

Halabjans Urge Verdict in Chemical Ali Case

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Residents doubt they will ever see justice done for 1988 gas attacks.

Halabjans fear they will not see justice done in the case of the man who stands accused of ordering the gassing of their town.

Prosecuting lawyers say the trial of Ali Hassan al-Majid, known by his nom de guerre Chemical Ali, is nearly over, with the judge expected to deliver his verdict soon.

But this has done little to reassure the residents of the Kurdish town where some 5,000 people were killed in a 1988 gas attack, allegedly carried out on Majid's orders.

Majid has been sentenced to death three times for other crimes, but many here are sceptical that justice will ever be done for the attack on their community.

A trial charging Majid with crimes against humanity in Halabja has held 37 sessions and heard 34 witnesses since December 2007.

Local concerns have been heightened by the news that Majid has been taken from a United States prison near the Kurdish city of Sulaimaniyah and handed over to the Iraqi authorities, reportedly to prepare him for execution.

In the Halabja Monument, a museum commemorating the victims of the atrocity, Bakhtyar Omer gazed at a photograph of his deceased family on the wall, and spoke of anger and apprehension.

"I was very happy when I saw [Majid] standing in front of the judge. I don't have any pity for him; he is responsible for destroying my town and killing my family," said Omer through tears. "And I still don't know why he is still alive and not executed. I doubt it will ever happen."

Such sentiments are common here. Some are doubtful that the long-stalled legal process is actually moving forward and many say they will only be content if Majid is handed a fourth death sentence specifically for his crimes in Halabja.

"The guilty should be executed as a lesson for those who still think of killing innocent people," said Umed Rafaat, who, together with his father, was paying his respects to lost friends at the Halabja Monument.

Luqman Abdulqadir, head of the Halabja Chemical Attack Victims Association, is highly critical of the delays in the Halabja case.

Abdulqadir told IWPR that his organisation would "hold demonstrations and apply civil and diplomatic pressure against anyone that stands in the way of Chemical Ali's prosecution [for the gas attacks]".

Anger over the delays in the case had risen with recent media speculation that the Shia-led government may execute Majid before a verdict in the Halabja trial, in order to boost its popularity ahead of the upcoming national election, now scheduled for February.

Majid has been handed three death sentences for the Anfal campaign in the 1980s; a crackdown on a Shia revolt in southern Iraq in 1991; and the suppression of an uprising in Baghdad in 1999.

Majid, Saddam Hussein's cousin and a former Baath party powerbroker, has been on death row for more than two years.

An execution order for the three convictions has yet to be signed by the presidential council. Iraqi law stipulates that all members of the council – the president and two vice-presidents – must sign the order for it to be carried out.

Bakir Hama Sidiq, a member of the prosecution in the Halabja trial, said, "We asked [the government] not to execute Chemical Ali until the Halabja case finishes. Our priority is the recognition that genocide was carried out against Halabja – not the death penalty. But there is no question that Chemical Ali will get the death penalty."

The commissioner of the Halabja Monument, Sarkhel Ghafar, agrees that the need to recognise the Halabja case as genocide is more important than whether Majid will be executed or not.

"It is enough that [Saddam's regime] were ousted from the power," Ghafar said.

But among ordinary Halabjans there's no question about what Majid's ultimate fate should be.

"The execution of the Chemical Ali is essential. It's a return to human values. That man is responsible for killing thousands of people in cold blood," said a local poet who goes by the name Gorryan.

At the Halabja Museum, Umed's father began to weep after finding some family members among the photos of the deceased.

"You see," Umed said, gesturing towards his father, "real happiness will only come back to our soul when we see [Majid's] execution."

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