

AMNESTY INTERNATIONAL PRESS RELEASE

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Denmark/Iraq: International Justice for the victims of Halabja

Under universal jurisdiction legislation, the Danish authorities have charged Nizar al-Khazraji, a former head of the Iraqi armed forces, with war crimes in connection with the mass killings of Iraqi Kurds and other violations of international humanitarian law in 1988.

"This criminal investigation is a step forward for the survivors and families of the victims of the chemical weapon attacks on Iraqi Kurds in Halabja, northern Iraq, in 1998 in their quest for justice," Amnesty international said.

"If such an investigation shows there is enough evidence for a prosecution, then, in accordance with international law, the national courts of any state are under an obligation to try people accused of such crimes, regardless of the nationality of the alleged perpetrators or victims and regardless of where the crimes were committed , " Amnesty International added.

Commanders must be held accountable for ordering crimes or failing to act to prevent them or stop them.

In the context of the Iraq-Iran war, on 16 and 17 March 1988 an estimated 5,000 people were deliberately killed and thousands wounded as a result of chemical weapon attacks by Iraqi forces on the town of Halabja, near Sulaimaniya, reportedly after Kurdish armed opposition forces had entered the town. Most of the victims were civilians, many of them children and women. The Iraqi Government denied responsibility for the incident and stated that Iranian forces had carried out the killings. In August of the same year hundreds of unarmed Kurdish civilians were deliberately killed and thousands wounded when Iraqi armed forces attacked Kurdish villages in the north.

Background

Nizar al-Khazraji, aged 64, was the head of the Iraqi armed forces in the late 1980s. He then became a military advisor to the Iraqi President Saddam Hussain. In 1995 he fled with his family to Jordan and then in 1999 he went to Denmark where he has been living ever since. The Danish police have been investigating him for over a year after a Kurdish refugee living in

Denmark reportedly recognized him in the street and reported him to the authorities.

On 19 November 2002 the Danish police formally charged Nizar al-Khazraji fearing he may be leaving Denmark since he had applied for permission to travel to Saudi Arabia. During the same day he appeared at a preliminary hearing in the court in Soroe. After a five-hour hearing the court placed him under house arrest and ordered him to report to the local police station on a regular basis. The judge is reported to have said that the evidence produced so far in the case provided the basis for his prosecution for war crimes. Nizar al-Khazraji denied the accusations made against him in court and appealed against the decision to the high court.

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