

News From Saddam's Lawyers

By [Jude Wanniski](#)

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It seldom happens that I can report "news" to you, as opposed to "news analysis," but in the last few hours I've received messages from my Iraqi contact in London with important news that has not yet made the world press. As most of you know, I have for the last two years argued that whatever else Saddam Hussein did for good or ill as Iraq's president since 1978, there is no evidence that he committed genocide. That he "never gassed his own people," i.e., the Iraqi Kurds, which has been an assertion that has been repeated so often by President Bush, Vice President Cheney and the American press that I'm sure 99.9% of the people believe it is gospel.

The news from Mohammed Al-Obaidi today is that the team prosecuting Saddam for crimes against humanity has dropped the genocide charge "due to insufficient evidence." Al-Obaidi assures me the news is true, and if it is, we should be learning about it soon from the news media. It will further complicate the administration's problems in Iraq, as it had been relying on the genocide charge to justify "regime change" in Baghdad when the other rationales WMD and Al Qaida connections failed. I may be wrong, but if this turns out to be true, it would be a positive development in resolving the conflict in Iraq sooner, rather than later. Once the U.S. press corps focuses on the issue, it would force President Bush to re-examine his own assumptions about the rationale for unilateral action and make it easier for him to shift gears toward greater international involvement in resolving the several conflated issues in the Middle East

Here is the note I got from Al-Obaidi (who has been in exile in London for 20 years and is no fan of Saddam, but who has been among those who have insisted there was no genocide committed by his regime). It is followed with a press release he subsequently sent from the legal defense team that spent several hours with Saddam on December 16, which is interesting in and of itself, but which of course should be taken with a grain of salt.

Dear Jude:

I have just been informed by Mr. Al-Khasawnah, Chief lawyer of Saddam's legal team, that after the Iraqi lawyer, Mr. Khalil Al-Dulaimi met with Saddam a couple of days ago, the American legal authority in Iraq informed the lawyer that they have dropped the charges of Halabja and genocide in the south against Saddam due to insufficient evidence.

This clearly indicates that the information the legal team had about the responsibility of what happened in Halabja lies on Iran and not Iraq and made the American authority drop this charge against him.

Best regards Mohammed

A press release by the Defence and support for President Saddam Hussien and His Comrades

On last Thursday the 16th of Dec., Mr. Khalil Doilami a member of the Defence and support Committee for President Saddam Hussein met the president at a detention center. The meeting lasted for four and a half hours.

In the light of this meeting, the Defence and support committee would like to indicate the following points:

1. Despite the repeated demands by the committee for more than one year, a meeting was appointed, and the lawyer was treated with our respect by the American forces.
2. In spite of all warning, the Defence and support committee member saluted the president in accordance with the international protocol .i.e. he saluted him as a lawyer meeting the legitimate Iraqi President and not a usual person. This formal solution comforted the president to a large extent.
3. The first words President Saddam said, were a quotation from an Arabic poem that he wished to address the whole public: "If you cannot be the head, do not be the last — the last is not more than a tail."

After that, the President quoted a verse of the Holy Quran : "Do not feel sad or disgraced, that is because you are the upper most " our Colleague of the Defence Committee briefed the President on the 1500 Members Committee - that includes Arabs, Americans, British, Italians, Malaysians and lawyers from other Nationalities all over the world , the president highly praised the efforts of the Defence Committee and asked that its name should be the Support and Defence Committee for all Arab and Iraqi P.O.W.S and detainees."

The President directed the Committee to challenge the Special tribunal`s creation which contradicts the Iraqi constitution and laws, in addition to Geneva Conventions. The president urged the Committee to launch a legal, political and media defence. He empowered the Committee to act as it deems suitable expressing his trust in the Committee .

4. The President urged the Committee to denounce the unfulfilled role of the international committee of the Red Cross which has not abided even the minimum level of its duties in accordance with its principles, for a whole year. The Red Cross visited the President four times only. Those visits were futile and useless. The President confirmed that if they continue this policy of doing nothing he, would not meet them in the future. On this occasion the Defence and Support Committee re-confirms its firm stance regarding the defects and defaults of the Red Cross performance in this Critical Situation.

5. The President confirmed that he has not been visited by any one else, except the four pre-mentioned visits by the Red Cross.

6. The President received only two letters one was sent in August 2004, and received it days before his meeting with the Committee Defence member. Contents of this letter has been badly erased. The President couldn`t receive any personal gifts or luggage sent for him by his family. The American side blames the Iraqi side for this failure, and the Red Cross has nothing to do with matter, as if its role has been totally dismissed.

7. Detention Conditions :

A: The president is isolated from the outside world all the time, in his 3X5 meters room. There is no any communication or media facilities.

B: The president can not see any body except the guards.

C: His meeting with his lawyer was closely watched all the time by an American soldier who was replaced by another soldier from time to time.

Our colleague briefing regarding his interview with the President has demonstrated clearly that President Saddam is not treated properly as far as Geneva Conventions are Concerned. Article 44 of the Geneva Convention provides that P.O.W.s should be treated in the due respect they deserve in accordance with their original military ranks and their ages. It is worth mentioning that President Saddam is the legitimate President of Iraq. He is also the Super Commander of the Iraqi Military Forces (Muhib Rukn) which is the highest rank in the Iraqi army .

In accordance with article 44 of the convention, keeping the President in a 3x5 meters room, and isolating him from the outside world are striking violations to the convention. It is another unlawful act that is added to the register of breaches committed since the military invasion and occupation Against the Iraqi People.

The Defence and Support Committee adds to what it has declared in its previous statements that the violations to and breaches of rules of international humanitarian laws including Geneva Conventions and human rights treaties have become habitual actions by the occupation.

The Defence and Support Committee holds the American administration responsible for President Saddam Hussein`s life.

At the same time, the committee appeals to all liberty loving people around the world including all human rights` activists to back its efforts to deter the military occupation from continuing these striking violations to human rights principles.

Also, the Defence and Support Committee holds the American administration and the interim government responsible for the safety and the life of our colleague Khalil Doilami, member of the Committee - Any abuse or life attempt against him will be a serious violation to all related international treaties, including Geneva Conventions, and a criminal act against Humanity in general .

Other issues raised by President Saddam during the meeting:

1. He inquired about the Iraqi people conditions under occupation. He inquired also about the Palestinian people, conditions in particular, and the Arab peoples in general. Regarding the Palestinian people he quoted a verse of the Holy Quran: " If Allah stands up for you, no body can ever conquer you"
2. He stressed the need to defend all detainees and all who were harmed by the crime of occupation.
3. He confirmed the need to keep continuous contacts with popular and governmental Arab organizations to activate their performance.
4. The President asserted the integrity of both the Iraqi people and the Iraqi territory.
5. The

President sent his greetings for members of leadership giving this special importance in the absence of any contact with them.⁶ He praised the attitudes of some Arab figures and all freedom loving people in the world.⁷ The president urged Iraqi men of religion regardless of their sects to hold their historical responsibilities towards Iraq during this critical phase. ⁸ The President praised the French and German attitudes when the committee member shows him an offer from the two countries.

Spokesman: Ziyad Khasawneh

Committee Members: Hatem Shahin; Adnan Danawi; Boushra al Kahaleel; Ziyad Najdawi; Issam Ghazawi; Andreh Shami; Khalil Dolimi

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