

In the Name of God the Merciful the Compassionate

The Iraqi High Tribunal
Second Criminal Court
Baghdad-Iraq

Ref.No.:1/ 2nd Criminal/ 2006
Date: 09 Jumadah Al-Akhirah 1428
Coincided with 2007 June 24

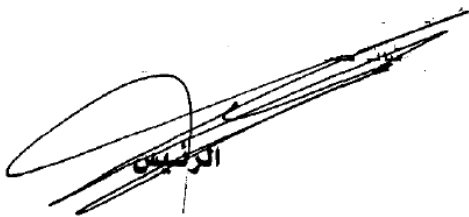
Verdict Decision

I am a resident of (Sartika) Village. In the beginning of 1988 autumn, we had left the village for being attacked by the aircrafts and artilleries, after going to (Irbil) we stayed there for eight or ten days; my husband had come back to the village and found it destroyed by bulldozers; he told us that we lost every thing and our farms were destroyed. After three days; my husband [NAME REDACTED] went back to the village and the army arrested him there. We were informed about that from (Kuri) Village, I did not get any more information, and his destiny is still unknown until now. I do request to file complain against Saddam Hussein, 'Ali Hasan Al-Majid and their affiliates.

64- The Plaintiff ((Protected)) who indicated with number (1); he stated the following after being sworn:

I am from (Tup Khana) Village, (Qadir Karam) Sub District. In the fourth month of the year 1988, the Army detachments attacked the area, our village, where tanks and helicopters supported them. As we were afraid of chemical weapons; we went to (Qadir Karam) Sub District and surrendered to the military forces there, to a unit named (Army of Bariq) (*T.C: Brigadier General Bariq 'Abdallah was the Commander of the 66th Special Forces Brigade operation with the Oil Protection Forces*). They moved us to ('Alyawa) area, then to (Chamchamal) Brigade headquarters, and then they took us to Tupzawa camp; where prisoners were tortured there. They put us, my cousin [NAME REDACTED] and me, in cars with a group of people. The cars moved, after that the car turned to a sandy road full of road humps, we were in starving from hunger and many of the prisoners got unconscious, because of hunger and thirst. I saw by my own eyes a prisoner who had urinated in his shoe and drank it; we heard a fire shot noises. After the car had stopped the two guards got down and left us inside the car then they came back and put two prisoners inside the car after they were handcuffed and blindfolded. Then they came back and took two prisoners and we were hearing shooting noises. The number reached to eight persons, at that time I sat beside my cousin, as I wish to be killed with him. They have tied my hands and blindfolded my eyes with a white cloth and one of them pulled me from my hand, as we walked to a short distance he told me to.....

(200-963)



Chief



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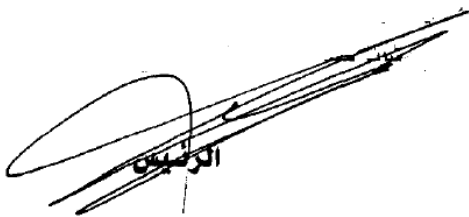
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..... (Set down) and (Lay down) besides my cousin and he asked us to lie down on the ground together. The fire shooting started on us and I do not know the number of shots. I did not feel any pain and I pretended that I am dead, and then he pulled us on the ground. This process was repeated several times, the prisoners in the car were (35) prisoners. When I had untied my hands and removed the cloth over my eyes, I saw a big hole where they were throwing the killed prisoners inside it. I made use of their absence, I crawled to the hole, and I saw the dead bodies and a bulldozer. When they had gone away, I jumped out of the hole, ran for a distance, and continued walking until the morning where I reached Al-Ramadi and there, I went to one of the houses there, where I got some food and drink, after that I directed to Baghdad, Kirkuk and Tikrit. I request to file a complaint against Saddam Hussein, 'Ali Hasan Al-Majid and all the persons affiliated in Anfal Crime and the chemical attack.

65- The Plaintiff ((Protected)) who indicated with number (2); after being sworn, he stated the following:

I am a resident of (Khidir Rayhan) Village of Qadir Karam. In the fourth month of the year 1988, the Army detachments attacked us from two axes. The loudspeakers were announcing a general amnesty on us; so we decided to surrender to Qadir Karam Police Station, they brought a military vehicles type Zil and moved us to (Chamchamal) Police Station, after tying our eyes and hands. We stayed there for one night then they brought buses and moved us to (Tupzawa) where we stayed for two days. The arrested number was between (500 – 1000) persons, in the morning they had brought (10 – 12) buses and they rided us in the buses, where the bus turned away to a sandy road in a sandy area, where we heard noises of bulldozers and fire shooting. We had stopped in a wasteland, and then a guard holding a Kalashnikov brought down one prisoner from the bus and tied his eyes, where prisoners attacked the guard; during this, the guards started shooting us. I saw my friends falling dead, because of the shooting.

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I do remember some of their names [NAME REDACTED] and they were in the bus with me. I was saved from the execution and I do not remember how, I had reached to the city knocking the houses' doors, food and drink were provided to me, after that I reached to Kirkuk. I do request a complaint against Saddam Hussein, 'Ali Hasan Al-Majid and all the persons affiliated in Anfal Crime.

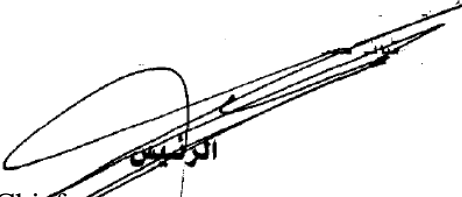
66- The Plaintiff ((Protected)) who indicated with number (3); after being sworn, he stated the following:

I was residing in (Hiran) Village; in the early morning of 1988 August 10, the aircrafts started attacking the village and because of that I lost my vision, I was moved to (Kani Maran) Village. At that time, I received no news about my husband [NAME REDACTED] and my son ([NAME REDACTED]). After that, they moved me to Irbil, with my mother and sister, who took me to my father's house. Where, they moved me to a private hospital in Irbil and made a surgery to me there. After the surgery, they took me to house of my uncle [NAME REDACTED] and when the amnesty was issued, my husband came back and told me that my son died as a martyr. I lost one of my eyes and there are slivers in my body. I do request to file a complaint against Saddam Hussein, 'Ali Hasan Al-Majid and their affiliates.

67- The Plaintiff ((Protected)) who indicated with number (4); after being sworn, he stated the following:

I am a resident of (Qara Salim) Village of Qadir Karam. In the fifth month of the year 1988, the Military forces attacked our village and arrested some of its people. The arrested people were hidden (they were Anfalized), as part of Anfal operation. Some of those people could escape, including me, as I escaped to Irbil. After one month, we asked about our men who stayed in the village. They were hiding in the surrounded mountains; after a secret general amnesty was issued, my husband [NAME REDACTED] with his cousins [NAME REDACTED] whom are sons of [NAME REDACTED], surrender themselves to the Legal Advisor (Colonel Hamid). I heard that (Colonel Hamid) handed them over to the convict ('Ali Hasan Al-Majid). Since that time, we received no news about them, and I still do not know their fate. Large number was "Anfalized" from...

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... my relatives and my village people. I do request to file a complaint against Saddam Hussein, 'Ali Hasan Al-Majid and their affiliates.

68- The Plaintiff [NAME REDACTED]

Date of Birth: 1975

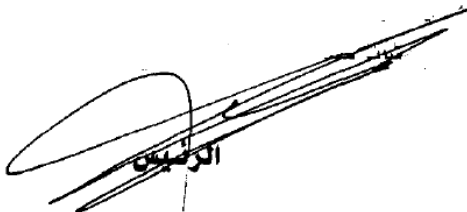
Profession: Laborer

Place of Residence: Raniya District, Hajiyawa Sub District, Sector 4, Near to the Sub District Directorate

After being sworn, he stated the following:

I am a resident of (Wari) Village. In the spring of the year 1988, the Army troops attacked (Balisan) Valley, and on 1988 May 18; I was living with my family in the village, where that day I was out of the village for irrigating the corps and when I came back to the village; four aircrafts intensively attacked our village. The explosion noise was low, I found ([NAME REDACTED] thrown in a pool of a Milky color-water and I saw people suffering of Eye-Redness, Dyspnea and Runny-Nose. I remember, some of them [NAME REDACTED], he is my cousin, [NAME REDACTED], he is my uncle, [NAME REDACTED], sons of [NAME REDACTED], and their young sister [NAME REDACTED]. Then I escaped with three of the village people and after 45-minute of walking, I had got the infection of the chemicals and found a difficulty in breathing; I fall down and got unconsciousness. Two shepherds found me and took me to Khati Village, after that they took me to my uncle's , [NAME REDACTED] house in Shikarta Complex and there I knew that (35) of my village people were killed by the chemical weapons; (20) persons of my family and (15) of the village people. I submit a names list for those people, whom were buried in Qashan Valley. There were some injured persons; I remember some of them, as my cousin [NAME REDACTED] who was two years old, he was died after that. In addition, my uncle's wife [NAME REDACTED], who was died after three days of being injured, and my uncle [NAME REDACTED]and his sons. After that, some injured....

