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# Hussein's Lawyers Walk Out of Court in Protest

By [RICHARD A. OPPEL Jr.](#)

BAGHDAD, Sept. 20 — [Saddam Hussein](#)'s defense lawyers left the courtroom today in protest after Prime Minister [Nuri Kamal al-Maliki](#) on Tuesday fired the judge overseeing the second phase of Mr. Hussein's trial, accusing him of bias toward the deposed Iraqi ruler.

"We don't expect this court, established under the occupation authorities, to be fair, so we decided to withdraw from this trial," a defense lawyer, Wadoud Fawzi, told the court, reading a statement on behalf of the defense team before they walked out, The Associated Press reported.

Aides to Mr. Maliki said on Tuesday that pressure had been building from Kurds and others to remove the judge, Abdullah al-Amiri, a Shiite who was also a judge under the Hussein government, after Judge Amiri told Mr. Hussein in court that he was not a dictator.

Today, Judge Amiri was replaced in court by his assistant, Muhammad al-Uraibi, another Shiite, who ordered Mr. Hussein out of the court after he objected to the changes, news agencies said. The firing of Judge Amiri was condemned by human rights advocates as improper political interference by Mr. Maliki's government, which is dominated by Shiites and Kurds, two groups that were persecuted during Mr. Hussein's rule. [Human Rights Watch](#) said the firing "sends a chilling message to all judges: toe the line or risk removal."

Bassam al-Husseini, an aide to Mr. Maliki, said on Tuesday that the prime minister's office asked the Iraqi High Tribunal to remove Judge Amiri. "The government is taking into regard the feelings of the Iraqi people," Mr. Husseini said. "When the judge told Saddam, 'You are not a dictator,' he hurt the feelings of the Iraqi people."

“There was pressure from the Iraqi people and people in Kurdistan because their feelings were hurt,” he said, adding that the prime minister has the authority to remove judges from the tribunal. “The government had to respond to this pressure.”

But international human rights groups said the firing undermines the tribunal’s credibility and could influence other judges to favor the prosecution. They also questioned whether the tribunal’s procedures for handling allegations of judicial bias and misconduct were followed.

“This shows the court is not immune from political interference and may be open to being manipulated by public opinion or politicians,” said Hanny Megally, director of the Middle East and North Africa program for the International Center for Transitional Justice, which is an observer in the tribunal.

In the current phase of the trial, Mr. Hussein stands accused of genocide in the killing and gassing of more than 50,000 Kurds during the so-called Anfal military campaign of 1988. It is separate from his prosecution earlier this year on charges of ordering the murder of 148 people in the Shiite village of Dujail in 1982. That verdict is expected as early as next month.

Criticism of Judge Amiri began to build last week, when Mr. Hussein described Kurdish witnesses testifying against him as agents of “Zionism” and then threatened to “crush your heads.” The next day, a prosecutor, Munqith al-Faroon, demanded that the judge step down, accusing him of allowing Mr. Hussein “to go too far, with unacceptable expressions and words.”

Then, during testimony on Thursday from a Kurdish farmer who recounted how he had pleaded with Mr. Hussein to spare the life of his family, Mr. Hussein leaped up in the dock to defend himself.

“Why did he try to see Saddam Hussein?” Mr. Hussein said. “Wasn’t Saddam a dictator and an enemy to the Kurdish people, as they say?”

Judge Amiri then said: “I will answer you: you are not a dictator. Not a dictator.” Smiling, Mr. Hussein replied, “Thank you.”

The exchange outraged many in the Iraqi government. After the “not a dictator” exchange, members of Parliament began putting pressure on a committee of judges within the tribunal to remove Judge Amiri, said Jalaladin al-Sagheir, a Shiite member of Parliament.

The statute governing the tribunal says the Presidency Council — the Iraqi president and two vice presidents — can transfer judges out of the tribunal “for any reason” on recommendation by the Council of Ministers. It was unclear whether President Jalal Talabani, a Kurd, played a role in the judge’s firing.

But the tribunal also has other rules and procedures devised specifically for handling allegations of bias or misconduct, human rights advocates said.

“It’s not clear whether the proper procedure was used or not,” said Richard Dicker, the director of the international justice program at Human Rights Watch.

*Qais Mizher and Abdul Razzaq al-Saiedi contributed reporting.*