

Press Release: 18<sup>th</sup> January 2013, London



## International experts make legal case for recognition of the Iraqi Kurdish genocide at London Conference

**18<sup>th</sup> January 2013, London:** Yesterday, legal experts at the international conference marking the 25<sup>th</sup> anniversary of the Anfal genocide operation in Iraq, discussed the legal case for recognition of the Iraqi Kurdish genocide which took place under Saddam Hussein's regime.

The topical discussion followed the British Government's statement that: *'it is not for governments to decide whether a genocide has been committed in this case, as this is a complex legal question.'*

The Government's statement was made in response to an e-petition, sponsored by Nadhim Zahawi MP, and signed by more than 27,000 signatures, which urges the British Government to recognize the orchestrated mass murder of Kurdish people in Iraq under Saddam Hussein as genocide. The overwhelming evidence from eye-witness accounts and the uncovering of mass graves leaves no doubt that what happened was genocide and yet, to date, only Iraq, Norway and Sweden recognize it as such.

One lawyer, Gavriel Mairone, Founder of international US-based law firm MM-LAW LLC, has decided that it's time to take action to legally prove genocide took place. He is doing so by representing survivors of the Kurdish genocide in a class action case.

Mairone told the conference: "The fight is not easy. Most points are weighed against us...The one thing we have really on our side is justice."

Meanwhile, Public Prosecutor to the Court of Appeal in The Hague, Simon Minks, explained to the conference how he successfully prosecuted a Dutchman - Frans Van Anraat - for complicity in war crimes associated with Saddam Hussein. Van Anraat was found guilty in 2007 of selling chemicals to Saddam Hussein with the full knowledge that they would be used to manufacture

chemical weapons. It is the only case which has been successfully prosecuted in relation to the chemical weapons attacks on the Kurdish people in Iraq.

Simon Minks said: "During the Van Anraat trial some of the judges went out in tears because of what they were hearing. It is not easy to prove someone's guilt in a complicated genocide case, but it is not impossible and it is not too late."

As well as discussing the legal technicalities of the case for recognition of the Iraqi Kurdish genocide, the conference also addressed what form justice may take for the Kurdish people.

David Russel, Director of Survivors Fund, which works to build the lives of survivors of the Rwandan genocide said: "We need to concentrate on what recognition means for the victims. Meaningful recognition should be based on restorative justice, whether this means financial reparations, or guarantees that such atrocities will not happen again. Meaningful justice must provide for the future of survivors and their children."

The conference was addressed by the KRG Foreign Minister, Falah Mustafa Bakir, former French foreign Minister Dr. Bernard Kouchner, numerous British Parliamentarians, genocide experts and survivors. Together they highlighted how, during Saddam's Hussein's regime, thousands of ordinary Kurdish people suffered unspeakable cruelty and violence with many ending up in mass graves or dying from chemical weapons attacks, while the world remained largely silent. Many speakers argued that recognition is essential to ensure the same horror is not inflicted on the Kurdish people, and others, again.

Ms Bayan Sami Abdul Rahman, High Representative to the UK, Kurdistan Regional Government says: "We said 'never again' after chemical weapons were inflicted on us, but almost exactly 25 years later, the international community fears they will be used again in Syria. This shows, now more than ever, why the genocide against the Kurds must be recognised internationally. Dictators must not be allowed to use these lethal, despicable weapons without international outcry, recrimination or justice. Saddam Hussein was never tried for his crimes of targeted mass murder and only Iraq, Sweden and Norway have recognized his crimes as genocide. More than 27,000 British people have signed an e-petition urging the British Government to recognize what happened in Iraq as genocide. We hope the Government is listening."

**ENDS**

## Notes to Editors:

For further information or photos, please contact Stephanie Blott, Amy Bourke or Helen Ayres at [KRG@luther.co.uk](mailto:KRG@luther.co.uk) or call 0207 618 9193.

The e-petition can be found here: <http://epetitions.direct.gov.uk/petitions/31014>

Campaign website: <http://www.justice4genocide.com/index.php>

## Some key facts about the genocide

- The genocide of Kurdish people in Iraq began in the 1960s and continued until the late 1980s.
- In 2006, the International Commission on Missing Persons (ICMP) estimated there being 270 mass graves in Iraq containing between 10 and 10,000 bodies in each grave.
- An estimated 180,000 Kurdish people were killed between 1987 and 1988 alone during Saddam Hussein's genocidal campaign called Anfal. The true scale of the killing from the 1960s to 1990 is not yet known.
- In the 1980s, the Kurdish population was also attacked with chemical weapons. During the most vicious assault, Saddam Hussein dropped bombs containing chemical weapons on the Kurdish city of Halabja gassing as many as 5,000 men, women and children to death indiscriminately and leaving tens of thousands of people injured. They died slowly, in unimaginable pain from chemical burns. Of those who survived, many still live with painful injuries and many children are born with birth defects.
- In 1983, 8,000 men and boys of 'battle age' from the Kurdish Barzani tribe were rounded up on trucks and vanished. The bodies are now being discovered in mass graves. From then on, men and boys as young as 13 were targeted, driven far away from their homes in trucks and executed en masse. Many victims were tied together, made to stand on the lip of pre-dug graves and shot in the back so they would fall forward into them. Others were made to lie down in pairs, sardine-style, next to mounds of fresh corpses before being killed. Some, who didn't die from gun shots were then buried alive.
- Of the total Kurdish victims, an estimated 70% were men, according to Human Rights Watch
- 90% of Kurdish villages and more than 20 small towns and cities were completely destroyed during the campaign to wipe out the Kurdish population in Iraq.
- In 1993, US-based Human Rights Watch launched an extensive investigation into the attack on the Kurds by Saddam Hussein's regime and concluded that it was genocide.
- In 2005, the court in the Hague established that the chemical bombing in Kurdistan constituted genocide in a landmark case in 2005 - the Frans Van Anraat Trial. During the Appeal, it was later referred to as 'war crimes'.

- The Iraqi High Tribunal found Sultan Hashim Ahmad, Hussein Rashid al-Tikriti, and Ali Hassan al-Majid (known as Chemical Ali) guilty of genocide in 2007.
- The research institute Swiss Peace recognized the genocide in 2008.
- In 2008 the Iraqi Presidential Council approved Resolution 26 ratifying a parliamentary resolution condemning the crimes of Saddam Hussein's regime against the Kurds as acts of genocide. This resolution affirmed the previous parliamentary resolution that declared all acts committed against the Kurds in Iraqi-Kurdistan by the former regime were to be considered genocide.
- In March 2010, the Iraqi Supreme Court ruled that the 1988 attacks on the Kurdish population were indeed genocide.