

# The UN General Assembly: Latin Americans Don't Call for Nuremberg Prosecution of Western Leaders, Gaddafi Did in 2009

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Region: [Middle East & North Africa](#)

Theme: [Crimes against Humanity](#), [Law and Justice](#), [United Nations](#)

In-depth Report: [NATO'S WAR ON LIBYA](#)

*Though Argentina Bolivia Cuba Ecuador Venezuela and Nicaragua condemned US wars and murderous exploitation during this year's UN Gen. Debate, they as other delegates, lamented the current deplorable condition of today's world of death and destruction, of poverty and starvation calling for everyone to work to rectify the situation. No delegate even once called for justice through prosecution. Gaddafi UN speech quoted.*

All the delegates to the 2015 General Assembly began their statements hailing the 70th Anniversary of the founding of the United Nations in the same year 1945 that saw the end of WW II, but every single delegate ignored the third major event of 1945, which was the first ever trial of a nation for crimes against humanity, crimes against peace and genocide. The Nuremberg Principles were created by the International Law Commission of the United Nations codifying the legal principles underlying the Nuremberg Trials of Nazi party members, and were signed on to by all members of the UN.

How strange, mysterious, unexplainable, illogical, baffling, painful for millions facing death or worse today that no delegate called for justice under the law, neither for them or for the tens of millions of survivors of past mega profitable crimes against peace, crimes against humanity and forms of genocide since the founding of the UN.

Not so, during the UN General Debate in 2009, when Muammar Gaddafi, Leader of the Revolution of the Socialist Peoples Libyan Arab Jamahiriya, spoke in the name of the African Union:

*"We are about to put the United Nations on trial; the old organization will be finished and a new one will emerge."*

Gaddafi called for investigations into ten past wars of permanent members of the Security Council, the US, UK and France, to be followed by trials of those guilty of causing these wars, suffering and millions of deaths and suffering *"that has surpassed that brought by the Nazis."*

By contrast, during this year's General Debate, in which delegates lamented the current deplorable condition of today's world of death and destruction, of poverty, extreme poverty and starvation, and in a serious tone of voice gave lip service to the usually heard plea that

everyone try harder to rectify the murderous exploitation of most of humanity, no delegate even once called for bringing anyone or any nation before the law.

To this puzzled elderly archival research peoples historian working for former US Attorney General Ramsey Clark, it seemed as if magically, the delegates had had the Nuremberg Principles of international law extirpated from their minds and from the UN Charter they often referred to. As if German government officials and officials of other fascist nations, who had ordered bombings, invasions and mass murderous occupations of many nations, had never been hanged or imprisoned and reparations adjudicated.

Why did delegates only decry, denounce and complain of annually planned starvation of millions of children and the genocidal foreign policies of the colonial powers that bring about the same kind of invasions, bombings and murderous occupations, which Nazis had been tried and convicted of as the United Nations was being founded? Why are these universally signed on Nuremberg Principles of International Law never mentioned? It is also weird that delegates seem careful to avoid using the word 'crime,' let alone identify prosecutable crimes against humanity or prosecutable crimes against peace in their statements.

Were any of the delegates heralding the UN Charter aware that almost immediately upon the founding of a colonial powers created incipient United Nations, a UN General Assembly with only one quarter of the members in today's UN, that this body was pressured into self-authorizing itself pass a phony and insane UN partition plan to cut British occupied Palestine into six disjointed pieces, a plan never meant to be implemented but rather intended and fully expected to torch the Holy Land into permanent civil war and allow for the right Zionists faction heavily funded by Wall Street to force a brave international socialist Zionist majority to fight for their lives and at the same time be used to conquer out a military state that would be a Western outpost in the oil rich Arab lands. Your author has thoroughly documented [1] it as a typical British Empire joint Anglo-American colonial crime against humanity that used the United Nations and the unwanted survivors of a Holocaust and WW II made possible by enormous American investment in, and joint venturing with, a prostate Nazi Germany that built Hitler's Wehrmacht up to world number one military in five years, all the while Hitler was making clear his intentions to clean Europe of Jews and move against the Soviet Union.

