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## INFO MEMO

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

NOV 03 2006

SUBJECT: Verdict in Saddam Hussein's Trial

- (S) The Iraqi High Tribunal is expected to announce the verdict in the first trial against Saddam Hussein on Sunday, November 5, 2006. A death sentence is possible.
  - Saddam and his co-defendants are accused of crimes against humanity stemming from retaliation for a failed assassination attempt in the village of Al-Dujayl.
  - At least 148 villagers were executed, others died as a result of torture during their investigation, and hundreds of others were arrested and detained without charge for several years.
- (S) Should the court deliver a death sentence, it is unlikely the order would be carried out quickly. Iraqi law requires execution of sentence within 30 days after the judgment becomes final, but there is a mandatory appeal for all death sentences to a higher court.
  - Saddam is charged or under investigation in a number of other pending cases, including the ongoing trial focused on genocide of the Kurds during 1987-1988.
  - In light of these cases, the appeals chamber may take its time in ruling on an appeal, to allow the other trials to proceed.

(b)(1),(b)(5)

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ISA	11/11	DSD CA	
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# *Saddam's Dujayl Trial Verdict*

**Purpose: To determine how MNC-I should prepare for and react to the outcomes of Saddam's Dujayl Trial.**

~~OVERALL CLASSIFICATION OF THIS BRIEF IS SECRET//REL USA, MOF~~

As of: 30 OCT 06

ACTO: (b)(6)

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(b)(1),(b)(5)



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# Mission Analysis



## Facts:

1. Announcement of verdict for Dujayl trial expected 5 Nov
2. Verdict and sentence will be announced simultaneously and publicly
3. "Guilty" verdict would result in automatic appeal which could take from several months to a year
4. Implementation of this sentence (after judgment is final) would not be delayed by other trials
5. Saddam's Anfal trial is currently ongoing
6. MNF-I published FRAGO 06-412 (9 AUG 06) WRT verdict announcement requirements (MNC-I's listed on next slide)

(b)(1)

8. Multiple "flashpoints" are associated with trial verdicts based on different announcements (verdict, appeal etc.)

## Constraints / Limitations:

### Limitations:

1.

## Assumptions:

(b)(1), (b)(5)

6. Proposed date of 5 Nov for the verdict may shift to the right

## Risk:

(b)(1), (b)(5)

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SUBJECT: SADDAM HUSSEIN VERDICT

FAX NBR: (703) 697-2037

DELIVERY INSTRUCTIONS:

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REMARKS:

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