

On the Trial of Saddam Hussein: Court set up by an Illegal Occupying Power

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Statement by Tun Dr Mahathir bin Mohamad, Member, International Committee for the Defence of President Saddam Hussein

As a member of the International Committee for the Defence of President Saddam Hussein, to oversee the trial of Saddam Hussein I would like to express my horror and disgust over the trial and sentencing of Saddam Hussein to death by hanging;

Firstly a court set up by his enemies has no right to try Saddam Hussein. Since the inception of the trial, the International Committee and the Panel of Lawyers in the defence of President Saddam Hussein have repeatedly pointed out that the court set up by an illegal occupying power has no jurisdiction whatsoever to conduct the said proceedings. If Saddam Hussein is to be tried, it should be by an international court of judges drawn from countries uninvolved in the Iraqi invasion and occupation. The members of the International Committee have demanded that in order for justice to be done and seen to be done, the trial court and the judges must be independent and without bias, and be able to discharge their duties without fear or favour. The Chief Judge that presided in the early part of the proceedings resigned in protest against the blatant interference by the Iraqi regime installed by the occupying power. He was replaced by a judge who had no qualms in disregarding all established principles of fair trial and was willing to hand down a judgment inconsistent with the evidence adduced.

In the course of the proceedings, lawyers representing President Saddam Hussein and his co-accused were threatened and brutally murdered. Witnesses were also intimidated. This fact alone would render any verdict handed down by the court to be manifestly unjust and contrary to all established principles of a fair trial.

There were no evidence that President Saddam Hussein was involved in the killings of Shiites in 1982. Yet the Court found him guilty. The Court was a Kangaroo Court set up for the sole purpose of rendering a guilty verdict. It was a Nuremberg type court, manifestly biased and incapable of being just.

If President Saddam Hussein was guilty as charged, then President George W. Bush and Prime Minister Tony Blair should be tried for the unlawful invasion and occupation of Iraq and the death of over 650,000 Iraqis and the brutal torture of thousands of innocent men, women and children in Abu Ghraib and Guantanamo Bay.

President Bush Senior, President Clinton and President Bush Jr should also be tried for the sanctions against Iraq which caused the death of more than half-a-million children and the

use of illegal weapons such as depleted uranium, cluster bombs, phosphorous bombs etc.

For all these reasons, as a member of the International Committee overseeing the trial of Saddam Hussein, I condemn the death sentence passed on Saddam Hussein. It is a travesty of justice and unworthy of the present stage of human civilisation.

Tun Dr. Mahathir Mohamad

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