Delegates repeated automatically the time worn call for a Palestinian state that the Israelis will not allow. In 2009, Gaddafi told the General Assembly, *"The two-State solution is impossible; it is not practical. Currently, these two States completely overlap. Partition is doomed to failure. These two States are not neighbors; they are coextensive, in terms of both population and geography. There are half a million Israeli settlers in the West Bank and a million Arab Palestinians in the territory known as Israel. The solution is therefore a democratic State without religious fanaticism or ethnicity. Look at Palestinian and Israeli youth; they both want peace and democracy, and they want to live under one State. This conflict poisons the world. Arabs have no hostility or animosity towards Israel. We are cousins and of the same race."*

For sixty-seven years, the same colonial powers, who forced through passage of the frightening UN Partition Plan have kept up a murderously deceitful pretense of trying to bring peace to Palestine and the oil rich Middle East, and UN delegates seem to willing to play along with it. Gadaffi did not.

Did any of the delegates expressing pride in the accomplishments of the UN remember the two to three million Koreans slain during the invasion of Korea by American Armed Forces flying the UN flag, the UN flag painted as well on every US Air Force bomber during years of air attack that flattened every city and town of the entire Korean peninsula, North and South save Pusan a US naval base?

When delegates praised the work of UN Secretary General Ban Ki-Moon, did any remember that Ban Ki-Moon often praises that US 'Police Intervention' dutifully called for by the UN's first Secretary General, Trygve Lie, as the Koreans of the North were sweeping away the unpopular dictatorship the US had set up in the South, recently documented by the present Southern government as having massacred more than 100,000 of its own citizens in the South prior to the North reunifying Korea in five short weeks.[2]

Six years ago Gaddafi told his fellow delegates, *"Those responsible for causing the Korean War should be tried and should pay compensation and damages."* Does this not sound reasonable?

When many delegates spoke of the wonderful work of UN Peace Keeping Missions, were they aware how most missions were created in the big powers controlled Security Council to enforce brutal imperialist foreign policies of the Anglo-American led European colonial-neocolonial powers? Poor Somalia is the most horrific example. Years of US support of cooperative war lords causing chaos led to the birth of a government made up of the country's Islamic Courts that was supported by Somalia's business community and was clean and efficient and extremely popular. When US air strikes could not save its war lords, US client armies of Ethiopia and Kenya were called upon to invade and it was the youth wing of the conservative Islamic Courts government, the Movement of Striving Youth, which drove out the Ethiopian army, forcing the US to have the UN call upon subservient African nations to send the troops that are still there fighting the now radicalized Shabab, or Movement of Striving Youth - of late, conveniently demonized for being intermeshed with an originally US created al Qaida.[3] Oxfam estimates more than a million Somalians have starved to death during these years of disruption. It is commonly known that the ill trained and badly behaved African troops are hated just as the UN foreign occupation force in Haiti, where their job is to keep a US friendly government in power against the wishes of the Haitian people, whose popular priest socialist President was kidnapped by the US following an invasion of Haiti by thugs.[4][5][6]

Was the ghost of the UN Secretariat slandered revolutionary leader Gaddafi present at the 2015 General Assembly Debate? How many delegates remembered the UN 'No Fly Zone' under which the 53rd highest Quality of Life UN indexed nation, the wealthiest in Africa, once the poorest for being exploited by Britain and France, was destroyed mercilessly with unopposed air strikes by its former colonial occupying exploiters after initial devastation by air and naval missile strikes by the US superpower professedly "to protect Libyans from certain slaughter" by their beloved [7] revolutionary leader who was also Chairman of the African Union he had himself revived after its long sleep since the colonial powers backed overthrow of its first founder President Nkruma of Ghana.

Prophetically in regard to his own assassination few years later, Gaddafi had warned, *"At present, the Security Council is security feudalism, political feudalism for those with permanent seats, protected by them and used against us. It should be called, not the Security Council, but the Terror Council."*

Six socialist presidents of Latin America, those of Argentina, Bolivia, Cuba, Ecuador, Nicaragua and Venezuela did call delegates attention to the Libyans now suffering incessant slaughter in a formerly prosperous Libya in describing the overall disastrous situation the world finds itself in due to continued colonial neocolonial economic, political and military control and exploitation. *"They called Gadaffi a tyrant,"* shouted Evo Morales, and some must have recalled Fidel Castro was also called a tyrant, and survived innumerable assassination attempts as did Gadaffi. With number one enemy Gadaffi gone, North Africa has been wide open for USAFRICON military penetration. At our UN of false appearances, there is mostly diplomatic silence about the uncomfortably obvious.

