

## **The “Anfal case”**

The Supreme Iraqi Criminal Tribunal was created by order of the Coalition Provisional Authority (CPA) in 2003 and incorporated into domestic Iraqi law on 18 October 2005. The Tribunal has jurisdiction over Iraqis and Iraqi residents who are alleged to have committed genocide, crimes against humanity, and war crimes between 17 July 1968 and 1 May 2003. It also has jurisdiction over violations of some Iraqi laws, such as interference in the affairs of the judiciary or the wasting of national resources. The Tribunal’s staff is entirely Iraqi, although its statute does permit it to appoint international advisers.

## **The accused**

The Anfal trial was heard by five judges of the second trial chamber. Charges of genocide, crimes against humanity, and war crimes were brought against the following seven defendants:

**Saddam Hussein al-Majid Al-Tikriti:** President of Iraq from 1979 until 2003. All charges against Hussein were dropped after his execution on 30 December 2006;

**Ali Hassan al-Majid Al-Tikriti:** Architect of the Anfal campaign and cousin of Saddam Hussein. Secretary-General of the Ba’ath Party’s northern bureau from March 1987 to April 1989, with authority over all state agencies in the Kurdish region during this period;

**Hussein Rashid Al-Tikriti:** Former Deputy for Operational Affairs to the Chief of Staff of the Iraqi Army during the Anfal campaign;

**Sabr Abdul-Aziz al-Douri:** Former General Director of Iraq’s Military Intelligence Service;

**Farhan Mutlak Al-Jaburi:** Former Director of the Military Intelligence Service of the northern region;

**Sultan Hashem Ahmed al-Ta’i:** Former Commander of Corps I of the Iraqi Army, in charge of the northern sector during the Anfal campaign, who later became Minister of Defense;

**Tahir Tawfiq Al-‘Aani:** Former Governor of Mosul, Ba’ath Party official, and assistant to Ali Hassan al-Majid (the prosecutor requested that charges against al-‘Aani be dropped for lack of evidence);

## **Sentences**

Charges against **Tahir Tawfiq** were dropped for lack evidence, as per an earlier prosecution request;

**Farhan Mutlak al Jaburi** was sentenced to life imprisonment for genocide, and to life imprisonment and ten years’ imprisonment for wilful killing and deportation or forcible transfer as crimes against humanity.

**Sabr al-Douri** was sentenced to three terms of life imprisonment for genocide, wilful killing as a crime against humanity, and intentionally directing attacks against the civilian population as a war crime. He was also sentenced to ten years’ imprisonment for the destruction or seizing of the property of an adversary as a war crime;

**Sultan Hashem** was given four sentences of death by hanging for genocide, wilful killing and

extermination as crimes against humanity, and intentionally directing attacks against civilians as a war crime. Hashem was also sentenced to two terms of life imprisonment for forced disappearances and other inhumane acts as crimes against humanity, as well as four other prison terms for deportation as a crime against humanity and three counts of war crimes;

**Hussein Rashid** was sentenced to death by hanging for genocide, wilful killing as a crime against humanity, and intentional attacks against the civilian population as a war crime. Rashid also received a term of seven years' imprisonment for attacks against buildings dedicated to religious purposes;

**Ali Hassan al-Majid** ("Chemical Ali"), a cousin of Saddam Hussein, was given five sentences of death by hanging for genocide as well as wilful killing, forced disappearances, and extermination as crimes against humanity, and intentionally directing attacks against a civilian population as a war crime. He was sentenced to multiple prison terms ranging from seven years to life for other inhumane acts as a crime against humanity and other crimes.