

In the Name of God the Most Merciful, the Most Compassionate

Iraqi High Tribunal  
Second Criminal Court  
Iraq - Baghdad

Number/ 1/ 2<sup>nd</sup> Criminal/ 2006  
Date / 2007 June 24  
Or 9 Jumada-al-Akhir 1428 Islamic calendar

"Verdict Decisions"

The Defense mentioned that his client had no knowledge of the actions that took place in distant areas of the (Al-Hadar) or actions that took place in (Al-Salamiyyah). Concerning the provided evidences that include documents, recorded videos, speaking and silent audio tapes; the person that mentioned is not his client. However, there were several other individuals, including (Tariq Al-'Ani) who was the Northern Organization Office Member and not (Tahir Al-'Ani). In addition, in the session dated 2007 July 11, convict ('Ali Hasan Al-Majid) denied presence of my client in that recorded meeting. Your Excellency Faire Judges; through the General Prosecution list, our list, through reviewing file of the case and studying all sides of the lawsuit; the Defense hopefully expect you to become absolutely convinced that the three accusations against my client are lack of the convincing evidence. The evidence, which is reasonable enough to prove that my client had perpetuated any of these crimes himself, or that he participated in any of the crimes. Therefore, absence of the evidence; calls us to request discharging my client and set him free, because of the insufficient evidence. In addition, the General Prosecution Commission Chief holds the same opinion on this issue.

Summery for statements by the Defense-witnesses, defending convict (Tahir Tawfiq Yusif Al-'Ani):

1- Witness ((protected)), under vow, he stated the following:

I cannot talk about something that I did not witness; only heard about it, through proceeding in the Anfal trial. I do not know, what his rule was, in Anfal. However, I have something historical that concerns the convict, related to the case; that he is a friend of mine, for 45 years and we have social relation. I can talk about something that I hade witnessed, which is: I remember once, after he became in the position of the Northern Affairs Committee Secretary, we used to meet and whisper to each other, where he was extremely annoyed and complaining. I asked him why he was annoyed, what is the issue? He answered, "I was transferred to the Northern Affairs Committee Secretariat"; he was upset because he has his family in Baghdad, he has commitments in Baghdad and that he cannot go to (Kirkuk) to fill the position of the Northern Affairs Secretary.

2- Witness ((protected)), under vow, he stated the following:

Chief

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The court asked the witness " what is the subject of your testimony, meaning do you have an eye-witness testimony to provide, about Anfal crimes?" The witness replied " I have no relation to the Anfal crimes and I have no eye-witness testimony to provide about this issue, except that I joined the position of Traffic Director in (Al-Mawsil) at the end of year (1987). Convict (Tahir Tawfiq) was in the Governor position; during period I was working with him, I saw the following criteria in him, as he was faithful, fare away from the Administrative corruption. Always, when he talks, he use to refer to verses from the holly Qur'an or says of the honorable prophet. Other than that, I absolutely have nothing else to say about this issue.

Based on the aforementioned; the court find evidences as being insufficient for convicting defendant (Tahir Tawfiq Yusif Al-'Ani), according to the terms of articles (11/ First-A- B- C), (12/ First A, B, C, D, E, F, H, Y, J), (13/ fourth, A, D, E, H, L) of the Iraqi High Tribunal Law number (10) for the year 2005.

The court decided to drop all accusations against the defendant, set him free and immediately releasing him from detention, unless he is detained for another case. The decision was issued in presence of the parties, pursuant to the verdicts article (182/ C-E) of the Criminal Procedure Law number.23 for the year 1971, by unanimous decision on 2007 June 24

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The Second Criminal Court of the Iraqi High Tribunal had been formed on 2007 Jun 24, headed by Judge Muhammad 'Uraybi Majid Al-Khalifah with its full commission, issuing the following verdict, in the name of people:

**1<sup>st</sup>. Convict Tahir Tawfiq Yusif Al-'Ani**

For insufficient evidences gathered in the case against Convict Tahir Tawfiq Yusif Al-'Ani for charges against him as per Articles [11/First (A, B, J)], [12/First (A, B, J, D, ?, W, H, Y, I)] and [13/Fourth (A, D, ?, H, L)] of Iraqi High Tribunal Law No 10 for the year 2005, the court decided to suspend all charges against him, discharge, and release the convict, immediately, as long as he is not detained or wanted for other case. The verdict was issued by agreement, in accordance to Article [182/( J)] of amended Criminal Procedures Law No 23 for the year 1971, by attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

**Second: The convict, Farhan Mutlak Salih Al-Juburi**

1- The convict Farhan Mutlak Salih Al-Juburi is to be sentenced to life imprisonment as a result of participating in premeditated murder as a genocide crime according to Penal Code (11\First\A-Second\H) in reference to Article (15\ First, Second) and the article (24) of the Iraqi High Tribunal Court Law Number 10 for the year 2005. The penalty was determined according to the Article (406 \1\A-B-W) and contributory Articles (47, 48.....

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, 49) of the amended Penal Code Law number (111) for the year 1969, the verdict was issued unanimously in open court on 2007 Jun 24.

2- Sentencing the convict, Farhan Mutlik Salih Al-Juburi to life imprisonment for committing a deliberate murder as a crime against humanity according to Article (12 \ First \ A) in reference to Article (15 \ First, Second) and the Article (24) issued by the Iraqi High Criminal Court Number 10 for the year 2005. The punishment was decided according to the rules of the Article (406 \ 1 \ A-B-W) and the Contributory Articles (47, 48, 49) of the amended Penal Code Law No. 111 for the year 1969, the verdict was issued unanimously in open court on 2007 Jun 24.

3- Sentencing the convict, Farhan Mutlak Salih Al-Juburi to 10 years in prison because he committed a crime of compulsory relocation for civilians as a crime against humanity according to Article (12 \ First \ D) and in reference to Article (15 \ first, second) and article (24) of the Iraqi High Tribunal Court number 10 for the year 2005. The punishment was determined according to the Article (421 \ B) from the amended Penal Code Law No. 111 for the year 1969, and the verdict was issued unanimously and to be shifted to Cassation Court in compliance with the Article (182/A) and announced in open court on 24 Jun 2007.

4- The detention period of the convict, Farhan Mutlak Salih Al-Juburi was not counted for the determination of his fate in this case and because he is detained for another case.

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5- The abovementioned punishments are to be carried out sequentially concerning the convict, Farhan Mutlak Salih according to the conclusiveness (65 \ second) from the procedures and evidence collecting laws related to the court and the Article (142) from the Penal Code No. 111 for the year 1969

6- The Confiscation of his fixed and non fixed assets, according to the Article (24\Sixth) issued by the Supreme Iraqi Tribunal Court No. 10 for the year 2005.

7- The accused was informed and understood that the lawsuit documents will be automatically sent to the Cassation Commission for cassation scrutiny in compliance with the Article (254/A) of the Criminal Procedure Law No. (23) for the year 1971.

The decision was issued by presence of the parties pursuant to the verdicts article (182/A) of the Criminal Procedure Law no.23 for the year 1971 by unanimous decision on 2007 June 24.

8 – For not existing the adequate collected proofs in the case against the accused Farhan Mutlak Salih Al-Juburi regarding the accusations directed against him according to the verdicts of the articles (11 / First – B – J), (12/ First – B – J - ? – W – H – I) and (13/Fourth – A – D - ? – H - L) of the Iraqi High Tribunal code no.10 for the year 2005, the tribunal decided to drop the charges directed against him and release him. The decision was issued by unanimous based on the verdicts of the article (182/J) of the amended Criminal Procedure Law no.23 for the year 1971 by presence of the parties to be appealed and was announced in public on 1428 Jumada Al-Akhirah 09 (Islamic Calendar) coincided with 2007 June 24.