With the exception of Latin America's revolutionary delegates, the striking embarrassment that various Muslim nations lie in ruins, in good part because of criminal acts of the UN Secretary General, the destruction of these UN member nations went unmentioned upon in the delegates' speeches. The UN's chief officer's support for infantile stories thrown out for public deception that should not have been believed; CNN stories of public uprising and Libyan government violence without one single video or photo to prove such lies; the world treated to nine weeks of videos of tough guys in heavy weapons armed pickup trucks posing as liberators with little or no reports allowed from rebel held Benghazi and elsewhere,[8] all this must be diplomatically unremembered by the cooperative majority of delegates. [see a day by day chronicle history: [There Was No Libyan Peaceful Protest Just Murderous Gangs and CNN's Nic Robertson](#)]

The same is true of Syria, suffering deadly US funded invasions of terrorists openly abetted by a Ban Ki-Moon concurring with every US thought up vilification of President Assad. However fiery President Fernandez of Argentina did throw up her hands in desperation as she railed against the US, *"Now is the ISIS , this new monster that has appeared on television - terrorist beheading people in real stagings that one wonders how, from where, because let me , I have become quite suspicious of all after seeing all the things that have happened . And things that go on television in the series that both entertain and amuse us , fictions are small next to the reality we have to live today as world."* *"Where do they get weapons , where do they get the resources."*

Raul Castro, in his turn, limited himself to lecturing, *" We renew our confidence that the people of Syria are capable of resolving their differences themselves and we demand the ceasing of outside interference."* (A bit too diplomatic as those "differences" were false flagged up to 'civil war' appearances four years ago) [9]

Afghanistan? That Muslim country, where a coalition of every single blessed Caucasian populated nation of Earth, even tiny Andorra, Lichtenstein, etc. has been part of a coalition of invaders and murderous occupiers of an innocent Afghan nation over fifteen bloody years of drug lord installed government and kids freezing to death outside the warmly comfortable military accommodations of 'Coalition Forces.' Now that is an impressive example of white people solidarity. The non pale skin world that includes the majority of UN delegates shows a backhanded solidarity in ignoring it.

At the 2015 UN debate, the biggest exception to diplomatic propriety was Nicolás Maduro of Venezuela, who spoke at length of the invasions of Afghanistan, and then at length of Iraq, Libya and Syria, shouting a one point, *"Who is going to pay for the crimes in Libya, in Afghanistan, in Iraq in Syria and recognize the horror movie made in Hollywood, politics of horror, politics of terror."* Maduro over and over called out the perpetrator by name *"los*

*Estados Unidos de America – the United States,*” as no other delegate to the 2015 General Debate did.

Why didn't a delegate answer Madero's question with, 'We must make the United States pay for the crimes not only in Afghanistan, in Iraq, in Libya, in Syria, but in Vietnam, in Laos, in Cambodia, in Congo, in Greece, in Guatemala, in Dominican Republic, in Angola, in Yemen, in Somalia, in Panama, in Grenada, in Cuba, in Haiti, in Iran, in Chile and almost every single country in Latin America?

Rafael Correa of Ecuador, speaking in determined, even on occasion angry, demeanor, did use words that reminded one of law and order, *"can't have liberty without justice, only seeking justice will we get real liberty,"* but in quoting an economist, *"When plunder becomes a way of life, men create for themselves a legal system that authorizes it,"* Correa seemed to put justice out of our reach. This may be true enough at the moment in regard to prosecuting economic crimes causing poverty, but not when it come to military madness. We have laws against murder which sadly no delegate demands be called into force. Making use of these laws would make investment in profitable illegal and death dealing use of armed forces unprofitable. Prosecuting military crimes against humanity would reduce the investment in weapons and war which is the major cause of the unjust impoverishment of humanity. Raul Castro pointed out dramatically in the very opening of his address, *"795 million people go hungry , 781 million adults are illiterate and 17 000 children die every day from preventable diseases , while annual military spending worldwide totals more than 1.7 trillion dollars."*

Evo Morales of Bolivia cried out to the General Assembly,

*"Every year we hear here the speeches of Obama on war"  
"wars that leave destruction and death, but also wealth for the arms industry"*

*and "If we want to end poverty we have no other way but to end the imperialist system"*

The Vice-President of Nicaragua speaking for President Daniel Ortega cited the *"greed of capitalism, the empire of global capitalism, the destruction of even developed nations"* and that *"the UN must respond to barbaric interventions."*

Dear readers and Their Excellencies representing member UN nations:

Persecuted humanity has the laws to prosecute and end the wars by which the imperialist system perpetuates itself. These international laws unlike many parts of the Charter are not observed voluntarily. No person anywhere, no nation's law, is above the Nuremberg Principles of international law.[10]

What is needed is some awakening of that desire for justice in the court of public opinion that is usually a prerequisite to justice happening in a formal court.

