

## Human Rights

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retroactively, since aggression was not declared criminal until after World War II was over. Saddam can make no such claim. Whatever the state of the law before

World War II, aggression has since that time been universally recognized as a crime.

In addition to charges stemming from the present war, Saddam should be charged with crimes associated with the Iran-Iraq war which preceded it. Saddam, after all, was an aggressor against Iran just as he was an aggressor against Kuwait. And his forces committed atrocities against Ira-

nian prisoners of war.

Saddam and his henchmen should also be charged with massive violations of the rights of the Iraqi people. Since Nuremberg, international law has recognized the connection between human rights and world peace. Regimes which ignore human decency within their own borders are likely to ignore human decency outside those

borders. Iraq is an excellent example. Saddam has violated the rights of his people under cover of war measures. Conversely, he invaded Kuwait partly in order to take the minds of his people off their discontent at his tyranny. So any artificial distinction between "war crimes" and "domestic abuses" would be pointless in Saddam's case.

Article 6 of the U.N. Convention on Civil and Political Rights, a treaty which Iraq has signed, provides that "no one shall be arbitrarily deprived of his life." Space permits only a couple of examples of instances in which the Iraqi leaders have violated this fundamental guarantee.

After Saddam came to power in 1979, he ordered the murder of many of his opponents and rivals. He read out the names of some of his victims at a meeting of his governing party. As their names were called, the victims had to recite the party slogan and leave the meeting to go to their deaths.

Mohammed Baqir al-Hakim was an opposition leader who made propaganda broadcasts from Iran during the Iran-Iraq war. In May 1983, the Iraqis arrested ninety members of al-Hakim's family and called on al-Hakim to stop his broadcasts. When he refused, six of the arrested relatives were murdered.

Article 7 of the Covenant on Civil and Political Rights prohibits torture, but torture is a common practice in Iraq. Men, women and children have been whipped, beaten with rubber truncheons, subjected to electric shock, and mistreated in countless other ways. According to the human rights organization Middle East Watch, "each year there have been reports of dozens—sometimes hundreds—of deaths, with bodies of victims at times left in the street or returned to families bearing marks of torture: eyes gouged out, fingernails missing, genitals cut off, and terrible wounds and burns."

Article 12 provides that "no one shall be arbitrarily deprived of the right to enter his own country," but around 200,000 Iraqis of Iranian descent have been deported without trial. This began in the 1970s, before the Iran-Iraq war.

Article 9 requires fair trials, but people accused of political offenses have been convicted, and often sentenced to death, after summary proceedings in "Revolutionary Courts," in which they were denied any effective right to legal assistance and presentation of a defense.

Article 15 prohibits retroactive punishment (making something done in the past into a criminal offense) but the government has issued a retroactive decree making it a capital crime to belong to the Islamic organization al-Dawaa.

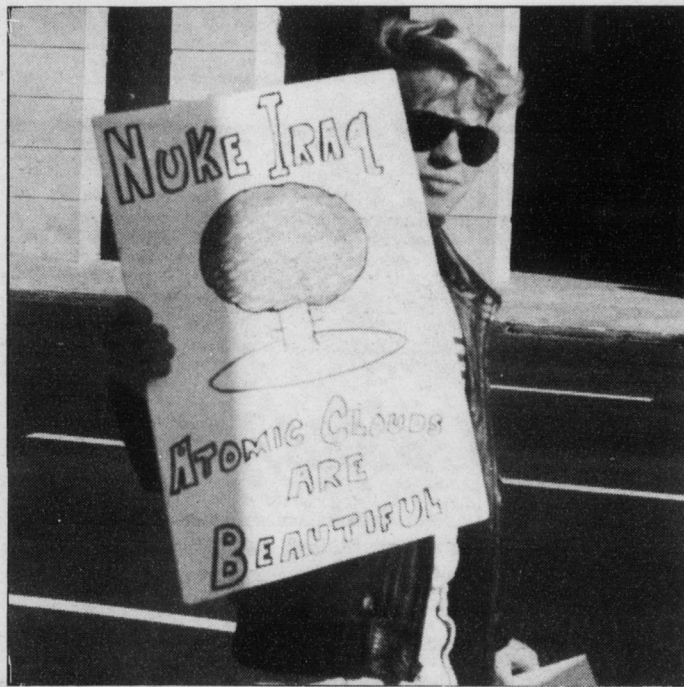
Article 18 guarantees "freedom of expression," but the Iraqis have been imprisoned, tortured and killed on account of their political activities and beliefs.

Next week, barring unforeseen developments, we'll look at what kind of international court should try Saddam.

# EXPRESSING OPINIONS ON WAR

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## a photo essay



An estimated 75,000 people marched on Washington, D.C. Sat. Jan. 26 carrying their opinions on signs. Parents and children (left), college students (above), and people of all perspectives marched in protest of the war. Supporters of the war carrying flags (below) shouted slogans to the protesters across fences and police barriers. /photo left by George Brand, photos above and below by Chris Craig.