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**Third: The convict Sabir 'Abd-al-'Aziz Husayn-al-Duri**

1. Sentencing the convict Sabir 'Abd-al-'Aziz Husayn-al-Duri to life imprisonment for his participation in committing a deliberate murder as genocide in accordance with stipulates of Article (11 / First / A, B, Second / H in accordance with the Article (15 / First, Second) and Article (24) of the Iraqi High Tribunal Court law No. 10 for the year 2005. The punishment was determined according to the stipulates of Article (406/1/ A, B, W and the contributory Articles (47, 48, 49) of the amended Penal Codes No. 111 for the year 1969, the decision was issued by agreement and attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

2. Sentencing the convict Sabir 'Abd-al-'Aziz Husayn-al-Duri to life imprisonment for his participation in a deliberate murder against humanity according to stipulates of Article (12/First/A) and in compliance with Article (15/First, Second) and the Article (24) from the Iraqi High Tribunal Court No. 10 for the year 2005. The punishment was determined according the Penal Code No. 111 for the year 1969, the decision was issued the decision was issued by agreement and attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

3. Sentencing the convict Sabir 'Abd-al-'Aziz Husayn-al-Duri to life imprisonment for his participation in a deliberate crime of directing attacks against civilians for their status or against civilian individuals not directly participating in military operations. And it is considered as a war crime according to the rules (13/Fourth/A) and in referral to Article (15/First, Second) and the Article (24) from the Iraqi High Tribunal Court law No. 10 for the year 2005.

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The punishment was determined in accordance to the rules of the Article (406/A,B,W) and the contributory Articles (49, 48, 47) from the amended Penal Code No. 111 for the year 1969 and the decision was issued unanimously.

4. Sentencing the convict Sabir 'Abd-al-'Aziz Husayn-al-Duri to ten imprisonment years for his participation in demolition crime or in taking over properties of the other side unless the destruction or the seizure was a war necessity. And it is considered as a war crime according to the rules of the Article (13/Fourth/L) and in referral to the Article (15/First/Second) and the Article (24) from the Iraqi High Tribunal Court law No. 10 for the year 2005. The punishment was determined according to the rules of the Article (478/3) and the contributory Articles (49, 48, 47) from the amended Penal Code No. 111 for the year 1969 and the decision was issued unanimously.

5. The detention period of the convict, Sabir 'Abd-al-'Aziz Husayn-al-Duri is not counted since his fate needs to be decided in this case because he is detained on another case.

6. The aforementioned punishment is to be carried out in succession, in regards to the accused, Sabir 'Abd-al-'Aziz Husayn Al-Duri according to stipulates of rule (65/Second) from the rules of the procedures and collecting evidences which is related to the court and to the Article (142) from the Penal Code No. 111 for the year 1969.

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7. Confiscating fixed and non fixed assets of the convict in compliance with the rules of the Article (24/Sixth) of the Iraqi High Tribunal Court law No. 10 for the year 2005.

8. The accused was informed that the lawsuit documents will be automatically sent to the cassation commission to be verified in cassation according the rules of the Article (254/A) from the Criminal Procedures Law No. (23) for the year 1971 and the verdict was announced unanimously and in reference to the rules of the Article (182/A) from the Criminal Procedures Law No. (23) for the year 1971 and announced in open court in 2007 June 24.

9. Due to the lack of evidence required in the case against the convict, Sabir 'Abd-al-'Aziz Husayn Al-Duri for the charges being accused of in according to the rules of Articles (11/First/-J) and (J-?-W-H-V-I) and (13/Second/I-F) and (13/Fourth/H) from the Iraqi High Tribunal Court law No. 10 of the year 2005. The court decided to hold the charges against him and to be released, the decision was issued unanimously in compliance with the rules of the Article (182/J) from the amended Criminal Procedures Law No. 33 for the year 1971 and to be in cassation court. The sentence was issued in opened court in 2007 June 24.