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... were moved to Shurish Hospital (*T.C: The Pishmarga Hospital*). I do request to file a complaint against Saddam Hussein, 'Ali Hasan, the pilots attacked the village and the party that sold the chemical weapon to Saddam Hussein.

69- The Plaintiff [NAME REDACTED]

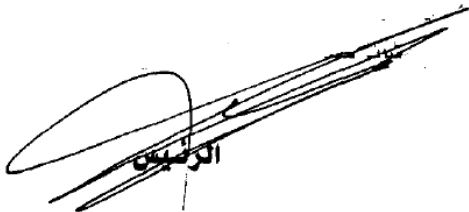
Birth: 1954

Profession: Pishmarga personnel

Place of Residence: Mangish Sub District-Duhuk Governorate stated the following after being sworn:

I am a resident of (Kurimi) Village of (Mangish) Sub District; my village was destroyed several times by the former regime. On 1988 August 25 we tried to go to the Turkish border but we could not do that, because we were surrounded by the soldiers so we went back to our village and found the village was surrounded by the soldiers. Therefore, we all surrender ourselves to the army; who surrounded us and grouped men apart of women; they took the families to unknown destination and took the men for (150 – 200) Meters away of the village. They ordered us to set down, one officer ordered us to set down and another one ordered to start shooting us. We were thirty-three persons and when they had started shooting us, I ran for a distance of (200) Meters and I was shot by two bullets in my leg that was broken during my escapee. In the next day some persons wearing the Kurdish uniform came and moved me to Mangish village, they placed me in a secondary school and left me there for three days without any medicine. As the army was guarding that school, they moved me to (Nazarki) village, where they were torturing us there. My brother ([NAME REDACTED]), my nephews [NAME REDACTED] who are sons of [NAME REDACTED], usually they were taken to the hall, after being tortured. We stayed there for (21) days, I was seeing cars coming every night to take the people. After that, we were moved to (Bahirka) area, where I saw the visit of 'Ali Hasan Al-Majid. We stayed there for three years then we went back to our villages, which we found completely destroyed. Now, I am a handicapped until this moment. I do request to file a complaint against Saddam Hussein, 'Ali Hasan Al-Majid and all the affiliates in this crime. A question asked by the court...

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... if all persons were killed in the execution process, or there are some survivors? He answered: We were six persons who stayed alive [NAME REDACTED].

70- The Plaintiff [NAME REDACTED]

Birth: 1947

Profession: Peasant

Place of Residence: Nazari Village Zawita Sub District-Duhuk Governorate

After being sworn, he stated the following:

I am a resident of Nazari Village near to Barjini village. In the eighth month of the year 1988, in the morning, the aircrafts flied in village's sky, we heard noises of four or five explosions that were not loud; as a result, a yellow smoke was raised from it in (Barjini) village. I witnessed the attack operation by my own eyes. I had sent my brother ([NAME REDACTED]) to Bairjini village and he told me that village was attacked with chemical weapons. At that time, I took my family and there was no other way to escape, except through Bairjini village. There, I saw two dead bodies of [NAME REDACTED] and I saw a woman laid down on the ground named [NAME REDACTED], where she was intensively affected with the chemicals. We saw two dead bodies down on the ground beside one of the caves in [NAME REDACTED] that we could not bury them, so we put some grass on them and left them. We passed by (Takya) village near to our village, the people there told us that (15) persons were killed by the chemical weapons, after that we had gone to the Turkish border and crossed to the Turkish land; we stayed there for four years then came back to Duhuk City. When we had gone to our village, we found it destroyed and the gardens were destroyed too. I do request to file a complaint against Saddam Hussein and his affiliates.

71- The Plaintiff [NAME REDACTED]

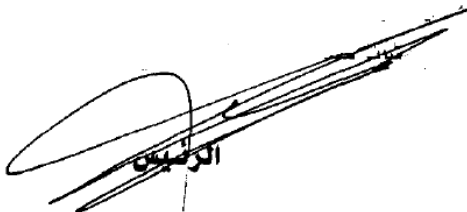
Birth: 1967

Profession: Employee

Place of Residence: Duhuk – Karabay Subdivision,

After being sworn, he stated the following:

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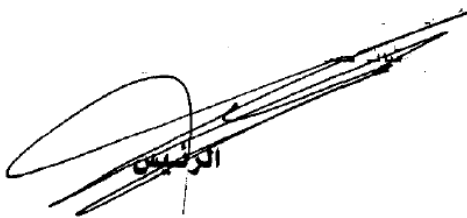
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I am a resident of Kurimi Village. On 1988 August 25; we received news that the government will attack our village; so we had ran away with our families to the caves after that we went to the borders, there was no chance of survival because the army was surrounding all the main roads so we went back to the caves. In 5 o'clock morning of 1988 August 28, we knew that the army was surrounding us from all directions so we surrender ourselves to the army that moved us, about a hundred Meters far from our village. Then they took us in two groups to (Mangish) village; the men with the old people group, women and children group and only (33) men remained in our group. They took us south of the village about (Two hundred Meters) from our place, there were two officers that ordered us to stop and set down. Order issued to the soldiers to start shooting, the shooting started and I was in the middle of the row. When the shooting ended, I found myself under the dead bodies. After that, an order of shooting one bullet on each dead body was raised to soldiers, where the shoot injured my shoulder. I came out of the dead bodies after soldiers had gone away. I saw my clothes affected by many shots, but it did not affect my body. I saw ([NAME REDACTED], who survived from the execution and the four of us went towards the caves. In the next day, the National Defense Regiments moved us to the headquarters of the Party Command in (Mangish), where we heard about an amnesty. We saw families that surrender themselves to the brigade headquarters in (Batufa) area, where they were separated. They took the four of us to the Military Intelligence prison that belongs to the brigade, then they took us to (Nazarki) fort in (Duhuk), where the food and drinks were in so bad condition. We were moved by cars to (Bahirka) in a flat desert area, and there I saw my mother and father, so many children died there because of hunger and sickness. In 1991 we came back to our village; we found it ruined and without any mosques. I submit to the court a names roster...

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... for the people who were hidden as a part of Anfal operation (Anfalized). I do request to file a complaint against Saddam Hussein, 'Ali Hasan Al-Majid, all of the involved persons in this crime and the officers who shoot us.

72- The Plaintiff [NAME REDACTED]

Birth: 1954

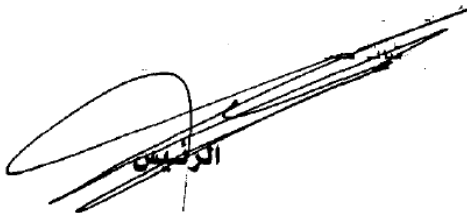
Profession: Peasant

Place of Residence: Kurimi Vilklage Mangish Sub District- Duhuk Governorate

After being sworn, he stated the following:

I am a resident of (Kurimi) Village. On the night of 1988 August 25-26; we knew from the close villages that the Iraqi forces will make Anfal operations. Therefore we had run away and reached to the street leading to (Kani Masi) but we could not cross it, the people had come back and hidden in the farms and craves that we were living in. In 5 o'clock morning of 1988 August 28; we were attacked and surrounded by the army from all the directions, therefore we surrender ourselves to them; they had taken us to our village and grouped men apart of women and children, they took the women and children to Mangish way. (33) Men of us remained, the officer asked us to get in one row, and they took us south of the village where I saw 16 soldiers, the two officers ordered an order to set down and another one to shoot us, the soldiers shot us and we all fall down. After that, the officer ordered to shoot one bullet on every one of us; and he wounded me in my forehead, and I show it to the court (And the court noticed a clear mark of that on it). When the soldiers had gone, I tired to get up and I saw my father, brothers [NAME REDACTED] and (18) of my relatives, and they were all dead. I saw my cousin ([NAME REDACTED]) wounded in his legs and I put him in a big hole, also I saw [NAME REDACTED] coming out of the dead bodies. I submit to the court a names roster of the people who were killed in the execution operation, and I saw my uncle named ([NAME REDACTED]) whose leg was broken. After that I went with the named ([NAME REDACTED]) to hide in the curves, ([NAME REDACTED]) reached there too, and we stayed there until 1988 September 07 without food or water, then we went to (Ni'lafa) Village where there was the...

