his son Shaaban were on the ground dead, hugging each other, and a few meters (yards) away was my brother's wife," said Moussa Abdullah Moussa. "I can't tell the feeling I had. Only the eye and heart that saw that can describe it."

The accounts resembled those of two other survivors of the attack on Balisan and the neighboring village of Sheik Wasan who testified Tuesday in the trial. Bayez's husband, Ali Mostafa Hama, testified on Tuesday.

The survivors are testifying as plaintiffs in the case. Asked by the judges whom she wished to file her complaint against, Bayez exclaimed, "I complain against Saddam Hussein, Ali Hassan al-Majid and everyone in the (defendants') box. May God blind them all."

Saddam and his six co-defendants could face execution by hanging if convicted in the Anfal case. Saddam and his cousin, al-Majid, a Baath Party leader who allegedly organized Anfal, are charged with genocide—considered the toughest charge to prove since its requires showing their intention was to exterminate part of an ethnic group.

Saddam and al-Majid—who became known as "Chemical Ali" for the use of chemical weapons in Anfal—also face charges of crimes against humanity and war crimes, as do their co-defendants, most of whom are former military figures.

Saddam is still awaiting a verdict on Oct. 16 in the first case against him -- the nine-month-long trial over the killings of 148 Shiites in a 1980s crackdown on the town of Dujail. In that case as well, he and seven other co-defendants could face the death penalty.

The Anfal trial is likely to take months as well. The campaign was on a far greater scale than the Dujail crackdown, with anywhere from 50,000 to 180,000 Kurds killed. Prosecutors plan to bring up to 75 witnesses and extensive documents from the former regime, as well as evidence from mass graves.

So far, however, the three-day-old trial has seen none of the shouting and disruptions that plagued the Dujail trial and caused extensive delays. In the Dujail case, the tough chief judge Raouf Abdul-Rahman frequently shouted down Saddam and his top co-defendant Barzan Ibrahim and threw out several defendants or lawyers for causing disturbances.

Instead, the tone in the Anfal case has been civil and businesslike. At one point, when al-Majid stood to make a point about military service, chief judge Abdullah al-Amiri complimented him, saying, "I'm sure you know better, you were in the know," and al-Majid thanked him.

Al-Amiri also told the 64-year-old al-Majid, who has looked haggard in his court appearances and uses a cane, that he could remain seated while addressing the court, bringing another round of pleasantries between the men.

It was a stark contrast to Ibrahim, who had furious arguments with Abdul-Rahman during the Dujail trial and in several sessions showed up in court wearing only long-underwear to show his disdain for the tribunal.

The defense pressed the plaintiffs on whether Kurdish guerrillas were operating in the areas that were hit in the attacks -- trying to back the defendants' claims that Anfal did not target civilians but rather aimed to uproot the peshmerga, who Saddam's regime said were helping Iranian forces during the Iran-Iraq war of the 1980s.

On of the co-defendants, former military intelligence chief Sabir al-Douri, asked Moussa about an Iranian Revolutionary Guards base in the area of the attacks he described.

"This is the first time I hear that there was a base for (Iranian) guards in my area. I have never seen or heard about such a thing," Moussa insisted.

Al-Majid stood and objected Bayez's use of the term "Anfal-ized"—a term coined by Kurds and used by all three of the survivors so far to refer to those who disappeared and were killed in the Anfal campaign.

Al-Majid said the Balisan and Sheik Wasan operations took place before the Anfal campaign officially began—in early 1988. Al-Amiri replied that the trial was also addressing some military activities that took place in the months leading up to Anfal.

The campaign code-named "Anfal" by Saddam's military took place in

eight stages, starting in February 1988, with each stage hitting a different part of mainly Kurdish northern Iraq. But it was preceded by a number of similar military operations in 1987 also under the command of al-Majid, according to a Human Rights Watch report on Anfal.

Two co-defendants in the trial on Tuesday denied that Anfal targeted civilians, saying it was launched solely to uproot Kurdish guerrillas they said were helping Iranian forces during the Iran-Iraq war.

Copyright 2006  
The New York Times Company