10. On imposing punishment against convict (Sabir 'Abd-al-'Aziz Husayn), the court took into consideration his apology to the Iraqi people and to the victims' families, as being reason for reducing punishment. The decision was issued by agreement, according to terms of article (132) of the amended Penal Code No. 111 for the year 1969; the decision was issued in attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

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**4<sup>th</sup>. Convict Sultan Hashim Ahmad Al-Ta'i**

1- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to death, by hanging until death, for participating in perpetrating premeditated murder, inflicting severe physical and mental damages for community members, as well as subduing them to harsh living conditions intending to eradicate them. Due to all that, you are charged of genocide as per Articles [11/ First: (A, B, J) and Second: (E)] by virtue of Article [15/First and Second] and article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence was defined according to Article [406/1/( A, B, W)] by virtue of contributory Clauses [47, 48, 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

2- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to death, by hanging until death, for participating in perpetrating premeditated murder as a crime against humanity, as per Article [12/First: (A)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [406/1/( A, B, W)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

3- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to death by hanging for participating in perpetrating crime of genocide as a crime against humanity, as per Article [12/First: (D)] by virtue of Article [15/ First and Second] and Article [24] of

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Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [406/ 1/A, B, F)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

4- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to 10 years imprisonment for participating in perpetrating premeditated relocation or forcibly relocating the inhabitants as a crime against humanity, as per Article [12/First: (D)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [421/( B)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

5- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to life imprisonment for participating in perpetrating forceful disappearance of individuals as a crime against humanity, as per Article [12/First: (Y)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [406/1/( A, B, W)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

6- Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to life imprisonment for participating in perpetrating inhuman acts as a crime against humanity, as per Article [12/First: (I)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [393/1/( J)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

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[12/First: (I)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [393/1/( J)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

7. Sentencing Convict Sultan Hashim Ahmad Al-Ta'i to death, hanging until death, for participating in perpetrating premeditated attacks against civil inhabitants as a war crime, as per Article [13/Fourth: (A)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [406/1/( A, B, W)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

8. Sentencing Convict Sultan Hashim Ahmad Al-Ta'i for 7 years imprisonment for participating in perpetrating premeditated attacks against buildings appropriated for religious and educational purposes as a war crime, as per Article [13/Fourth: (D)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [479/2] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

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9. Sentencing Convict Sultan Hashim Ahmad Al-Ta'i for 15 years imprisonment for participating in perpetrating the issue of orders pertaining to the relocation of civil inhabitants as a war crime, as per Article [13/Fourth: (H)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [421/( A, B, D)] by virtue of Clauses (47, 48, 49) of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

10. Sentencing Convict Sultan Hashim Ahmad Al-Ta'i for 7 years imprisonment for participating in perpetrating the destruction or confiscation of hostile side's possessions as a war crime, as per Article [13/Fourth: (L)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi High Tribunal Law No10 for the year 2005. The sentence was defined according to Article [479] by virtue of Clauses (47, 48, and 49) of the amended Penal Code No 111 for the year 1969.

The verdict had been issued by attended agreement, is revocable for cassation as per Article [182/( A)] of Criminal Procedures Law no 23 for the year 1971, and publicly acknowledged on 2007 Jun 24

11. Convict Sultan Hashim Ahmad Al-Ta'i's detainment period, from 2004 Jul 1 until 2007 Jun 24, will be accounted.

12. The severer sentence against Convict Sultan Hashim Ahmad Al-Ta'i must be applied as per Article [142] of the amended Penal Code Number 111 for the year 1969.

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13. Confiscation of Convict Sultan Hashim Ahmad Al-Ta'i's fixed and non fixed assets as per Article [24/ Sixth] of Iraqi High Tribunal No 10 for the year 2005.

14. Convict Sultan Hashim Ahmad Al-Ta'i had been informed that case documents are automatically transferred to the Cassation Court to be verified in cassation as per Article [254/ (A)] of Criminal Procedures Law No 23 for the year 1971. The verdict had been issued by attended agreement as per Article [182/(A)] of Criminal Procedures Law No 23 for the year 1971, and publicly acknowledged on 2007 Jun 24

15. For lack of evidence over the charge against Convict Sultan Hashim Ahmad Al-Ta'i as per Articles [12/First: (J-W-H)] and [12/Fourth: (?)] of Iraqi High Tribunal No 10 for the year 2005, the court decided to suspend all charges against him and to release him. The verdict had been issued by attended agreement as per Article [182/( J)] of amended Criminal Procedures Law No 23 for the year 1971, and publicly acknowledged on 2007 Jun 24.