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...national defense regiments who told us that there is an amnesty; so we went to them and they took us to the headquarters of the Ba'th Party in (Mangish) area. Then they moved us to the brigade headquarters where they beaten and humiliated us before moving us to Nazarki Camp in Dahuk. I saw thousands of men and women in the castle; and then they moved us to (Bahirka) desert area; children died there and I participated in their burial. Cars were coming and taking the Christians and Yezidis to unknown destination, and we do not know their fate until now. After the issue of the amnesty, I took my family to Duhuk. I do request to file a complaint against Saddam Hussein and his group.

73- The Plaintiff [NAME REDACTED]

Birth: 1942

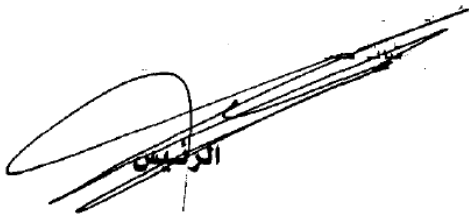
Profession: Housewife

Place of Residence: Kani Area-Al-'Imadiyyah District- Sarsanq Sub District

After being sworn, he stated the following:

I were residing in (Kizi) village; in August 1988, I went to (Sarki) village along with a woman and three men to bring a bride; and once we got there, we saw a squad of airplanes, so we hidden between the trees, and we heard heavy bombardments where the airplanes stroke twice. Moreover, when we got to (Sarki) village, we saw the bad situation of the people there and their noses was flowing with fluid. We started feeling the same symptoms, so we took the bride back to our village; and my health started recovering there. As we were afraid of attacking our village, we ran to the highway to Turkey, and the people there told us that all the cross points were blocked. Therefore, we turned toward (Kara) Mountain where we stayed in caves. The army moved forward toward (Kara) Mountain and they asked us to hand ourselves over, they grouped and transferred us to (Kani) area and picked us by the vehicles to (Nazarki) Castle, where the soldiers begun attacking us. The number of the arrestees was 96 men; and the next day they brought two windowless military vehicles; they got us in the vehicles including my husband ([NAME REDACTED]), my son ([NAME REDACTED]), and my brother ([NAME REDACTED])...

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...[NAME REDACTED]), my nephew ([NAME REDACTED]), my husband's nephew ([NAME REDACTED]) and my daughter's husband ([NAME REDACTED]). The vehicles took them to the west, we received no news about them until now, including these people there was (27) men of my cousins and they still missing until now. After that, they moved us to (Bahirka), the situations was so bad there, where (23 - 24) kids were died including ([NAME REDACTED]). I went to Duhuk after the amnesty was issued. I do request a complaint against Saddam Hussein, 'Ali Hasan Al-Majid, all the persons affiliated in this crime.

74- The Plaintiff [NAME REDACTED]

Birth: 1949

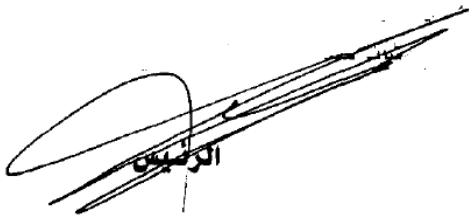
Profession: Handicapped

Place of Residence: Duhuk Governorate

After being sworn, stated the following:

I was living in (Bairjini) village of (Zawita) Sub District in Duhuk. In the morning of the 1988 August 25 I heard noise of aircrafts, I saw eight aircrafts flying over our village on low height, it launched some rockets on the village, which resulted in low noises explosions with a white and yellow smoke of fruity-smelled, we got Dyspnea with Eye-Redness and Runny-Nose. I saw birds and flies falling down after the chemical attack, the attack process lasted for (30 – 35) minutes. We, the village people, had gone to the high areas where we found missing persons of the same family, they are ([NAME REDACTED]) and ([NAME REDACTED]). I remember some persons whom were affected; who are '[NAME REDACTED] and my daughter [NAME REDACTED], also I witnessed the death of some persons, who I remember some of them ([NAME REDACTED], as we covered the bodies of the last two persons with tin and tree leaves. Then we all escaped to Turkey, as we passed by several abandoned villages, I was affected by the attack, I was shivering strongly with a terrible headache. When we had reached (Tuyka) village, we saw (15)...

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... Corpses in the village, including ([NAME REDACTED]), who is a citizen of Zakhu. After that, we crossed the Turkish borders and dwelled over there until 1991. At the time when we fled away, and during our march, a number of my family members died, including my daughter [NAME REDACTED], my nephew [NAME REDACTED], my cousin [NAME REDACTED] and my uncle [NAME REDACTED]. When I returned to my village, it was destroyed and unoccupied. I provide the court with a list of people, who were killed or missed during Anfal operations. I want to take legal actions against Saddam Hussein, 'Ali Hasan-al-Majid and all the individuals, who conducted the attack, including pilots and their commanders.

75- Plaintiff [NAME REDACTED]

Date of Birth: 1966

Profession: Pishmarga

Place of Residence: Kani Complex, Al-'Imadiyyah District.

The plaintiff stated the following after he took on oath:

In the morning of 1988 Aug 27, I was a member in Al-Pishmarga at Kizi village. We received orders to gather in our village and move toward Sarki village. When we stopped in front of the village, we saw an aircrafts squadron. I saw two aircrafts bombarding Sarki and Bari Kara villages. By my own binoculars I saw 18 missiles were being launched toward the village, they were emitting three types of smoke; White, Black and Green. After half an hour, we smelled a good scent like apple odor. Shortly there after, our eyes were tearing, our noses were runny and we had breath-shortness. We covered our face with our head dresses. Some members of our group vomited, including the [NAME REDACTED]. After one hour, we carried out the orders and moved toward Rawina village. We noticed that the smoke was still emitting from missiles. We arrived to Shirana Orchard and saw the corpse of [NAME REDACTED] inside it. We returned to our families and houses. After that, we started walking toward the Turkish and Iranian borders. My brother ([NAME REDACTED]) and I crossed the borders towards the Turkish territories, but my father, mother and my brother Sha'ban did not succeed crossing the borders.

I arrived to the Turkish territories. I was transferred to Iran. I stayed in Iran until 1991; then I returned to ...

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my father, mother, uncle and his spouse and I inquired about my brother [NAME REDACTED], my uncle [NAME REDACTED], his sons [NAME REDACTED]. I was informed that they were missing since 1988. I returned to my village and found out that it was completely destroyed. I provide the court with a list of names of Kizi village citizens, who were killed or missing. I want to take legal actions against Saddam Hussein, 'Ali Hasan Al-Majid and all defendants.

76- Plaintiff Tawfiq [NAME REDACTED]

Date of Birth: 1957

Profession: Pishmarga

Place of Residence: Maqlabi Complex, Duhuk Governorate

The plaintiff stated the following after he took on oath:

On 08 August 1988, after the end of Iranian-Iraqi war; the Iraqi government launched a full attack on Bahdinan Area from two axes. In the night of 22-23 August 1988, we received news about a certain assault against our village, which will be carried out from two axes. All the village inhabitants escaped toward the Turkish borders. We returned in the night to our village because we could not cross the borders. Two aircrafts flew from Matin Mountain toward the village. The village was bombarded, and approximately four to five missiles were launched. We looked at the bombardment site and saw missiles emitting yellowish smoke. Our eyes became red, so we knew that it was a chemical weapon. I went back to the village to bring supplies, where I found a person named [NAME REDACTED], his eyes were tearing and his nose was runny. We found three burnt corpses inside in the house. The three corpses were for [NAME REDACTED], his spouse and [NAME REDACTED]. We buried the corpses without wrapping them with cloth.

All families were going toward the Turkish borders. We succeeded in crossing the Turkish borders on 02 September 1988. We were transferred to Kithri Complex then to Mushya Complex. A lot of people died because they were exposed to chemical weapons, including [NAME REDACTED]. I have a list of my village people, who were infected.

In 1991, ...

The President



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we returned to our village. It was destroyed; all houses and orchards were destroyed. The livestock were killed. The remains still exist until now. I want to take legal actions against Saddam Hussein, 'Ali Hasan Al-Majid and their collaborators.

77- Plaintiff Taymur [NAME REDACTED]

Date of Birth: 01 January 1976

Profession: Laborer

Place of Residence: USA, Washington.

The plaintiff stated the following after he took on oath:

On April 1988, I was living in Kulaju village, Tilaku Sub district, Kalar District. We received news that the Iraqi troops were concentrating near our village. We left the village; we went to Mila Sur village and stayed there, for three years. We decided to return to our village, but the army and National Defense Regiments were moving forward toward our village. They detained us along with other villages' inhabitants. We were transferred by vehicles from Kalar to Qura Tu Area. The detention camp was extremely dirty and we were left out with out food or water for ten days. After that, we were transferred to Tupzawa detention camp. The conditions were very bad and we were treated brutally. After thirty days, they transported us, using closed vehicle that did not have any windows. Two little girls died because of the lack of ventilation. After driving for a while, all vehicles changed the route. We were taken into uneven unpaved road, when the vehicles stopped and their doors were opened, we saw a big hole full of women and children corpses.

