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Iraq: Amnesty International condemns Iraqi Appeal Court verdict against Saddam Hussein and co-accused

Amnesty International has condemned the Iraqi Appeal Court's decision on 26 December 2006 to confirm the death sentences on Saddam Hussein and two of his co-accused in the al-Dujail trial and said the court should have ordered a re-trial. The organization said it opposed the death penalty in all circumstances but it was especially egregious when this ultimate punishment is imposed after an unfair trial.

"The trial of Saddam Hussein and his seven co-accused before the Supreme Iraqi Criminal Tribunal (SICT) was deeply flawed and unfair, due to political interference which undermined the independence of the court and other serious failings," sad Malcolm Smart, Director of Amnesty International's Middle East and North Africa programme. "The Appeals Court should have addressed these deficiencies and ordered a fair re-trial, not simply confirmed the sentences as if all was satisfactory at the trial stage."

"It was absolutely right that Saddam Hussein should be held to account for the massive violations of human rights committed by his regime, but justice requires a fair process and this, sadly, was far from that, "said Malcolm Smart."The trial should have been a landmark in the establishment of the rule of law in Iraq after the decades of Saddam Hussein's tyranny. It was an opportunity missed."

Following the Appeal Court's decision, Saddam Hussein and two of his co-accused, are to be executed within 30 days. They were sentenced in connection with the killing of 148 people from al-Dujail village following a failed attempt to assassinate Saddam Hussein in 1982. One accused was acquitted and the four others received prison terms; however, the Appeal Court recommended that the sentence of one of these should be reconsidered by the SICT because it judged it to be too lenient, suggesting that a fourth defendant may also yet receive the death sentence.

The trial before the SICT, which began in October 2005 and concluded with the imposition of sentences on 5 November, was widely criticised due to political interference and the court's failure to ensure the safety of witnesses and defence lawyers, three of whom were murdered during the course of the proceedings, and for failing to establish an effective case against the accused.