**5<sup>th</sup>: Convict Husayn Rashid Muhammad**

1- Sentencing Convict Husayn Rashid Muhammad to death, by hanging until death, for his contribution in premeditated murder, inflicting severe physical and mental damages, as a Genocide crime, as per Articles [11/First: (A and B)] and [Second: (H)] by virtue of Article [15/First and Second] and Article [24] of

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Iraqi High Tribunal Law No. 10 for the year 2005. The sentence was determined according to Article [406/1 (A)] by virtue of contributory Clauses [47, 48, 49] of the amended Penal Code No. 111 for the year 1969. The verdict was released in unanimous agreement subject to adjournment which was publicly acknowledged on 2007 June 24

**2** – Sentencing Convict Husayn Rashid Muhammad to death, by hanging until death, for his contribution in premeditated murder as a crime against humanity, as per Articles [12/First: (A)] and [Second: (H)] by virtue of Article [15/First and Second] and Article [24] of Iraqi High Tribunal Law No. 10 for the year 2005. The sentence was determined according to Article [406/1 (A, B, W)] by virtue of contributory Clauses [47, 48, 49] of the amended Penal Code No. 111 for the year 1969. The verdict was released in unanimous agreement subject to adjournment which was publicly acknowledged on 2007 June 24.

**3** – Sentencing Convict Husayn Rashid Muhammad to death, by hanging until death, for his contribution in premeditated genocide as a crime against humanity, as per Article [12/First: (B)] by virtue of Article [15/First and Second] and Article [24] of Iraqi High Tribunal Law No. 10 for the year 2005. The sentence was determined according to Article [406/1 (A, B, W)] of the amended Penal Code No. 111 for the year 1969. The verdict was released in unanimous agreement subject to adjournment which was publicly acknowledged on 2007 June 24.

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**4** – Sentencing Convict Husayn Rashid Muhammad to death, by hanging until death, for his contribution in premeditated murder attacks against civil inhabitants as a war crime, as per Article [13/Fourth: (A)] by virtue of Article [15/First and Second] and Article [24] of Iraqi High Tribunal Law No. 10 for the year 2005. The sentence was determined according to Article [406/1 (A, B, W)] by virtue of contributory Clauses [47, 48, 49] of the amended Penal Code No. 111 for the year 1969. The verdict was released in unanimous agreement subject to adjournment which was publicly acknowledged on 2007 June 24.

**5** – Sentencing Convict Husayn Rashid Muhammad for 7 years imprisonment for his contribution in premeditated attacks against buildings appropriated for religious purposes as a war crime, as per Article [13/Fourth: (D)] by virtue of Article [15/First and Second] and Article No. (24) of Iraqi High Tribunal Law No. 10 for the year 2005. The sentence was determined according to Article [479/2] by virtue of contributory Clauses [47, 48, and 49] of the amended Penal Code No. 111 for the year 1969. The verdict was released in unanimous agreement subject to adjournment which was publicly acknowledged on 2007 Jun 24.

**6** – Convict Husayn Rashid Muhammad detainment period will not be accountable due to the determination of his fate in this case as he is charged in another case.

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**7** – The severer sentence is to be carried out against Convict Husayn Rashid Muhammad as per Article [134] of the Penal Code No. 111 for the year 1969.

**8** – Confiscation of Convict's fixed and non fixed assets as per Article [24 /Sixth] of Iraqi High Tribunal Law No. 10 for the year 2005.

**9** – The convict was informed that the verdict documents will be automatically transferred to the Cassation Commission to be reviewed in cassation as per Article No. [254/( A)] of the Tribunal Trials Procedure law No. [23] for the year 1969. The verdict was released in unanimous agreement based on Article [182 /(A)] of the Tribunal Trials Procedure Law No.[23] for the year 1969, that was comprehended publicly on 2007 Jun 24

**10** –In the absence of substantial evidence in the case against Convict Husayn Rashid Muhammad concerning charges against him as per Articles: [11 /First (J)], [12 /First (J-D-?-W-H-Y-I)] and [13/Fourth (?-H-L)] of Iraqi High Tribunal Law No. 10 for the year 2005. The Court decided to drop charges against the convict and his release where it was agreed upon unanimously in accordance with Article [182/ (J)] of the amended Criminal Procedures Law No. 23 for the year 1971, that was acknowledged publicly on 2007 Jun 24.

