

## **Court Drops Kurd Charges Against Saddam**

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By The Associated Press

BAGHDAD, Iraq — Saddam Hussein had been dead nine days but his voice resounded through the courtroom Monday as he and his cousin "Chemical Ali" discussed killing thousands of Kurds in the 1980s, according to audiotapes played at their war crimes trial.

Saddam's physical presence was gone—his chair in the white metal pen where the defendants sit was empty—but his aura still hung over the proceedings against his former regime members.

The trial reconvened for the first time since Dec. 21 and a little more than a week since Saddam was hanged for the killing of 148 Shiites after an assassination attempt in the town of Dujail in 1982.

Meanwhile, new video of Saddam's corpse shortly after the hanging was posted on the Internet. It showed a gaping wound on Saddam's neck, with his head unnaturally twisted at a 90 degree angle to his right.

The video appeared to have been taken with a camera phone, like the graphic video of the hanging which showed guards taunting Saddam in the final moments of his life.

The court's first order of business Monday was to dismiss all charges against Saddam. His co-defendants—including his cousin Ali Hassan al-Majid, known as "Chemical Ali"—remain in the dock for allegedly killing 180,000 Kurds in the 1980s as Iraq fought a protracted war with Iran.

Prosecutor Munqith al-Faroon aired graphic video during Monday's court session of scores of bodies in trucks and in piles on the street, overlaid with a voice purported to be that of al-Majid saying, "I will hit them with chemical weapons."

"Damn the international community if they say anything. I will strike them all with chemical weapons," the voice continued.

Another audiotape had a voice identified as Saddam's warning, "These weapons are only used at my orders." He also reassured colleagues that the weapons "kill by the thousands."

"It will force them out of their homes without water or food. It makes them evacuate their homes naked," the voice said.

In court, Al-Majid described the video as "painful," but said it showed the work of Iranian troops, not Iraqis. As for the audio, al-Majid did not deny the voices were his and Saddam's.

The tapes "not only condemn me, but the whole path that I was part of—the path of Saddam Hussein," al-Majid said.

Legal experts said they hoped Saddam's six co-defendants would be more forthcoming with the dictator no longer listening.

Legal scholar Tariq Harb said the trial could make more progress without Saddam, who sometimes quietly glared at witnesses, shouted at them, or launched nationalists tirades that got him thrown out of court.

"The trial will be more elastic and easy. It will clarify and expose more facts because Saddam Hussein's disappearance from the dock will encourage other defendants to mention some facts that they were afraid to divulge when he was with them," Harb said.

Also Monday, the U.S. military announced the deaths of two more American soldiers: one from combat wounds in Salahuddin province, which includes Saddam's hometown, and another from small-arms fire north of Baghdad.

And the White House said President Bush would lay out his new approach for the Iraq war in a speech Wednesday. Bush was expected to announce an increase of as many as 20,000 U.S. troops in a bid to contain sectarian warfare.

Iraqi police, meanwhile, reported the discovery of 27 tortured bodies in the capital and the deaths of 23 other people, including nine Shiite workers gunned down in a minibus on their way to the Baghdad airport.

Aside from al-Majid, the co-defendants in the so-called Anfal trial are former Defense Minister Sultan Hashim al-Tai, who was the commander of Task Force Anfal and head of the Iraqi army 1st Corps; Sabir al-Douri, Saddam's military intelligence chief; Taher Tawfiq al-Ani, former governor of Mosul and head of the Northern Affairs Committee; Hussein Rashid Mohammed, former deputy director of operations for the Iraqi armed forces and Farhan Mutlaq Saleh, former head of military intelligence's eastern regional office.

When al-Majid first took his seat in court Monday, he tried to turn on his microphone to speak publicly. The judge quickly shut it off.

Before the trial adjourned until Jan. 11, Al-Farooq also presented a

document allegedly signed by al-Ani, calling for the execution of 10 members of the Patriotic Union of Kurdistan, the party headed by current Iraqi President Jalal Talabani. Al-Ani denied the handwriting was his.

"This is not my signature and I'm sure of that," he told the court.

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