

PUBLIC
MDE 14/032/2007

AI Index:

2007

25 June

UA 160/07 **Death Penalty**

IRAQ **'Ali Hassan al-Majid (m)**
 Sultan Hashim Ahmad al-Ta'i (m)
 Hussain Rashid al-Tikriti (m)

Three senior officials under the government of Saddam Hussain were sentenced to death on 24 June, for their roles in the so-called Anfal campaign of 1988 which led to the deaths of some 180,000 Iraqi Kurds. If their death sentences are upheld on appeal, they will be executed within 30 days.

They were tried and convicted by the Supreme Iraqi Criminal Tribunal (SICT) in Baghdad. The trial began in August 2006. No one sentenced to death by this court can seek pardon from the Iraqi president.

Former Ba'ath Party commander of the northern region 'Ali Hassan al-Majid was convicted of genocide. Together with former defence minister, Sultan Hashim Ahmad al-Ta'i, and former deputy chief of military operations, Hussain Rashid al-Tikriti, he was also convicted of war crimes and crimes against humanity.

The court also sentenced two other former officials, former military intelligence chief Sabir al-Duri and former intelligence chief of the northern region Farhan Mutlaq al-Jiburi, to life imprisonment. There is a possibility, however, that the SICT's Appeals Chamber will refer the case back to the tribunal requesting a more stringent sentence. A sixth defendant, the former governor of Nineveh province, Tahir Tawfiq al-'Ani, was acquitted, reportedly for lack of evidence.

BACKGROUND INFORMATION

Between February and August 1988, tens of thousands of Iraqi Kurds were killed or subjected to enforced disappearance when the Iraqi government implemented a programme of destruction of towns and villages all over Iraqi Kurdistan. Thousands of towns and villages were razed to the ground, and decrees were issued authorising the security forces to execute anyone attempting to return to them. According to some Kurdish estimates, between 150,000 and 180,000 people disappeared during the campaign. Some 5,000 people were killed when the Kurdish town of Halabja was attacked with chemical bombs in March 1988.

Former president Saddam Hussain, who was also accused in connection with the Anfal campaign, was tried, sentenced to death and executed on 30 December 2006, in connection with the killing of 148 people from the village of al-Dujail after an attempt to assassinate him while he was visiting the village in 1982. Three other former officials, among them former vice-president Taha Yassin Ramadhan and Saddam Hussain's half-brother, Barzan Ibrahim al-Tikriti, were also sentenced to death in the same trial, and executed. However, their trial before the SICT failed to meet international fair trial standards.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that 'Ali Hassan al-Majid, Sultan Hashim Ahmad al-Ta'i and Hussain Rashid al-Tikriti have been sentenced to death;
- recognizing the right of governments to bring to justice those responsible for serious crimes but insisting that the death penalty is a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment;
- calling on the authorities to commute the death sentences handed down to Ali Hassan al-Majid, Sultan Hashim Ahmad al-Ta'i and Hussain Rashid al-Tikriti.

APPEALS TO: fax numbers and e-mail addresses are not available for all Iraqi authorities. Please send appeals via the Iraqi embassy or diplomatic representative in your country, asking them to forward your appeals to:

President
Jalal Talabani

Salutation: Your Excellency

Prime Minister

Nuri Kamil al-Maliki

E-mail: iraqigov@yahoo.com

Salutation: Your Excellency

Minister of Justice

Safa-al-Din al-Safi

E-mail: minister@iraqi-justice.org

deputy@iraqi-justice.org

Salutation: Your Excellency

Minister of Foreign Affairs

Hoshyar Zebari

E-mail: press@iraqmofa.net

Salutation: Your Excellency

COPIES TO:

Ask the Iraqi embassy or diplomatic representative to send copies to the Human Rights Minister, Wajdan Mikhail Salem.

Please send one copy of your appeal "For information", without changing the text, to:

General Manager

Administration Department

Supreme Iraqi Criminal Tribunal

Fax: +964 1 743 2482

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 August 2007.*****