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**6<sup>th</sup>. Convict 'Ali Hasan Al-Majid**

1 – Sentencing Convict 'Ali Hasan Al-Majid to death, hanging until death, for perpetrating intentional murder, as well as causing severe physical and mental damages on individuals from the community subduing them intentionally to harsh living conditions aiming at total or partial eradication. According to all that, you perpetrated a genocide as per Article [11/ First: (A, B, J) and Second: (A,?)] by virtue of Article [15/ First and Second] and Article [24] of Iraqi Higher Tribunal Law No 10 for the year 2005. The sentence was defined according to Article [406/1/S(A, B, W)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

2 – Sentencing Convict 'Ali Hasan Al-Majid to death, hanging until death, for perpetrating premeditated murder as a crime against humanity pursuant to Article [12/First: (A)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence had been defined according to Article [406/1/( A, B, W)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

3 – Sentencing Convict 'Ali Hasan Al-Majid to death, hanging until death, for perpetrating a genocide as a crime against humanity pursuant to Article [12/First: (B)] by virtue of Article (15/First and Second) and Article [24] of Iraqi High Tribunal

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Law No 10 for the year 2005. The sentence was defined according to Article [406/1/(A, B, W)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

4 – Sentencing Convict 'Ali Hasan Al-Majid to 10 years imprisonment for perpetrating coercive dislocation and taking away of inhabitants as crime against humanity pursuant to Article [12/First: (D)] by virtue of Article [15/First and Second] and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence was defined according to Article [421/(B)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

5 – Sentencing Convict 'Ali Hasan Al-Majid to 10 years imprisonment for perpetrating torture as a crime against humanity pursuant to Article [12/First: (W)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence was defined according to Article [333] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

6 – Sentencing Convict 'Ali Hasan Al-Majid to death, hanging until death, for perpetrating individuals' forceful disappearance as a crime against humanity pursuant to Article [12

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/First: (Y)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence had been defined according to Article [406/1/( A, B, W)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 24.

7 – Sentencing Convict 'Ali Hasan Al-Majid to life imprisonment for perpetrating inhuman identical acts which premeditatedly cause severe suffering, or dangerous damage to the body, or mental or physical health as a crime against humanity pursuant to Article [12/First: (I)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence had been defined according to Article [393/2/( J)] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 2.

8 – Sentencing Convict 'Ali Hasan Al-Majid to death, hanging until death, for perpetrating premeditated assaults against civil inhabitants, for this description, or civilians not directly involved in warfare as a crime pursuant to Article [13/Fourth: (A)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence had been defined according to Article [406/1/( A, B, W)] by virtue of contributory Clauses [47, 48 and 49] of

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the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 2.

9 – Sentencing Convict 'Ali Hasan Al-Majid to 7 years imprisonment for perpetrating premeditated assault against buildings designated for religious and educational purposes as a war crime pursuant to Articles [13/Fourth: (D)] by virtue of Article [15/First and Second) and Article [24] of Iraqi High Tribunal Law No 10 for the year 2005. The sentence had been defined according to Article [479/2] by virtue of contributory Clauses [47, 48 and 49] of the amended Penal Code No 111 for the year 1969. The verdict had been issued by attended agreement, is revocable for cassation, and publicly acknowledged on 2007 Jun 2.

