

War Crimes and Crimes Against Humanity

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No one is above the Law

The brutality with which the US government exercises its "war on terror" is condemned both by the court of international public opinion and by the principles of international law governing human rights. The wars of aggression in Iraq and Afghanistan and the torture of detainees are clearly defined as war crimes by the UN Declaration of Human Rights, the Geneva Conventions, the Convention against Torture and other treaties to which the United States is a signatory. Under the cover of "national security," other countries in the region have been drawn into the on-going wars.



Regardless of Party all these puppets serve the same Wall St and Corporate CRIMINAL Interests

The Principles of International Law, recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal, provide no defense for war crimes. Similarly, the Convention Against Torture, which defines torture as a war crime, provides that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

Therefore, the prohibition on war crimes is absolute, not relative, meaning that there is no justification for war crimes despite the particular circumstances in respective countries. U.S. Justice Robert Jackson proclaimed at Nuremberg: "No grievances or policies will justify resort to aggressive war. It is utterly renounced and condemned as an instrument of policy. The same applies to other war crimes as well. The war crimes of one's opponents are no justification for one's own."

War Criminals Watch was founded to ensure that prosecutions of high officials of the Bush administration and subsequent administrations who are guilty of "high crimes and misdemeanors" take place. Key officials must be held accountable and prosecuted for the crimes they stand accused, in world public opinion, of having committed. Editorialists may demand action. Even some politicians may call for it. But only an energized and politically active public can make those prosecutions happen. War criminals must be publicly shamed and prevented from occupying powerful or influential positions within our society. As in other cases where authorities have gone beyond US and international law as well as the laws of decency, only a public accounting will restore lawful

conduct.

And only the public can demand that these criminal policies stop now! We have an obligation not only to prosecute war crimes and crimes against humanity after they occur but, in our millions, to stop the shameful policies which allow them to continue.

Former Bush officials now have new roles in society: professor, lawyer, corporate manager, etc., etc. Some have moved on into the Obama administration where current officials pursue many of the same policies. It is our responsibility to call them out and to demand that these criminal activities cease and that legal proceedings take place and in a timely fashion.

It was thought by many that President Obama would put a stop to the madness, to the wars, to the Bush administration's nightmarish approach to national security. But the wars continue, including new attacks on additional populations and countries.

- The war in Afghanistan has expanded with tens of thousands of additional troops as well as an equivalent number of private military contractors. The military strategy is under the direction of Gen. David Petraeus, an expert in "counterinsurgency."
- Drone strikes in Pakistan have continued and increased in numbers and intensity killing quickly growing numbers of Pakistani civilians, including women and children.
- Several of those who have been accused of Bush-era war crimes continued into the Obama administration -- for example, McChrystal, Gates, Petraeus and Fredman, all of whom have been concerned with military and domestic "national security" issues.
- Withdrawal from Iraq has faded into the future. When and if the troops do go, private military contractors, in increasing numbers, take their places and remain.
- Billions have been spent on recruiting efforts to increase US military forces.
- Obama has insisted on "moving forward" by avoiding the recognition of crimes committed by the Bush government, allowing the worst offenders of the Bush years to avoid prosecution. He has both granted amnesty to the CIA agents involved in torture and offered legal defense if anyone else were to prosecute them.
- In February 2010 the Department of Justice's (DOJ) Office of Professional Responsibility (OPR) issued its report on whether John Yoo and Jay Bybee should be held accountable for their actions associated with their role providing legal cover for torture, indefinite incarceration without trial, rendition, massive spying and other practices. DOJ found that they engaged in "intentional professional misconduct" by ignoring legal precedent and providing poor legal advice. But it did not hold them accountable for the crimes committed under the cover of their "legal" memos. Associate Deputy Attorney General David Margolis, downgraded the report's conclusions to "poor judgment." As a result, two slaps on the wrist are all that have emerged from an investigation into one of the darkest periods of modern US history.
- Prisoners continue to be rendered to "black sites" in Afghanistan and possibly to other countries.
- Prisoners are still enduring prolonged isolation, sleep and sensory deprivation and force-feeding. These techniques cause extreme mental anguish and permanent physical

damage and are not permitted under international law. Make no mistake, the US still engages in torture. We know that solitary confinement is also taking place on US soil, as in these two cases with which we are most familiar.

1. Syed Fahad Hashmi, a Muslim American student, was held for two and a half years in downtown Manhattan under Special Administrative Measures (SAMS) and subsequently in Colorado under the same conditions for at least another five months. "... Once accused of connections with terrorism or al Qaeda, apparently, the U.S. constitution and international human rights apparently do not apply. Torture by the U.S. is allowed. Pre-trial punishment is allowed. The presumption of innocence goes out the window. Counsel of choice is not allowed. Communication with news media not allowed."

2. Bradley Manning, accused of providing material to WikiLeaks, has been sitting completely alone in his cell for 23 out of 24 hours every day since late May 2001. Even inside his cell, his activities are heavily restricted: he's banned from exercising, under constant surveillance and denied many of the most basic attributes of civilized imprisonment, including a pillow or sheets for his bed. He is forced to strip naked for inspections and, for the one hour per day when he is freed from isolation, he is barred from accessing any news or current events programs.

- Guantanamo still has not been closed. It should be noted that 89 of the remaining 172 prisoners were cleared for release by the Guantánamo Review Task Force, a group of 60 officials and lawyers, from government departments and the intelligence agencies, who reviewed all the Guantánamo cases in 2009, but are going nowhere because they are Yemenis.

- Prisoners in secret detention centers or "black sites" around the world are not allowed to gain access to courts, lawyers or even to know the charges or evidence against them.

- And, a war of aggression against the sovereign state of Libya was unleashed on March 19, 2011 through manipulation, hypocrisy and lies about the situation, hiding behind "humanitarian" goals to secure large high-quality oil reserves.

Are these the changes we wanted to see? No. Is it really okay if Bush policies are carried out by Obama? No. Have the wars ended? No, they are being expanded. The Obama administration has condoned the Bush war crimes by not prosecuting Bush officials and by carrying many of them over into his administration. This makes Obama officials complicit with Bush war crimes.

People of conscience must insist on full accountability for the actions of the U.S. executive and others, regardless of which puppet administration is in the White House.

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