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Prosecutors Detail Atrocities in Hussein's Trial

By [EDWARD WONG](#)

SULAIMANIYA, [Iraq](#), Aug. 21 — At the start of his trial on the charge of genocide, [Saddam Hussein](#) insisted once more on Monday that he was still the president of Iraq, and he refused to enter a plea on accusations that he ordered massacres, deportations and chemical attacks to annihilate the country's Kurdish minority.

For most of the five-hour session, Mr. Hussein sat stone-faced in a courtroom in the fortified Green Zone of Baghdad, listening to prosecutors give a detailed account of how he and six co-defendants embarked on an eight-stage military campaign in 1988 to eliminate the Kurds from swaths of their mountainous homeland in northern Iraq.

Prosecutors said the campaign, called Anfal after a Koranic phrase that means "the spoils of war," killed at least 50,000 Kurds and resulted in the destruction of 2,000 villages.

More than an hour into the session, they presented grim photographs of mass grave sites, including one showing the body of a young girl, and cited an order from one of Mr. Hussein's top aides telling military commanders to rid villages of "human or even animal presence."

Those efficient and emotional arguments were in marked contrast to the prosecution's performance at the start of Mr. Hussein's first trial last October, when the chief prosecutor, Jaafar al-Mousawi, delivered a rambling diatribe and was eventually forced to stop by the chief judge.

This trial was televised across the Middle East on satellite networks. Here in the heart of Iraqi Kurdistan, people sat fixed on screens in cafes, homes and offices, watching as the former dictator and some of his most powerful aides faced questions and accusations from black-robed judges.

Survivors of the Anfal campaign organized rallies in several villages. Government offices called for five minutes of silence for the victims before the trial began.

This session was the first time that Mr. Hussein and his aides have stood trial for the killings, which have become a lasting legacy of his rule and which President Bush has cited as one of several rationales for the American-led invasion of Iraq.

Mr. Hussein marched into the wood-railed defendants' pen at 11:45 a.m. wearing a charcoal suit and white shirt, his customary attire for court. His gray beard appeared neatly trimmed, and he clutched a Koran in one hand. Later, as two prosecutors presented the case, he watched with raised eyebrows, an index finger occasionally perched on his lip. He scribbled on a notepad. He did not smile.

At the start of the trial, the chief judge, Abdullah al-Amiri, who had also served as a judge in Mr. Hussein's government, asked each defendant to state his name, occupation and place of residence.

"I won't give you my name because all the Iraqis know my name," Mr. Hussein said in a gravelly voice.

The judge held up a book of regulations. "Do you respect this law?"

"You're sitting there in the name of the occupation and not the name of Iraq," Mr. Hussein said. Eventually, Mr. Hussein did give his name and called himself "the president of the republic of Iraq and commander in chief of the heroic Iraqi armed forces." He referred to those forces as holy warriors, an apparent reference to the ongoing insurgency.

Judge Amiri entered a plea of not guilty for Mr. Hussein and one other defendant who also refused to enter a plea. The other defendants, accused of crimes against humanity, pleaded not guilty. Like Mr. Hussein, they generally sat in silence during the session, sometimes jotting notes.

Sitting in a white robe at the rear of the defendants' pen was Ali Hassan al-Majid, perhaps Mr. Hussein's most feared aide, known as Chemical Ali because of the weapons he is said to have unleashed. Mr. Hussein and Mr. Majid, commander of the north at the time of Anfal, are each charged with genocide for trying to annihilate the Kurds, who make up a fifth of Iraq's population.

The prosecutors said the campaign, which began in February 1988 and lasted six and a half months, was carried out through helicopter and artillery strikes, imprisonment of Kurds in camps and the razing of villages and farmland. Soldiers raped women and separated children from their mothers, they said.

"The only reason Anfal was committed against the Kurds was just because they were Kurds, and it's time for the international community to admit the scale of Anfal," said Munqith Al Faroon, the second prosecutor. Kurds were buried in mass graves in the southern desert near Samawa and by the northern town of Hatra, the prosecutors said. They showed the court a photo taken of a grave site, using a pen to point to a decayed body with tattered strips of clothing.

The genocide charges against Mr. Hussein and Mr. Majid will be difficult to prove, legal experts say. The prosecutors must establish that the two men had command responsibility for the Anfal campaign and wanted to eliminate the Kurds because of their ethnicity. The prosecutors said in court that they had more than 9,000 pages of documents to back up their arguments, as well as numerous witnesses.

The defense team did not directly address the Anfal charges. Mr. Hussein's chief lawyer, Khalil al-Dulaimi, challenged the legitimacy of the court, saying it had been created by the American occupation authority. He invoked the Geneva Conventions and said the very existence of the tribunal violated international law.

Mr. Hussein plunged into a tirade after a recess in the late afternoon, when Judge Amiri noted that Mr. Hussein looked anxious and allowed him to talk. Mr. Hussein leapt to his feet and jabbed a finger at the prosecutors, saying he had never allowed women to be raped.

“I can’t sit down and remain silent when it’s said that an Iraqi woman was raped,” he said. “This couldn’t happen while Saddam Hussein is alive.”

Mr. Hussein’s histrionics were a throwback to the first trial, in which he and seven co-defendants are charged with executing 148 men and boys from a Shiite village, Dujail. That trial has been marked by lengthy outbursts from Mr. Hussein and his half-brother, Barzan al-Tikriti. The five-judge panel is expected to deliver a verdict in mid-October.

Mr. Hussein faces the possibility of a death sentence in each case. A death sentence could be appealed to judges and would have to be approved by the Iraqi president, Jalal Talabani.

In a primary school in Sulaimaniya, the principal, Muhammad Bayer Arif, said it would be too easy for Mr. Hussein to be hanged or shot. “I want him to be kept in a cage where the families of those killed in Anfal can go see him, just like at a zoo,” he said. “They can ask him, ‘What do you think now that you’re in this cage? Do you have any remorse now?’ ”

Boy Killed by U.S. Troops

By The New York Times

BAGHDAD, Iraq, Aug. 21 — American soldiers accidentally killed a 10-year-old boy on Sunday in Kirkuk after firing at a driver who ignored warnings to stop, the military said Monday.

North of the capital, an American soldier was killed Monday when his vehicle was struck by a roadside bomb, the military said. Three members of a Marine unit died from “enemy action” in Anbar Province on Sunday, the military said.

In southwestern Baghdad, gunmen opened fire on an Iraqi army convoy near a mosque, killing three soldiers and wounding another, an Interior Ministry official said.

Yerevan Adham contributed reporting from Sulaimaniya for this article, and Ali Adeeb from Baghdad.

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