10- Sentencing the convict 'Ali Hasan Al-Majid to fifteen years imprisonment for committing robbery crime of any town or anyplace even if it was took over forcibly as a war crime pursuant to Article (13/ 4<sup>th</sup>/ H) and Article (15/ 1<sup>st</sup>/ 2<sup>nd</sup>) and Article (24) of the Iraqi Higher Tribunal's law number 10 for the year 2005 the sentence was designated according to the stipulates of Article (452) and the contributory Articles (49, 48, 47) of the amended Penal Code No.111 for the year 1969 and issued by agreement and attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

11- Sentencing the convict 'Ali Hasan Al-Majid to ten years imprisonment for committing the crime of issuing an order of relocating the civilian residents for reasons related to the conflict unless if the relocation was for the sake of the concerned civilians or for urgent military reasons as a war crime according the stipulates of Article (13/ 4<sup>th</sup>/ H) and Article (15/ 1<sup>st</sup>/ 2<sup>nd</sup>) and in virtue to Article (24) of

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the Iraqi Higher Tribunal's law number 10 for the year 2005, the sentence was designated in accordance to the stipulates of Article (421/B) and the contributory Articles (49, 48, 47) of the amended Penal Code No.111 for the year 1969 and issued by agreement and attendance, revocable for cassation, and was publicly acknowledged on 2007 Jun 24

12- Sentencing the convict 'Ali Hasan Al-Majid to seven years imprisonment for committing a crime of destructing and confiscating the properties of the hostile party unless the destruction and confiscation was an obligation of war necessity as a war crime in accordance to the stipulates of Article (13/ 4<sup>th</sup>/ L) and article (15/ 1<sup>st</sup>/ 2<sup>nd</sup>) and article (24) of the Iraqi Higher Tribunal's law number 10 for the year 2005 the sentence was designated in accordance to the stipulates of Article (2/479) and the contributory Articles (49, 48, 47) of the amended Penal Code No.111 for the year 1969 and issued by agreement and attendance, revocable for cassation according to the stipulates of Article(182/ A) of the Criminal Procedures Law 23 for the year 1971, and was publicly acknowledged on 2007 Jun 24.

13- The detention period of the convict 'Ali Hasan Al-Majid is not counted since his fate needs to be decided in this case because he is detained on another case.

14- The severer sentence is to be executed against the convicted 'Ali Hasan Al-Majid according to Article (142) of the amended Penal Code (111) for the year 1969.

15- Confiscating the fixed and non-fixed assets of the convict 'Ali Hasan Al-Majid according to Article (6<sup>th</sup>/ 24) of the Iraqi High Tribunal's code number 10 for the year 2005.

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16- The convict had been informed that case documents are automatically transferred to the Cassation Court to be verified in cassation as per Article (A/254) of Criminal Procedures Law No. (23) For the year 1971 and announced in 2007 June 24.

17- Due to the lack of acquired evidences in the case against the convict 'Ali Hasan Al-Majid pursuant to Article (H- ?- J/ 1<sup>st</sup>/ 12) of the Iraqi High Tribunal's law number 10 for the year 2005 the tribunal has decided to drop the charges against him and release him and issued unanimous decision pursuant to Article (J/182) of the amended and capable of cassation Criminal Procedures Law No (23) for the year 1971 and announced in 2007 June 24 or 1428 Jumada II 09 Islamic Calendar.

**7<sup>th</sup> - General Sentences**

1- Plaintiffs of the civil right can come forward to submit their claim for compensation to the Civil Courts for the damages they suffered because of the crimes committed against them.

2- In 2007 January 08 the legal procedures against the convict (Saddam Hussein Al-Majid) had been stopped because his death was confirmed by executing the execution punishment against him for being convicted in Al-Dujayl case pursuant to Articles (304- 300) of the amended Criminal Procedures Law No (23) for the year 1971.

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3- The victims' bodies that were taken out from the mass graves will be handed over to their relatives to carry out the burying ceremonies according to the Islamic Law and according to the rules.

4- In 2007 May 16 it was contacted with the Investigation Court in the Iraqi High Tribunal to take the legal procedures against the mentioned individuals in the trial and investigation documents who their names are listed in the attached list which start with No (1) Wafiq 'Ajil Al-Samarra'i and finish with (423) Muhammad Sa'id Ahmad Muhammad Al-Haruni.

5- The legal profession fees for the representative lawyers of the victims will be allocated according to the agreed regulations with Defense Office in the court, issued unanimous and revocable for cassation decision and announced in 2007 June 24 or 1428 Jumada II 09 Islamic Calendar.

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