

Iraqi interior ministry accused of assassinating defence lawyer in Hussein trial

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The interior ministry of the pro-US government in Iraq is being directly accused of carrying out the murder of Sadoun Antar Nudsaiif al-Janabi, a key defence lawyer in the trial of Saddam Hussein and seven others that began on October 19.

Janabi was seized from his office late in the evening on October 20 by as many as 10 men. Witnesses claim they were wearing police uniforms. Several hours later, Janabi's body was found on the street near Baghdad's Fardous Mosque. He had been killed execution-style with two gunshots to the head.

Hemeid Faraj al-Janabi, the sheik of the Al Janibiyeen tribe to which Janabi belonged, told the Arabic daily *Al Hayat* on Monday: "We have evidence from the interior ministry that the executors of the operation are from the ministry. They kidnapped Sadoun al-Janabi and took him to one of the ministry's buildings in the Al Jaderiyah region—which is the house of the one of the daughters of the overthrown president—where they assassinated him."

Interior Minister Bayan Jabr is a senior leader of the Shiite fundamentalist Supreme Council for the Islamic Revolution in Iraq (SCIRI). Along with the Da'awa movement of Prime Minister Ibrahim al-Jaafari, SCIRI has worked closely with the US-led occupation forces since the 2003 invasion. Following the election last January, which gave the Shiite parties control of the government, many of SCIRI's Badr Organisation militiamen have been incorporated into the interior ministry or the new Iraqi army.

There are widespread accusations that the interior ministry and SCIRI, with the complicity of US advisors, are behind a wave of terror being unleashed against people believed to be supportive of the armed anti-occupation resistance or critical of the Baghdad government.

On August 2, a witness identified one of the men who abducted and murdered American journalist Steven Vincent as an interior ministry employee. Vincent had written several exposures of extra-judicial killings by Shiite militias linked to SCIRI.

In July, the British *Observer* published allegations that the interior ministry was carrying out extra-judicial killings and widespread torture in the prisons under its control.

In June, Knight Ridder correspondent Yasser Salihee was shot dead by a sniper at a US checkpoint just days before a major story he had researched with Tom Lasseter was published. The story documented accounts of killings and torture by the interior ministry police commando unit known as the Wolf Brigade, which was recruited from former members of Hussein's Iraqi Republican Guard.

In the months since, the bodies of hundreds of Sunni Arabs have been discovered dumped on the side of the road or in rubbish dumps in Baghdad and other cities.

The motive behind Janabi's killing last week is obvious. It is an attempt to intimidate the legal defence team assembled to represent Hussein and his co-defendants. Janabi was the chief defence lawyer for Awad Hamed al-Bander, the former head judge of the Baathist Revolutionary Court, who is on trial with Hussein.

Richard Dicker, the director of the Human Rights Watch international justice program, declared: "We are gravely concerned that this killing will have a chilling effect on the willingness of competent lawyers to vigorously defend the accused in these cases. Such an outcome will seriously undermine the ability of the court to provide a fair trial."

Human Rights Watch issued a lengthy criticism of the trial on October 16. It condemned the court's standards

of proof, inadequate protection against self-incrimination, inadequate defence and the requirement that a death penalty sentence be carried out within just 30 days of a final verdict.

Hussein and his co-defendants are being prosecuted over the execution of some 150 men and boys in the village of Dujail in 1982. The narrow nature of the charge stems from Washington's determination to prevent a protracted hearing, in which US complicity in the many crimes of the Baathist regime in the 1980s might come to light. What has begun is a show trial in which the former Iraqi dictator will be quickly found guilty and put to death.

The first day of the trial did not produce images of Hussein grovelling before the court and begging for mercy, as the US possibly hoped for. Instead, in line with his legal defence, the ousted leader refused to recognise the legitimacy of a tribunal established by the US occupation and insisted he remained Iraq's president. Bander and the other defendants likewise refused to accept the court's authority.

Everything about the proceedings served only to underscore the character of the trial as a US-created legal travesty. Hussein's chief lawyer, Khalil Dulaimi told the BBC that he had only recently received a copy of the 800-page prosecution case. He told *Newsweek* that his pre-trial preparation meetings with Hussein had been disrupted by "severe American monitoring". Prosecution witnesses are giving anonymous testimony. In response to the defence lawyers' request for a three-month adjournment in order to study the evidence, the court granted only a 45-day adjournment.

Many of the security measures accompanying the proceedings appeared to have more to do with intimidating the accused, the defence and journalists than anything else. Initially, six defendants were stripped of their Arabic head-dresses. Hussein's chief lawyer was not permitted to bring his own pens and paper into the building. As if to demonstrate who was in control, the US military parked a tank at the entrance to the courtroom, which is located in the centre of the virtually inaccessible and heavily-guarded Green Zone area of Baghdad. The court itself is surrounded by a 10-foot high concrete wall.

The US military and the Iraqi government, however, have taken no steps to provide security for the defence teams, many of whom have received multiple death

threats. The Iraqi government has rejected calls for the trial to be moved to an international venue.

Despite the danger, none of the other lawyers have resigned. Khamis al-Obaidi, who is part of Hussein's defence team, told *Al Hayat*: "We have understood the message, but we shall not withdraw from Saddam's case, no matter what the cost may be." The Hussein trial is scheduled to resume on November 28.



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