Bulldozers were removing the sand in order to bury the corpses. We were kicked brutally and forced to get out of vehicles. We were taken to the hole, which were surrounded by armed soldiers. One of the soldiers shot the people inside the hole. I was shot in my shoulder but I pretended that I was died. I saw a pregnant woman, which was shot in her head. I was with my mother [NAME REDACTED] and my sisters, in the hole.

I will provide the court with a list of victims' names. I saw my mother and sisters getting shot. The shooting were intensive as rains drops and the hole was full of blood. After the firing stopped, the soldiers walked away from the hole. There was a little girl inside the hole, who survived from shooting.

The hole was not big ...

The President



(212-963)



Verdict Decision

and the height was less than one meter. I was moving from one hole to another. I fled from the area. While I was walking, I saw a tent. The owner of the tent came out when his dogs attacked me. I asked him for help. He gave me clothes, food and water. He took me to an adjacent village, where I was provided with medical care.

After that, I moved to Kalar Area, Al-Sumud Complex. I resided with my uncle [NAME REDACTED], but after that intelligence knew that I came back; one of my uncles ([NAME REDACTED]) sent me to one of the destroyed villages. I resided there until 1991 then I came back to my uncle's house.

I want to take legal actions against Saddam Hussein, 'Ali Hasan Al-Majid and every one, who participated in Anfal Campaign [*T.C: His story was reported in the 1993 annual report of the Human right Watch and many local and international books were published on him such as (Cruelty and Silence by Kan'an Makkiya)*].

(Summary of the prosecution witnesses' statements)

1- Witness [NAME REDACTED]

Date of Birth: 1969

Profession: Laborer

Place of Residence: USA, Virginia

The witness stated the following after he took on oath:

He stated that he surrendered after he informed by one of the Pishmarga men, about the amnesty. He was taken to the Northern Kurdish Affairs Organization. He was mistreated. After we were detained, we were transferred by vehicles. We were informed that we were being taken to Baghdad. After the vehicles started moving, they stopped and detainees were taken out of the vehicles. I was the seventh detainee, who was taken out of the vehicle. They took us far away from the vehicle. We were ordered to sit down. When I sat down, I saw a hole.

When I sat down, I was hit on the back of my head, where I fall down inside the hole. I saw one of the guys inside the hole and I lost my consciousness. When I regained my consciousness, I found lower half of my body was buried under the sand, I saw the shovel went away in order to bring more sand. I tried to leave the hole, benefiting from the dark, dust, ...

Chief

(213-963)



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Where guards were busy in bringing detainees. I left the hole. I believe that they did not shot detainees, but they were put inside the hole and they were buried alive.

2- Witness [NAME REDACTED]

Date of Birth: 1970

Profession: Laborer

Place of Residence: USA, Virginia

The witness stated the following after he took on oath:

On May 1988, the Iraqi aircrafts bombarded our area (Balisan), particularly Warti village. The chemical weapons were used in bombardment and more than 300 persons were killed. I do not know their names because I did not reside in this village at that time, but I was a member in Pishmarga and our headquarters was near this village.

3- Witness [NAME REDACTED]

Date of Birth: 1948

Profession: An Educational supervisor in the Ministry of Education

Place of Residence: Al-Sulaymaniyah

The witness stated the following after he took on oath:

I am a resident of Gup Tapa village. On 03 May 1988, I noticed the movements of the army, which raised my suspicions at that time. We felt that our lives in danger. In that day, I saw the aircrafts, which I cannot remember its number. They bombarded other villages. Our village was bombarded and the smoke was rising from it. The noise generated from the bombing was minor. The wind was still. I was standing opposite to the wind direction. I yelled and called the village inhabitants. I realized that the village was bombarded with chemical weapons because I served in the army, in the chemical classification unit. I was trained on the chemical weapons. At that time, I lost 25 of my family members; I remember my mother [NAME REDACTED], my wife [NAME REDACTED] and my kids [NAME REDACTED]. Only my daughter [NAME REDACTED] survived...

The President



(214-963)



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I also lost my two brothers [NAME REDACTED]and [NAME REDACTED], their wives and all their kids, who killed in this incident. All of them resided in Gup Tapa village. After ten minutes from the bombarding, we went toward the village. I was accompanied by my brother in law and my friends. We were four people. I asked them to use their Kurdish textile belts as masks after soaked them in water. I covered my mouth, nose and my eyes with a cloth in order to protect them. In the middle of road, I met one girl, who told me "no one left for you", which means in Arabic "All your family members died".

The village was bombarded from three sites, which form a geometrical shape of a triangle because the majority of houses are located there. The village was bombarded in Ramadan at the sunset time, because all people fast and they gather to eat food. In addition, the village was bombarded in the night time because people cannot be rescued easily and the army intended to cause many casualties. My family tried to reach the stream to use the water. I heard the moaning of a little kid. I had a portable electrical lamp with me. I was checking casualties, where I saw more than seventy persons of my family lied down on the ground within an area of 500 square meters. I could not count the number of casualties accurately. All of them were my family members. They were infected by chemical weapons. I saw a woman, who was laid down in the stream on her chest. I heard the moaning of her baby, who was laid down close to her. She was trying to protect her baby. I carried the baby and took him inside the house. I took his clothes off, washed him and covered him with a blanket, and then I left the house.

I saw a woman laid down on her chest in the stream. When I turn her body around, I figured out that she was my mother. After I saw the rest of my family members, I left the village. After five days, I was starving and I did not know where to go. I was accompanied with five persons. I tried to return to the village but I realized that the army is gathering in the village. They were detaining the inhabitants and burning their villages. We walked away from the army and hid behind the big rocks. I saw the so called [NAME REDACTED], who is from Jalmur Village ...

The President



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he was in a hurry. We asked him what he saw, he answered that a lot of military troops are combing the villages and arresting the inhabitants. He warned us that the army will come here; therefore, we have to run and save ourselves from them. I asked him about my father, he told me that all inhabitants were arrested.

4- Witness [NAME REDACTED]

Date of Birth: 1957

Profession: Surgeon

Place of Residence: Al-Sulaymaniyyah

The witness stated the following after he took on oath:

Since 04 April 1982 until 1989, I worked as a doctor in Pishmarga forces at Kurdistan Area. We had a hospital named "Shurish". Since I have started working in the hospital in 04 April 1982 until 17 April 1987, all the casualties I treated were caused by conventional weapons. In the night of 17-18 1987, I was in Birki village, which is considered as a part of Sar Chinar village. I was waken up and informed that we had a casualty caused by a chemical weapon. I saw the man, whose name was [NAME REDACTED], he was blind because his eyes were red, swollen and continuously tearing. His face was red and he was suffering from dyspnea. According to my medical knowledge, this person was infected by Mustard Gas. After two days, in the night of 19-20 April 1987, we left Birkli village and went to Bargalu village. We planned to go through Qizla village, but we took another route because it was contaminated with chemical weapons. On 21 April 1987, I arrived to Bargalu and started working in a hospital located inside the village. [NAME REDACTED] and I were treating affected people. There were a lot of people, who were infected by chemical weapons. I treated eight people out of the thirty, and I found out that they were infected by chemical weapons. There was a little kid, who was eight to nine years old; he was also infected by chemical weapons. During my work in the hospital, by the Walkie-Talkie device of the commander of Pishmarga forces, they informed me that Qara Dagh, Warin, Jafran Areas ...

The President



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were bombarded by chemical weapons. After ten days, I returned from Bargalu to Qara Dagh. I was shocked when I saw casualties, whom were infected by chemical weapons. They were four individuals. One of them was called [NAME REDACTED]. All of them were infected in their eyes, as they were infected in Qara Dagh village, by chemical weapons. It is my duty to illustrate to the court that since 1985, we deserted our villages and established headquarters for Pishmarga forces. These headquarters were located far away from villages.

