



FOR IMMEDIATE RELEASE

10 April, 2007

Contact: Olivia Kraus
Tel.: 212-725-6530 x208
Cell phone: 917-640-7380
E-mail: okraus@globaljusticecenter.net

GLOBAL JUSTICE CENTER COMMENDS IRAQI PROSECUTOR FOR INCLUDING RAPE IN CLOSING ARGUMENTS OF KURDISH GENOCIDE TRIAL

New York, New York. The Global Justice Center, an NGO that advocates for women's human rights through the rule of law, commends Prosecutor Monquth Al Faroon for including the charges of rape and sexual violence against the perpetrators of the Kurdish genocide in his closing arguments for the Al-Anfal trial in Baghdad. That the IHT Prosecutor identified these crimes, alongside other crimes such as torture, forced displacement and murder, is a significant step towards ending impunity for crimes of sexual violence committed under the Saddam Hussein regime.

The closing arguments referred to rape and sexual violence in various contexts of international law, including as an aspect of torture and persecution of a specific group of the population. Prosecutor Al Faroon also included the concept of joint criminal enterprise, which is a theory of liability used to hold top officials accountable for crimes committed by their subordinates. This theory was used successfully during the International Criminal Tribunal for the Former Yugoslavia (ICTY) in *Prosecutor v. Kvočka* to convict for rape.

The 1988 Anfal Campaign against the Kurdish people in Northern Iraq resulted in the extermination of almost 100,000 civilians, the majority of whom were women and children. It also included the mass rape of Kurdish women. Al Faroon called not only for the defendants to be charged with the torture, forced displacement, and murder of the Kurds, but also with rape and other acts of sexual violence. The Global Justice Center (GJC), who conducted a conference on these issues for IHT prosecutors and judges this past November, supports the public recognition of the mass rapes that were part of the Al-Anfal campaign. According to the Prosecutor: "This court is the first national court in modern history that is examining international crimes, by questioning and adjudicating the former leaders of a country for having committed mass atrocities against their own people." In Iraq, where the penal code of 1969 excuses rape under circumstances with "honorable motives," and where sexual violence is still taboo, these charges indicate a readiness on the part of key Iraqi leaders to push for legal reform and accountability on behalf of women rape victims.

While the inclusion of sexual violence and rape in the Prosecutor's closing arguments is momentous, rape is not included in the Judges' charges against the five defendants, who include Saddam Hussein's cousin, Hasan Al-Majid ("Chemical Ali"). The Global Justice Center would like to make a call to action to amend these to reflect the Prosecutor's more accurate and comprehensive accusations. Charging for sexual violence alone is not enough, as it is broad and could include everything from forced nudity to mass rape. Masking this crime under a lesser charge denies victims recognition of the true extent of their suffering.

For further information, please contact Olivia Kraus at (212) 725 6530, x208 or okraus@globaljusticecenter.net