M.I.T. professor Noam Chomsky's often quoted hypothetical *"All the US presidents after FDR would have been hanged if tried under the same laws as the as the Nazis were tried under,"* is never responded to with a 'Well, let's try a few!' Latin American delegates may have elaborated on Rev. Jeremiah Wright's widely heard outcry, *"God damn America for her crimes against humanity,"* but today's revolutionary delegates seemed to have backtracked

from the investigations and prosecutions Gadaffi called for six years ago. Many such crimes against humanity need no investigation, being long admitted to (as mistakes of course).

In June of this year, former US Attorney General Ramsey Clark entered a friend of the court brief supporting the case of Iraqi mom, Sundus Shaker Saleh, who is suing top of officials in the Bush administration for violating crimes against peace under laws set down at the Nuremberg Trials used to prosecute Nazi war criminals, which since then have become an integral part of the US Constitution. Former President Bush, former Vice President Richard Cheney, former Deputy Secretary of Defense Paul Wolfowitz, former Secretary of Defense Donald Rumsfeld, former National Security Adviser Condoleezza Rice and former Secretary of State Colin Powell are all named as defendants.

In 2013, the Obama Administration had had Department of Justice attorneys file a successful 'motion to dismiss' and grant immunity to the government officials by citing the Westfall Act, which shields government employees from criminal repercussions for any actions that take place "within the scope of their employment."

The amicus brief submitted on Saleh's behalf by the group of attorneys that include U.S. Attorney General Ramsey Clark, the president of the International Association of Democratic Lawyers, the former president of the American-Arab Anti-Discrimination Committee, the former president of the National Lawyers Guild, a founding board member of the International Commission for Labor Rights, and the co-chair of the International Committee of the National Lawyers Guild, among others—states that the previous court was "forbidden" to use Westfall protections to dismiss the charges because the Nuremberg Tribunal established "norms" that prohibit "the use of domestic laws as shields to allegations of aggression [...] National leaders, even American leaders, do not have the authority to commit aggression and cannot be immune from allegations they have done so." [emphasis added] Nuremberg Principle Principle III reads as follows: The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.

Not only was this lawsuit unmentioned by the dozen or so delegates who spoke a few words about death and destruction still continuing in Iraq, but neither is it talked or written about anywhere else. There is a kind of gentlemen's agreement throughout the entire first world that it be not proper to bring up the subject of lawsuits against the powers that be, or even a hint of such an eventuality. Left progressive ostensibly anti-war journalism is even bereft of any allusion whatever to GOP presidential candidate Ron Paul having gotten to repeat on prime time news over a two week period years ago that "all US invasions and bombings beginning with Korea were illegal and unconstitutional."

In vain has Former US Attorney General Ramsey Clark given his name to encouraging journalists not to write interesting exposes, erudite explanations, entertaining insights into the horror of the nearly continuous US genocide as Realpolitik, as if it were something other than prosecutable crimes against humanity and crimes against peace. Mass homicidal events are being avidly discussed as news and politics, almost never as crimes against humanity and crimes against peace, rather as if they were as unchallengeable as the weather. Professors and other intellectuals are, by such omission, leaving their reading public with the gut feeling that the lethal bombings, invasions, wars of occupation and

covert violence are somehow lawful and that those engaging in, supporting and abetting this mayhem will not, and cannot, be brought before the law.

At the UN, this is somewhat exemplified by a subservient attitude of the delegates of the six-sevenths of humanity of the undeveloped, underdeveloped and now developing Third World still recovering from having been criminally plundered into such a condition over centuries by rapacious marauders from an under civilized Europe. Right now, there is no movement to hold the imperialist nations accountable, beyond a few marginalized writers. Which all goes to show why Gaddafi was so dangerous, for in that year the presidency of the General Assembly was held by a fellow Libyan, he went on at length about the justice that must be demanded:

“Another matter that should be voted on in the General Assembly is that of compensation for countries that were colonized, so as to prevent the colonization of a continent, the usurpation of its rights and the pillaging of its wealth from happening again.