As he Stated: On 1987 February 27, at 3:00 pm, a group of aircrafts flew over Qara Dagh. We felt that the aircrafts are going to bombard the area and in fact that what happened. The noise of explosions was minor. I left the shelter, which I was hiding inside. I saw a lot of smoke rising in the air. The smoke was around 700 meter far away from our location. I smelled a scent similar to the odor of rotten apple. I called all the people inside the shelter in order to leave it because the used weapon is a chemical weapon. I informed one of Al-Pishmarga members to go to Balk Jar village, in order to warn the inhabitants that chemical weapons are the weapon being used. After 30 minutes, I was informed that Balkha, Takya and Balk Jar were bombarded by chemical weapons and hundreds were infected by these weapons. The mustard gas was used in these weapons. This gas penetrates certain areas of the body (Eyes, skin and digestive system). This gas has a direct effect on the respiratory and digestive systems in addition to eyes. It also causes cancer after 12 years from the first infection; moreover, it weakens the immune system and causes blood cancer. In the night of 22-23 March 1988, I was at my house in Imam Hamzah listening to the radio. I heard an odd suspicious sound. I left the house and went to an elevated place ...

The President



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I was sure that the sound was coming from Siwsinan Area. It was winter time. It took place at the sunset time. I was able to see a light looks like fire coming from Siwsinan Area. There was a smoke rising in the sky. After 30 to 45 minutes, [NAME REDACTED] came to my house and told me that Siwsinan Area was bombarded by chemical weapons and I have to go to the hospital. There were around 70 casualties infected by the nerve gas. We gave them medicines and no body of them died. I recognized one of them, his name was [NAME REDACTED]but I do not know his father's name. His spouse and four kids died from the chemical bombardment. In addition, there was a person called [NAME REDACTED], whose spouse and all his family members died. I also recognized two persons, who are [NAME REDACTED]. We were informed at that night that 72 people died in Siwsinan Village. It is worth mentioning that all the inhabitants of this village work in agriculture and has nothing to do with politics.

There was one member in Pishmarga forces, called [NAME REDACTED]. I can remember that his mother was always asking him to leave Pishmarga forces because she was worried that he gets killed. A missile targeted his house at that night and killed all his family members. He was the only survivor. In the same night, Dukan village was bombarded by chemical weapons. The bombardment on Qara Dagh Areas did not stop until 26 March 1988. The Katyusha missiles, which are provided with chemical weapons, were launched from Dirbandi Khan Area toward Qara Dagh, including Michu, Siburi, Takya, Bafran, Diwana, Balkha, Balak Jar and Bijar Riskur Villages.

In addition, he stated: On 03 May 1988, around the 7 o'clock and 15 minutes (Summer time), the aircrafts flied over Quzlu and we heard the sound of explosions, which were minor. We knew that it was chemical weapons bombardments. After 30 minutes, I was informed that Kani Hanjir and Gup Tapa Villages, which are located with Agha Bilal District, were bombarded...

The President



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Some other villages, which are located within the same district of (Agha Bilal), were also bombarded. I realized that from the casualties that were brought from these villages. After half an hour, 'Askar Area was bombarded by chemical weapons. The wind carried the chemical gases from 'Askar village to Quzlu Area. A group of my friends and I were infected by the chemical weapons. We suffered from cough, sore throat and itchy eyes. I went after that to a hospital located close to Khati village. I stayed there from 18 to 20 August 1988. I cannot remember the exact date when the aircrafts flied over our village. I was very happy because the aircrafts did not bombard the area and I did not hear any explosions. At 11:00 pm, some of the Pishmarga told me that some casualties, who were infected by chemical weapons, were brought to the hospital. When I went out the hospital, I found a military vehicle (Type Zil) in front of the hospital door. The vehicle was full of casualties. The number of casualties was around 30 persons.

After I treated the casualties, I found out that they were infected by nerve gas. I worked all the night in order to provide them with medical care. Next day, around 30 casualties were brought from Wari Village by a truck to the hospital. I checked the casualties and found out that they were infected with nerve gas. I found an old women and a little kid among the casualties. I treated the little kid first, and then when I went back to the truck to bring the women inside the hospital, she was dead.

I confirm to the court that all the villages mentioned in my statement were bombarded using Katyusha missiles or launchers, which was provided with chemical weapons. In addition, none of the Pishmarga forces headquarters were established in these villages and none of the battles took place in it, in particular Siwsinan, Gup Tapa and Gulan Villages.

5- Witness [NAME REDACTED]

Date of Birth: 1972

Profession: Employee

Place of Residence: Shurish Sub district, Jam Jamal District

The witness stated the following after he took on oath:

The President



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On 15 April 1987, I was living in (Sangaw) Sub District and under a decision from the Government that states that the inhabitants must evacuate the area within (15-20) days; otherwise they will destroy the house over our heads. I have no idea about the decision number. After that, we moved to (Chamchamal) District where we stayed around a month, there. Then, the Government informed us that we had to take a piece of land and some tents to live in. They also told us that they would build the (Shurish) modern city for us; on the contrary, we were living in tents and the military posts with no services like electricity or water surrounded us. In April 1988, the Government decided to evacuate the inhabitants from (Sangaw) area and the surrounding villages.

6- The witness [NAME REDACTED]

Date of Birth: 1972

Profession: Employee

Place of Residence: Chamchamal District, Shurish Sub District. He said by oath:

In 1987, I was living in (Sangaw) and in 15 April 1987, the Government obliged us to leave (Sangaw) Sub District and to move to Chamchamal, informing us that they would destroy the houses in (15-20) days over our heads if we do not leave them. We went then to Chamchamal with a hope to find suitable houses to live in, some of us went at his relatives' and others sought for houses. I rented a house with my uncle's family in Chamchamal and after a period, the authorities ordered us to move to the Administrative District for receiving tents to live in (Shurish) Complex. The Authorities also informed us that we would be deprived from rights such as food and Civil Department services if we do not get tents and they will arrest us. When we were in (Sangaw) they told us that we will be moved to a modern complex, but unfortunately, we were transported to a wasteland with no electricity nor water in Shurish Complex.

7- A ((protected)) witness said by oath:

The President



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On 11 April 1987, I was a doctor in the (Bargalu) Hospital. This area was being continuously bombarded; but on that day, it was different because we did not hear the missile explosions as we used to. We were afraid and we thought that there were no casualties, but after (15) minutes, some patients came to the Hospital suffering from diseases such as: (redness of the eyes and skin). After checking them, I discussed the issue with the rest of Doctors in the Hospital and we found that these were symptoms caused by the use of chemical weapons, mainly, (Mustard Gas). The majority of the casualties were from the inhabitants of the Bargalu village, where the hospital is located.

After a period from the first bombardment and while I was on duty in the external clinic, I heard the bombardment noises on the area. At that moment, a patient came in and told me that they were bombarding. I walked out with him and saw the smoke rising and going down and after that expanding on the ground. The sound was low and this is what distinguishes the chemical bombardment from the ordinary one, because the smoke of the regular bombardment was grey and goes up. I shouted saying that it was a chemical bombardment and we had to take the necessary protection measures. I left the hospital with the rest of the employees and went to the valley, which was safe..., and I saw some farmers of this area's inhabitants who were hurt while they were working on their lands. The attack was in the areas of (Sargalu, Bargalu, Duli and Jafayati) and it was an artillery bombardment.

8- A ((protected)) witness said by oath:

I am a doctor since 1981. I graduated from the Faculty of Medicine in 1979 and on 16 April 1987 I was on duty in (Khati) Dispensary in the (Balisan) Valley of the Khalifan District, which is one hour and the half drive from the city

The President



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of Irbil and it is two hours drive from the Iranian Borders. We received information on military gatherings on the rivers of the (Khalifan) and (Chuwar Qarna) Valley and we took the necessary precautions. Before it got dark, I was standing on the Dispensary yard in Khati Village when I saw a huge number of helicopters and war aircrafts coming from (Irbil). I counted around ten helicopters flying on low height and counted the aircrafts that were about (6-8) flying higher than the helicopters, we did not understand that. The aircrafts hovered over the villages, on the valley and I saw them targeting (Balisan, Shaykh Wasanan). I also saw the helicopters throwing down the bombs on the roads that are leading to the valley and I saw an aircraft throwing down a bomb that made a low sound and released a dense smoke. This bomb fall onto roads leading to Khalifan. I saw the same type of bombs falling behind the mountain and we heard low noises coming from Balisan, Shaykh Wasanan villages. After ten or fifteen minutes, some quietness prevailed. I saw the aircrafts coming back to Irbil and the wind was blowing to the west where we were. There was a strange odor that filled the air, resembling the flowers odor. I went to Tutma village and saw with my eyes the aircrafts bombarding Balisan, Shaykh Wasanan and the road leading to Khlayfan. I wanted to go to the Pishmarga Command Headquarters because I affiliated to this Force as a doctor treating all the residents and the Pishmarga Personnel. When I arrived to the Command Headquarters, they assured to me that Balisan, Shaykh Wasanan was struck. I returned after that to the Khati Dispensary, it had got already dark, and we stayed until three o'clock am, as I waked up by the noise caused by some people and the sounds of the agricultural tractors were loud. I saw tens of people from the children, women

The President



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and men; and they were walking towards the dispensary asking help. They had symptoms that I had neither seen nor heard about before. All of them lost the sight and stopped seeing anything, their eyes were swollen and reddish and their skins peeled off. I also remarked big bubbles on the bodies of some of them and several of them were vomiting out or coughing blood. At that time I knew some of them who were from the inhabitants of (Balisan, Shaykh Wasanan)...we had nothing we could do to cure such kind of symptoms. At four and the half o'clock; they began the land attack on the villages that we were in. In addition to the screaming of the wounded people, we could hear the tanks advancing on the street. There was an intense bombardment by the tanks and the artillery on us, which caused confusion among people. Some of them surrounded to the army, others ran away to the mountains. I ran to the mountains along with some of the medical staff taking with us some people who were able to walk and the situation was so difficult that we had to drag them because some of them lost their sight. We went to Shaykh Wasanan Villages, which was abandoned, everything in there was dead even animals, birds, plants and tress. I saw a lot of animals which lost the sight while they were grazing; and we saw holes caused by the air strike....The attack was over after two days and the forces retreated after burning and destroying all the area. We returned to the villages and we saw the damage; all the houses were burned down in our village and we saw nobody, but some strayed animals that lost the sight.

