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Iraq: Saddam Hussein's trial must be fair, and seen to be fair.

Amnesty International is deeply concerned at the absence of defence lawyers and the apparent censorship during yesterday's first court appearance by Saddam Hussein and 11 senior members of the former president's government.

"The beginning of legal proceedings to determine responsibility for a series of crimes considered as war crimes, crimes against humanity and genocide committed over the last three decades, is to be welcomed. However, in order to bring justice to the thousands of victims, the proceedings must be fair, impartial and transparent," Amnesty International said.

The organisation was particularly alarmed that defence counsel was not made available to the accused at yesterday's hearing. Although the judge said that Saddam Hussein would be allowed legal defence in future, he and the other accused should have been given access to defence representation right from the beginning of the process.

The apparent restrictions, or censorship, of some of yesterday's hearing is also a matter of grave concern. The sound of Saddam Hussein's voice was initially not allowed to be broadcast although later some of his comments were broadcast creating doubt about who was in charge of proceedings.

Open reporting of the trial is of paramount importance. While, full physical access by the public may be impractical because of security considerations, the proceedings must at least be reported on by a variety of media reflecting different backgrounds. In light of this, Amnesty International is dismayed that only reporters from US media outlets were allowed access to the court during yesterday's hearings.

It is essential that the trial of Saddam Hussein and the other defendants be fair and open to public scrutiny so that ordinary Iraqis and the international community can see that justice is being done.

Background

International law guarantees everyone during detention and trial the right of access to lawyers of their own choosing as well as the time and facilities to communicate with them.

Under International law, the press and public can only be excluded from all or part of a trial for reasons of morals, public order or national security.

Public Document

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