Why are Africans going to Europe? Why are Asians going to Europe? Why are Latin Americans going to Europe? It is because Europe colonized those peoples and stole the material and human resources of Africa, Asia and Latin America — the oil, minerals, uranium, gold and diamonds, the fruit, vegetables and livestock and the people — and used them. Now, new generations of Asians, Latin Americans and Africans are seeking to reclaim that stolen wealth, as they have the right to do.

At the Libyan border, I recently stopped 1,000 African migrants headed for Europe. I asked them why they were going there. They told me it was to take back their stolen wealth — that they would not be leaving otherwise. If you decide to restore all of this wealth, there will be no more immigration from the Philippines, Latin America, Mauritius and India. Let us have the wealth that was stolen from us.

Why is the Third World demanding compensation? So that there will be no more colonization — so that large and powerful countries will not colonize, knowing that they will have to pay compensation. Colonization should be punished. The countries that harmed other peoples during the colonial era should pay compensation for the damage and suffering inflicted under their colonial rule.”

At this 64th General Assembly in 2009, Gaddafi had proudly asked, “Why is there no Libyan immigration to Italy? Italy agreed to provide Libya with \$250 million a year in compensation over the next 20 years and to build a hospital for Libyans maimed during Italy’s occupation.”

In November, 2013 this writer was flown to Caracas for a week, wonderful beyond words, as guest of the Ministry of Foreign Relations for study, meetings and discussions with committees in communes, in barrios, in housing developments, hospitals, factories, a new police university, the electoral commission, an election rally, and an afternoon with members of the Ministry and of the Asamblea Nacional regarding goals, achievements, and functioning, and aspects of the Chavista revolution.

On the final day, in front an gathering of parents and school teachers at an exciting and festive new elementary school dedication, I promised the honorable Elias Jawa, the young and charming Foreign Minister, that I would dedicate the rest of my life in protection of the beautiful Chavista revolution, and good people everywhere, by working, with the support of

former US Attorney General Ramsey Clark, to seed confidence in the public consciousness world wide, that sooner or later, citizens and entities of the United States of North America will be sued for genocidal crimes against humanity and crimes against peace, for compensation for wrongful death in the millions, and injuries in the tens of millions, and for reparations for massive destruction and theft of natural resources, at a cost that will make future wars and covert violence to maintain predatory investments unprofitable.

And that although we know not how or where it will happen, when it becomes a topic of conversation throughout the world in the street, home, marketplace, workplace and school, a way will be found.

Upon my return to the less happy atmosphere in New York, it came to me that in the most widely read Anglo-American independent journalism and news commentary there exist without exception a doomsday scenario of impending world war and worse. The just concluded 70th UN General Debate gave me the same impression of hopelessness, blistering condemnations of the US by Presidents Fernandez, Morales, Castro, Correa, Madero and Vice-president Halleslevens of Nicaragua notwithstanding.

Apart for revolutionaries, one senses an incomprehensible attitude of helplessness, as if the world must perforce continue to be run lawlessly by investors in wars and thievery for as long as anyone can imagine.

For someone who has lived in for many years in China, other Asian cultures, Latin America and a bit in Africa among peoples whose ways of life will inevitably be propelled into influencing thinking world wide as the West declines in economic power, this paralyzing poverty of thought that surrounds us at the moment is seen as temporary.

When the US loses its power to sanction its former victim nations into silence, a reconstituted United Nations, no longer under Anglo-American-EU control, can be expected to be adjudicating in its courts a plethora of mega monstrous in size lawsuits for compensation for millions of unlawful deaths and tens of millions of injuries, indemnity for enormous destruction of property and reparations for awesome theft of natural resources that parallel the descriptions of genocidal crimes described by the presidents of Venezuela and Nicaragua, economic terrorist crimes described by the presidents of Argentina and Cuba and the massive crimes against Mother Nature and our planetary home as described by the presidents of Bolivia and Ecuador.

Should a reader wish to calculate how great could be the cost of such expected future lawsuits for investors in the illegal use of US Armed Forces, five years ago former US Attorney General gave his blessing to a educational and stimulus website campaign: [Prosecute US Crimes Against Humanity Now](#) that contains the pertinent laws and a color coded country by country history of US crimes in nineteen countries.

