

Iraq War: U.S. Argues Nuremberg “Irrelevant” to Immunity of Bush Officials

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According to D. Inder Comar, attorney in the case,

“In the latest round of court papers in Saleh v. Bush, Case No. 3:13-cv-1124 JST (N.D. Cal. Mar. 13, 2013), the United States has argued that the holdings from the Nuremberg Tribunal have ‘neither estoppel nor preclusive effect’ and are ‘irrelevant’ to the question of whether US officials are immune from suit based on allegations of aggression.

“The United States continues to maintain that former Bush Administration officials are subject to dismissal based on a domestic law, the Westfall Act, that shields government officials from civil lawsuits for activities undertaken during the scope of an official’s employment.

“Saleh argues that defendants Bush, Cheney, Powell, Rice, Rumsfeld and Wolfowitz acted outside the scope of their authority in planning and waging the Iraq War, which she contends was done in violation of US and international law. Specifically, she contends that the defendants committed aggression against Iraq, which was outlawed by the International Military Tribunal at Nuremberg, Germany, over 60 years ago.

“The Court has also reset the hearing date from September 11, 2014, to November 13, 2014 in the Northern District of California.”

See this brief from the United States government ([PDF](#)).

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