

Hussein Brands Court Hearing 'Theater'

Former Iraqi Dictator Informed He Would Be Charged With War Crimes, Crimes Against Humanity

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BAGHDAD, July 1--Former Iraqi President Saddam Hussein, combative and at times defiant, was led in handcuffs into an Iraqi courtroom Thursday where he was read his rights and informed that he would be charged with war crimes and crimes against humanity.

"I am Saddam Hussein, the president of Iraq," the former dictator declared twice when asked to identify himself. He declined to sign formal papers at his arraignment, reportedly because he did not have his lawyers.

"This is all theater. The real criminal is Bush," he said, according to initial pool reports, which may change as official translations become available.

He reportedly smiled when informed that the government would pay for a lawyer if he could not afford one, noting that he had heard he had "millions" stashed away in Geneva.

He faces seven preliminary charges, including invading Kuwait in 1991 and crushing uprisings of Shiite Muslims and Kurds.

Pool reporters said Hussein called the Kuwaitis "dogs" during the hearing, and was admonished by the Iraqi judge that he was standing in a court of law and could not use such language.

Hussein was taken off an armored bus in handcuffs and chains, surrounded by guards. He walked into the courtroom, where his cuffs and chains were removed. He was described as thin, with bags under his eyes. His beard, wild when arrested in December, was trimmed.

A judge sat him down across the table and asked him to identify himself. He was asked his age and whether he understood what was going on.

He asked about the court's jurisdiction, repeating that he was "the president of Iraq." The judge told him that Iraq had been reconstituted and that Hussein no longer held authority.

The judge read off the charges, involving killing religious figures in 1974, gassing of the Kurds in the 1980s, killing members of political parties, suppressing Kurdish and Shiite uprisings and the invading Kuwait.

Today's proceeding was not the beginning of a trial, but rather the equivalent of a preliminary hearing or an arraignment. No actual trial is expected for months, at least, as a massive investigation involving forensic evidence, document review and perhaps thousands of witness interviews lie ahead.

Hussein and 11 of his lieutenants will be ultimately charged with crimes against humanity, for acts including genocide committed between July 17, 1968, through May 1, 2003. The Iraqi court was scheduled to arraign the others after finishing with Hussein Thursday.

The beginning, albeit brief, had enormous symbolic significance. Two years ago, the feared Iraqi leader lived the life of a king, shuttling from one grand palace to another.

Seven months ago, he was pulled from a hole in the ground where he had been hiding from U.S. forces, looking weary and disheveled, his wild hair and uncombed beard caked with dirt.

Thursday he was hauled into court, under the legal control of a government composed of long-time enemies.

It was only the first step in what could be at least many months and likely many years of hearings, motions, arguments, evidentiary presentations, deliberations and inevitably appeals all overseen by Iraqi judges, lawyers and investigators under the supervision of the newly-empowered interim government of Iraq.

The structure itself did not exist when Hussein was in power. It was created by the U.S. occupation and passed along to the interim government when authority was transferred three days ago.

As many as 300,000 Iraqis died on the orders of Hussein and his lieutenants, human rights groups believe. The years of violence included the gassing of Kurdish villages and the slaughter of Shiites in open fields. Countless other Iraqis disappeared one by one, to be executed as enemies no matter the quality of the evidence against them.

Now that Hussein and some of his lieutenants are facing the beginning of a protracted legal process, the trial, whenever it actually begins, is seen not only as a chance to bring Hussein to justice but also as an opportunity for Iraqis to confront their past.

It could become the highest-profile war-crimes prosecution since Nuremberg. But officials and specialists familiar with Hussein's record foresee a trial that will focus on a relatively small number of crimes chosen for the strength of the evidence and their power to represent the types of suffering inflicted during 35 years of rule by terror.

The legal apparatus for prosecutions was established in "The Statute of the Iraqi Special Tribunal," drawn up months ago while the U.S.-led Coalition Provisional Authority was laying a statutory groundwork to be passed along to the interim government of Iraq.

Legal experts believe the most likely path to a conviction of Hussein for committing genocide or crimes against humanity is to establish his command responsibility for the institutions of Iraqi government, including the military that tormented the Kurds and the security services that killed thousands of ordinary Iraqis between 1968 and 2003.

Fred Barbash reported from Washington. Staff writer Peter Slevin contributed to this story.

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