The President



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Verdict Decision ((The documents relative to the Anfal Operatins))

The Court has viewed several documents that were shown to them by the Prosecution during the trials sessions. The originals were attached with the Prosecution documents and considered as a part of the prosecution's evidence. The following is a briefed show of these documents related to Anfal case:

After the Court has reviewed the documents of this prosecution that consist of these documents:

The letter issued by the General Military Intelligence Directorate (GMID) No. S3 / Q3/885 on 23 March 1987 addressed to the Presidency of the Republic-the Secretary-the subject is about the use of Special Ammunition which includes:-

1. A study was made on the places where the Headquarters of the Iranian Agents are situated and the selection of the below mentioned targets, that should be according to the existence of the hostile party, and also the effect of this existence on the internal security in the Northern Area and according to the available facilities of the Special Ammunition:
 - A- Headquarters of the Iranian Agents in the Balisan outskirts (Villages of Balisan, Tutama, Khati, Shaykh Wasanan) which are located near the main road of Chuwar Quna-Khalifan
 - B- Headquarters of the Iranian Agents in the Villages of (Takya, Balak Jar and Siwsinan) that belong to Qara Dagh Sub District.
2. The above mentioned targets are of significance for Iranian Agents Headquarters and Personnel of the Iranian enemy. In addition to the effect of this existence on the internal security in the Northern Area, for being far enough from our Sectors' sites (as Special Ammunition targets) which is considered more appropriate than others for the use of this ammunition. Because it is located in low areas, which helps the sedimentation of the smoke of the chemical factor and which could be treated with the available means (air force, tubular ejectors and helicopters by night)

The President



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3. because of the limited quantity of special ammunition that is available at present, it is better to use one of the alternatives below:
 - a- **First alternative:** striking the selected targets during this period, this way we should use two thirds of the available special ammunition (the Sarin factor) and one third of the special ammunition (the Mustard factor). The remaining quantity of these special ammunitions is to be kept for the emergency cases in the operation sectors.
 - b- **Second alternative:** delaying the strike to the mid-April 1987 until enough amount of the special ammunition is available and the productivity gets better.
4. We agree on the first alternative....

This document contains the signature of the indicted (Sabir 'Abd-al-'Aziz Al-Duri), the Director of the GMID at that time.

In addition, the Court has reviewed the document issued by the Presidency of the Republic ((the Secretary)) No. 953/965/ K on 1987 March 29, addressed to the GMID. The subject was the use of the special ammunition ((it was agreed to carry out the strike... provided that the action should be invested...and the aim was not only to hurt the saboteurs. Please take the necessary action with the coordination with concerned Corps and inform us before starting the strike)). This document is signed by the Secretary of the President of the Republic, who was the accused Hamid Yusif Hammadi, at that time, according to statement of accused Sabir Al-Duri. The document also includes a marginal note written by the accused Sabir Al-Duri which is ((Yes, I suggest a coordination with the Chief of Army Staff, as considered the responsible Department)).

Likewise, the Court reviewed the document issued by the Presidency of the Republic ((the Secretary)) No. 7/ J2/ K on 12 March 1987, addressed to the GMID. The subject was giving information ((the President ordered that your Directorate have to study, together with the specialists,

The President



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Directing a sudden strike (on the Khomeini Guard Bases that located within the First Branch headquarters of Al-Barzani Group), with the special ammunition; and study the possibility of its implementation using any of the following means (Air Force, Army Aviation, and Artillery). The Secretary of the President of the Republic Hamid Yusuf Hammadi, at that time, signed this document.

The Court has similarly reviewed the document issued by the GMID No. M1/ Sh3/Q2/ 6414 on 15 March 1987, addressed to the Presidency of the Republic-the Secretary and the subject is the use of special ammunition. It includes-

1. below are the options available for us, in order to use the special ammunition against the Khomeini Guard Bases in the party headquarters, the first branch of Al-Barzani Group:-

- a- The weather condition is not supporting the use of (Sarin) factor at this time, because the concerned targets are covered with snow, which leads to dissolution of the factor and its transformation to a non-poisoning material. This also applies on the (Tabun) factor.
- b- We have enough amounts of the (Mustard) factor, yet the expected effects are considerably weak, except in case we receive a concentrated dose, in addition to its slow evaporation in the snowing areas.
- c- It is possible to use the air force, the piped ejectors and the helicopters by night for this goal.

2. we suggest the following:

- a- the strike on the Khomeini Guard Bases in Al-Barzani Groups Headquarters is to be delayed until the next month of June. Also, because the targets are situated in the Iraqi-Turkish borderline area, it is better to select the targets that are located out of the anticipated effect range on the Turkish border-sectors or Turkish villages.

The President



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b- Start on making plans to carry out similar limited operations, against Iran agents' headquarters. This document is signed by the accused (Sabir 'Abd-al-'Aziz Al-Duri). Moreover, **the Court has reviewed** the document issued by the Presidency of the Republic- the Secretary- in No. 7/ J3/ 177 on 19 March 1987, addressed to the GMID with the subject of "the use of the special ammunition" and which contains " in reference to the clause (2-A-B) of your letter No. M1/Sh3/Q2/6414 on 18 March 1987. It was agreed on the two suggestions imported in this letter". The Secretary of the President of the Republic, at that time Hamid Yusif Hammadi, signed this document.

The Court has reviewed the document issued by the GMID No. 737 dated 31 March 1987, addressed to the Army Chief of Staff, including the subject of the use of the special ammunition and which contains:-

1. The President has ordered that your Directorate have to study, together with the specialists, directing a sudden strike (on the Khomeini Guard Bases in the Party headquarters, the first branch of Al-Barzani Group), using the special ammunition; and to study the possibility of its implementation using any of the following mean (Air Force, Army Aviation, and Artillery).
2. the President's recommendation was studied with specialists and we suggested the following:-
 - a- The strike on the Khomeini Guard Bases in Al-Barzani Groups Headquarters is to be delayed until the next month of June. Also, because the targets are situated in the Iraqi-Turkish borderline area, it is better to select the targets that are located away from the anticipated effect on the Turkish border sectors or Turkish villages.
 - b- Making plans to carry out similar limited operations, against Iranian agents

The President



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3. It was agreed on the two (2) above-mentioned suggestions. Our Directorate has thereby studied locations of the Iran Agents' Headquarters and the elicited the below mentioned targets. This elicitation is according to the size of the hostile forces there, effect of their existence on the internal security in the Northern Area, suitability to the available facilities of the special ammunitions and its launching means:-
 - a- Iran Agents' Headquarters in Balisan Outskirts Area, the villages of (Balisan, Khati, Shaykh Wasan), which are located on the main road near Chuwar Qurna-Khalifan.
 - b- Iran Agents' Headquarters in the Outskirts of the villages of (Takya – Balak Jar- Siwsinan), which belong to Qara Dagh Sub District.
4. The aforementioned targets in paragraphs (a, b) of the above-mentioned clause (3), are among the significant headquarters for Iran's Agents and the Iranian enemy Personnel. They are (as Special Ammunition targets) far enough from troops' sites and considered appropriate more than others targets, for using this ammunition. This is because it is located in low areas, which helps the sedimentation of the chemical factor's smoke. In addition, these targets could be treated with the available means (air force, piped ejectors and the helicopters by night)
5. our Directorate recommended a strike against the above-mentioned targets in (3) during this period, using two thirds of the available special ammunition (the Sarin factor) in addition to one third of the special ammunition (the Mustard factor); and keeping the rest of special ammunition for the emergency cases in the operation sectors.
6. The Presidency of Republic Letter-the Secretary, which was marked Top Secret, Confidential and Urgent, numbered 953-962/K on 29 March 1987; it contains the following:- ((it was agreed to carry out the strike... provided that the action should be invested... and the aim was not only to hurt the saboteurs. Please take the necessary action with the coordination with concerned Corps and inform us before starting the strike)). Kindly,

The President



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Acknowledge and issue your order to implement what was imported in the letter from the Presidency of the Republic-the Secretary. This document includes the accused Sabir Al-Duri's signature, of which he had admitted to the Court.

