

The Halabja/Anfal case proceeding at a U. S. federal court

On Thursday, February 25th, we had the first court hearing before a federal judge in a court room at Baltimore University in Maryland. The legal debate between the KNC and Alcolac teams of lawyers lasted more than two hours.

The Alcolac lawyers asked the judge to dismiss the case and they premised their argument on the following:

- * The time has exceeded the statute of limitation (the statute of limitation being 10 years—now 22 years have passed since the attacks took place in 1988.)
- * The KNC cannot prove that the chemical precursors sold to Iraq were used for chemical weapons. The materials were for ballpoint pens.

The KNC lawyers, in return, rejected their claims and argued that,

- * Not until after Saddam Hussein's regime was toppled in 2003 were people able to speak publicly against his regime. They referred to the fact that even when Iraqis participated in a demonstration outside Iraq, they had to wear masks to cover their faces fearing that they or their families might be harmed.
- * Not until 2003 and the removal of Saddam's regime did people know about the companies or individuals who helped Saddam in obtaining the chemical weapons.
- * The amount of chemical precursors sold to Iraq was 1000,000 tons. This was to reach 6,000,000 tons in one year. This amount could not possibly be used in the ballpoint pen industry.

The Alcolac lawyers, then, asked the judge to remove the KNC from the case. The judge immediately rejected their claim and said the Kurdish National Congress of North America was and will remain on the case.

The Judge, then, concluded the session by saying, "my deepest sympathy is with the Kurdish people.

He said he needed more time to review everything presented to the court before he could decide on the case.

This hearing was for each side to present their side of the story so the judge could decide whether to drop or let the case proceed.

Kurdish National Congress of North America

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