The Court has reviewed the Army Chief of Staff Letter No. 3656 on 05 April 1987, addressed to the 1st and 5th Corps' Commands. The subject is about the use of special ammunition, which includes-

1. It was decided to fight saboteurs, Iran's Agents and Khomeini Guard in your Sectors. And by using the special ammunition, as follows:-
 - a- Iran's Agents Headquarters in the outskirts of Balisan (the villages of Balisan - Tutma -Khati - Shaykh Wasanan), which are located on the main road of Chuwarta-Khalifan (*T.C: the correction is Chuwar Qurna which was mentioned in the rest of the file and it is the real town close to Khalifan, But Chuwarta is far and close to Al-Sulaymaniyyah*)
 - b- Iran's Agents Headquarters in the outskirts of the villages of (Takya - Balak Jjar-Siwsinan) that belong to the (Qara Dagh) Sub District
2. in reference to the Conference held in our Presidency on 05 April 1987, we ordered the following:-
 - a- The 1st Corps prepares the plan in what concerns the clause (b) of the Paragraph (1) above, and hand it over to us to be discussed during our visit to your Headquarters on Thursday 09 April 1987.
 - b- Both of your Commands are to prepare the necessary joint plan for executing what was imported in the clause (a) of the Paragraph (1) mentioned above. In addition, send that plan in two copies to our Presidency, in custody of two commissioners, in order for us to approve it. This document is signed by the Staff General (Sa'd-al-Din 'Aziz Mustafa), who was the Army Chief of Staff Commander.

The Court has also reviewed the document issued by the GMID/ First Deputy/ Third Section; which addressed to the Intelligence Deputy Director, who is responsible of the Iranian and Northern Affairs at that time, named (Wafiq 'Ajil Al-Samarra'i). The subject

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of the document, as notification, is about using the special ammunition. This document included the indication to issue that " According to the suggestion provided by the General Military Intelligence Directorate's (GMID); the Republican Presidency-Secretary approved on aiming a strike using the special ammunition, which is directed to the Iranian Agents headquarters, as they call it at that time. This is located in Takya basin- Balak Jar, which related to Qara Dagh Sub District and (Balisan) Outskirts at the main Road of Chuwar Qurna-Khlifan. This document signed by (Walid Nayif Shibib) the Director of the 3rd Section of the (GMID). In addition, accused Sabir 'Abd-al-'Aziz Al-Duri recognized signature of (Walid Nayif Shibib).

Also the court reviewed the document that issued by the Chief of Army Staff, (Chief of Army Staff Office), number 5890 dated 11 June 1987, which addressed to the 5th Corps Command. The letter subject is about Air Strike, and includes the following: (the (GMID) informed the Army Chief of Staff, reporting that at the end of 05 July 1987, an air strike (with the special ammunition) was directed to the 1st Branch Headquarter of Al-Barzani Group in (Ziwa) Area. (Ziwa) Area is located at the northeast of Al-'Imadiyyah district of Duhuk Governorate and it is close to the Northern Sector Headquarter (Badinan Sector Headquarter) of the Communist Party Group. This document signed by Staff Major General (Tariq Husayn Majid) the Senior Secretary of the Army Chief of Staff.

And also the court reviewed the (GMID) letter No. 12703 dated 10 July 1987, addressed to the Command of the Northern Organization Office. The letter subject is about air strike and importing the following: At the dusk of 05 July 1987, an air strike with the special ammunition was directed to the 1st Branch Headquarter of Al-Barzani Group in (Ziwa) Area which located at the Northeast of Al-'Imadiyyah District-Duhuk Governorate

The President



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And close to the Northern Sector Headquarter (Badinan Sector Headquarter) of the Communist Party Group. The document signed by the accused Sabir 'Abd-al-'Aziz Al-Duri and he admitted that at the court.

And the court reviewed the Ministry of Defense Letter No. 1374 dated 01 May 1987, addressed to the Army Chief of Staff, which included the following issue" Minister of Defense reviewed the issues that were imported in the (GMID) letter No. 8357 on 24 April 1987. He instructed the following: - (Strike all of the Agents' headquarters with the Air Force's conventional, special weapons and all the weapons within the range). Staff Major General (Mahmud Shukr Shahin), who is Depute of the General Secretary of the Ministry of Defense, signed this document).

And also the court reviewed the document issued by the Army Chief of Staff, numbered 15787 dated 12 May 1987, addressed to the (GMID). The letter includes the request of the Army Chief of Staff from the (GMID) to provide the Air Force Command and the Air Defense with locations and headquarters of the Agents. This is in order to destroy them. In addition, the court looked into the (GMID) reply letter No. 9819 dated 03 May 1987, which addressed to the Army Chief of Staff. The letter includes the following: Maps for Al-Sulaymaniyyah, Qal'at Diza Qara Dagh- Kuysinjaq 1/100000

In reference to your secret and confidential letter 15787 on 02 May 1987:-

- 1- We provided the Air Forces Command and the Air Defense with the locations and headquarters of the Iranian Agents to strike it with conventional ammunition which are:
- | | |
|-----------------|--------|
| A- Hawara Barza | (1283) |
| B- Dula Bi | (1278) |
| C- Yakhayan | (1577) |
| D- Guma Zal | (1875) |

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E- Sharistin	(0882)
F- Chalawa	(1971)
G- Sargalu	(1569)
H- Bargalu	(SATTS G M)
I- Yagh	(2264)
J- Qizlar	(2657)
K- Takya	(4095)
L- Balak Jar	(4294)
M- Siwsinan	(4596)
N- Warta	(7838)
O- Warta resort	(7736)
P- Qirnaqa	(0134)
Q- Pisht Ashan	(0233)

2- We suggest ordering the specialist committee to study the subject of striking the Iranian Agents' Headquarters with the special ammunition, kindly look into and inform us your orders.....With appreciation.

The document signed by the Accused Military Intelligence Director (Sabir 'Abd-al-'Aziz Al-Duri). The accused (Sabir 'Abd-al-'Aziz Al-Duri) admitted about that document, when it was shown to him.

And the court looked into the document issued by the Air Operations Directorate No. (: / Q X)/707 dated 12 May 1987, addressed to the (GMID) concerning striking the Iranian Agents' Headquarters as the following:-

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In reference to your secret and confidential letter M/S3/Q2/10319 dated 10 May 1987; the following are the names and grid coordinates of the Iranian Agents' Headquarters and locations which were confirmed by your representative Staff Lieutenant Colonel Walid...and were stroked by missiles and included is the kind of the ammuniton used to each target,... kindly look into:-

- 1- The targets were struck with the conventional ammuniton.
- | | | |
|-----------------|------------|-------------|
| 1- Hawara Barza | 1283 | 04 May 1987 |
| 2- Yakhiyan | 1577 | 04 May 1987 |
| 3- Yagh Samar | 2264 | 04 May 1987 |
| 4- Qizlar | 2657 | 04 May 1987 |
| 5- Dula Bi | 1278 | 08 May 1987 |
| 6- Guma Zal | 1875 | 08 May 1987 |
| 7- Sharistin | 1882 | 08 May 1987 |
| 8- Chalawa | 1971 | 08 May 1987 |
| 9- Sargalu | 1569 | 08 May 1987 |
| 10- Bargalu | (SATTS M4) | 08 May 1987 |

2- The targets were treated with the special ammuniton:-

- | | |
|-----------|-------------|
| 1- 635665 | 07 May 1997 |
| 2- 5082 | 07 May 1997 |
| 3- 5975 | 07 May 1997 |
| 4- 665615 | 07 May 1997 |

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5- 665575 07 May 1987
6- 865605 07 May 1987

Providing that the document signed by the previous Staff Air Vice Marshall (Hasan Khidir Al-Hajj Ahmad) the Air Force Intelligence Director.

And the court looked into the document issued by the (GMID) No. 19330 on 08 September 1987, addressed to the Northern Organization Office Command containing:-

- 1- At 16,00 o'clock on 03 September 1987 a concentrated artillery strike (with special ammunition) was directed to three of the Iranian Agents' group Headquarters, which located at the East of the main road Dukan-Pira Magrun. This includes that headquarter of the group, in which criminal Jalal Al-Talabani and some of his group leaders are existing. Their casualties were two killed and twelve wounded Iranian Agents in additional to a number of killed and wounded saboteurs and villagers next to the headquarters.
- 2- Dimension of the air strikes (with the special ammunition) which were directed to some of the Iranian Agents Group Headquarters, on April 1987....., and this document signed by the accused Sabir 'Abd-al-'Aziz Al-Duri and he admitted that.

Also the court looked into the document issued by the 3rd Section of the 1st Directorate of the (GMID), addressed to the (GMID) Deputy Director. The letter subject is (Striking Headquarters).

And this document consists of a report that was presented by the Third Section Director to the (GMID) Deputy Director. Its second paragraph containing:- the Deputy Commander of the Armed Forces -in-Chief and the Minister of Defense ordered the following about the mentioned subject:-

The President



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The Ministry Diwan letter, at the paper (2), to be studied with the Military Intelligence for aiming a strike with the special ammunition to the villages where the saboteurs exist, at the end of the day if possible, and informing me the details before carrying out, and this document signed by the 3rd Section Director, and after it was shown to the accused Sabir 'Abd-al-'Aziz Al-Duri, he admitted that the signature for the Called Walid Nayif Shibib.

Also the court looked into the telegram issued by Al-Sulaymaniyyah Intelligence Director to the Intelligence System of the Eastern Zone containing your secret and confidential letter No. 11163 on 24 June 1987, the information mentioned in the 1st paragraph/ supported/ wherein some of the journalists who witnessed the bombarding of the areas with the chemical weapons, went to Sargalu, and there is possibility to distribute them on the areas were bombarded to show it to the international public opinion (the 2nd paragraph) there is no available information about the mentioned person because he is not known to our sources.

Also the court looked into the Chief of Army Staff letter No. 322/127 on 08 March 1988, addressed to the Ministry of Defense Diwan and containing:-

- 1- The orders of the Deputy of the Armed Forces Commander-in-Chief and the Minister of Defense were carried out by doing two strikes with the special ammunition to support Anfal Operation.
- 2- The 1st Corps didn't find what can help to use another time for the currently bad weather conditions in the area, kindly look into, and this document signed by the Staff Major General (Nabil 'Abd-al-Qadir Husayn) on behalf of the Senior Secretary of the Chief of Army Staff.

Also the court looked into the document issued by the Secretariat Office of the Armed Forces General Command No. 177 on 20 March 1988, addressed to the Deputy of the Armed Forces Commander-in-Chief and the Minister of Defense and the Chief of Army Staff and its subject is instructions and containing:

The President



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On Saturday 19 March 1988, the president, the Armed Forces Commander-in-Chief (may God protect him) ordered during the Armed Forces General Command meeting the following:

- 1- Must thinking from now about the required arrangements in (Anfal Operation) Sector at the beginning of the summer to prevent the saboteurs' existence there, and may be we will need more additional or alternate troops.
- 2- At Darbandi Khan Sector and Anfal operation Sector, we must keep striking the enemy and the saboteurs with, Artillery and Air Force, and not giving them any chance for stability or recovery. And its better to strike the special ammunitions with artillery at night, suddenly or impregnating the ordinary artillery strikes with special ammunition strikes.
- 3- Starting from tomorrow, every thing will be established after going the General Command Members to the 1st Corps Command and after reviewing the required plans.
- 4- It's important to extract the lessons and warnings from this battle to prevent the dangerous' occurrence again.
- 5- When the weather become bad, use the artillery in different ranges at the place which was specified to the Air Force, in order to not giving the enemy a chance for breathing , and this document signed by the Staff Lieutenant General ('Ala'-al-Din Kazim Hammad) the General Secretary of the General Command of the Armed forces at that time.

And the court looked into the document issued by the Chief of Army Staff No. 154 on 22 May 1988, addressed to Ministry of Defense Diwan and its subject is Anfal Operation/5 and containing:-

- 1- Article (1) of your above mentioned letter:-

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A- It was studied what came at the (GMID) secret and Confidential and urgent letter No. 9282 on 08 May 1988, and the required procedures was taken according to our secret and confidential letter No. 402 on 11 May 1988.

B- One 15 May 1988, strikes with special ammunition were carried out at the sabotage groups' headquarters in the 5th Corps Sector, which mentioned at the letter of the above mentioned directorate.

2- Article (2) of your above mentioned letter:-

The operations of chasing and destroying the sabotage's groups at the 1st and 5th Corps Sectors is continuous according to the plan designed for this purpose (Anfal Operations) and Anfal Operation/5 at the 5th Corps Sector will be carried out in next stage. And this document signed by the Staff Major General (Nabil 'Abd-al-Qadir Husayn) and he signed it on behalf of the Senior Secretary of the Chief of Army Staff.

And the court looked into the document released by the (GMID) No. 11325 on 10 Jun 1988, addressed to the Chief of Army Staff and its subject is Anfal Operation and containing at the 5th paragraph the following:

The sabotage groups' losses which we counted until 08 June 1988 were as the following, and it's the minimum level of losses:-

A- 58 killed and 72 wounded saboteurs and their families and villagers due to the special strike.

B- (42) Killed and a number of the wounded saboteurs due to the activities of our troops.

Containing also the (GMID) suggestion to agree and order the branches with an operation to strike and destroy the headquarters and bases of the agents in Balisan Outskirts, and Al-Simaqlyat Area.

The President



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supporting the 5th Corps situation with suitable volume of the troops and artillery effort according to the situation. And this document signed by the (GMID) director at that time, the accused (Sabir 'Abd-al-'Aziz Al-Duri) and he admitted that when it was shown to him in the court.

And the court looked into the telegram sent from the Intelligence System of the Eastern Zone to the 3rd Section of the (GMID), telegram No. 13613 on 06 August 1988 and containing: we known from our source (Sami) the following: on 06 August 1988 Balisan was bombed with the special ammunition....., and this document signed by the Intelligence System of the Eastern Zone Director at that time, the accused Farhan Mutlak.

And the court looked into the document issued by the Chief of Army Staff – (the Chief of Army Staff Office) No. 122 on 21 August 1988, addressed to the 1st and the 5th Corps Commanders and its subject is instructions and concerning the meeting with you which held in the 1st Corps Headquarter in (Kirkuk) on 20 August 1988 and the presence of the Deputy of the Chief of Army Staff, the Military Movements and Army Aviation Directors to discuss the plans of Anfal Operations, and ordered the following:

1- Defining the concentrations of the population in the 5th Corps Sector and treating it with the intensive special strikes 48 hours prior to carrying out the operations, to create panic and prevent them to cooperate with the saboteurs and following their movements in the area, and be strongly careful of striking the housing villages at the Iraqi-Turkish borders, and this document signed by the Chief of Army Staff at that time, Staff Lieutenant General (Nazar 'Abd-al-Karim Al-Khazraji).

And the court looked into the document issued by the Chief of Army Staff No. 349 on 27 April 1988, addressed to the 1st Corps Commander (Staff Major General Sultan Hashim Ahmad).

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And the 5th Corps Commander, Staff Major General (Ayad Khalil) and its subject is instructions and concerning the conference held in (Kirkuk) on 27 April 1988.

2 E: Carrying out the 4th Anfal Operation in Shuwan-Chami Rizan Outskirts according to the suggested plan which was discussed at the Planning Directorate and the adjustments were made on the plan.....

F: Using the special ammunition at the enemy concentrations whenever its possible whether with the Air force or with the Artillery / MRL (multiple rocket launcher - adjective) / before the enemy starting its operations against our troops, and also it can be striking the saboteurs headquarters with the special ammunition, and this document signed by Staff Lieutenant General (Nazar 'Abd-al-Karim Al-Khazraji) the Chief of Army Staff at that time.

Also the court looked into the Intelligence System of the Eastern Zone letter No. 384 on 02 November 1987, addressed to the 3rd Section of the (GMID) and its subject is eliminating villages, attached (1) a special list of the villages were eliminated in the range of our system from 15 October 1987 to 31 October 1987, which are nine villages. And this document signed by the Intelligence System of the Eastern Zone Director, the accused Farhan Mutlak Al-Juburi.

Also the court looked into a document consisting of a telegram issued by the Intelligence System of the Eastern Zone to the 3rd Section of the (GMID) No. 4122 on 01 March 1988 and containing at one of its paragraphs ((100-120) between killed and wounded of the saboteurs and the civilians living in the area, due to striking the Main Iranian Agents Headquarters with our plans with the special ammunition) and this telegram signed by Staff Colonel, the Intelligence System of the Eastern Zone Director at that time, the accused (Farhan Mutlak Al-Juburi).

The President



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