## Notes

1. [US Economic Facilitation of Holocaust and Middle East Destabilizing Partition](#) By jay janson

[www.minorityperspective.co.uk/.../us-economic-facilitation-of-holocaust...](http://www.minorityperspective.co.uk/.../us-economic-facilitation-of-holocaust...)

Dec 6, 2012

<http://www.minorityperspective.co.uk/2012/12/06/us-economic-facilitation-of-holocaust-and-middle-e>



ast-destabilizing-partition/

Synopsis: Israel is in bed with a US business elite that once heavily invested in Hitler, was itself anti-Semitic in outlook, coldly indifferent and even complicit during the Holocaust its investments made possible. A popular quip in Yiddish goes, "with such friends, who needs enemies?" Arabs saved Jews from Christian persecutions in 637, 1187, 1492. Now Christians are persecuting Arabs. Needed! Jewish-Arab Semitic solidarity.

An earlier and less through version of this article was published by OpEdNews in two parts: June 9, 2011, titled: US Invested Heavily in Hitler Compensated Europe's Jews with Arab Land - Therefore: [Parts 2 & 3] 2. Distortion 3. Imagining

2. **[Prosecutable US Crimes Against Humanity In Korea.](#)** By Jay Janson. 31 March, 2013.

Countercurrents.org. While staring at the New York Times front page photo ...

<http://www.countercurrents.org/janson310313.htm>

3. **[Which country created Al Qaeda?](#)**

In this video Hilary Clinton admits that the US government created and funded Al-Qaeda in order to fight the soviet union, and she even considers that as a good thing.

Hillary Clinton : We created Al-Qaeda - [Al-Qaeda](#) YouTube [m.youtube.com/watch?v=Dqn0bm4E9yw](http://m.youtube.com/watch?v=Dqn0bm4E9yw)

4. **[Merciless US NATO UN Genocide In Somalia Brought Nairobi Shopping Mall Blowback!](#)**

<http://www.countercurrents.org/janson141013.htm>

Oct 16, 2013 The UN General Secretary Ban Ki-moon arrived in Somalia fresh from the ..... Internet explorer 's still the industry primary along with a good portion of folks will ...

5. OpEdNews Op Eds 12/12/2011 at 08:59:50

**[Korean Traitor US Stooge UN 'Terror Council' Sec. Gen. in Somalia](#)**

By Jay Janson

<http://www.opednews.com/articles/Korean-Traitor-US-Stooge-U-by-Jay-Janson-111210-798.html>

6. **[The Kidnapping of President Jean Bertrand Aristide](#)**

Mar 31, 2004 - Background. Beginning in early February 2004, the democratically elected President of Haiti, Jean-Bertrand Aristide, faced an armed rebellion ...

<http://www.globalresearch.ca/articles/COH403A.html>

7. **[Berlusconi says Libyans love Qaddafi: as Italians protest against NATO](#)**, Italian news agency ANSA.

<http://www.voltairenet.org/article171382.html>

8. **[There Was No Libyan Peaceful Protest, Just Murderous Gangs and Nic Robertson](#)** By Jay

Janson June 20 2011 "Information Clearing House" — Nic Robertson ...

<http://www.informationclearinghouse.info/article28376.htm>

9. **[Syria: CIA, M16, French, Mossad, Saudi Involvement Unreported In Imperialist Media.](#)** By Jay Janson. 27 June, 2011. Countercurrents.org. What is unfolding in ...

[www.countercurrents.org/janson270611.htm](http://www.countercurrents.org/janson270611.htm)

10. THE UN CHARTER:

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

The Organization is based on the principle of the sovereign equality of all its Members.

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations. (Article 1. of Purposes of the United Nations reads: To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.)

Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal, subsequently part of the Charter of the United Nations, and by the way by Article II of the US Constitution, a integral part of that constitution ("In the United States..., our constitution declares a treaty to be the law of the land. It is, consequently, to be regarded in courts of justice as equivalent to an act of the legislature, whenever it operates of itself, without the aid of any legislative provision. - Chief Justice Marshall in 1829:)

Principle I

Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

Principle II

The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

Principle III

The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.

Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.

Principle V

Any person charged with a crime under international law has the right to a fair trial on the facts and law.

Principle VI

The crimes hereinafter set out are punishable as crimes under international law:

a

Crimes against peace:

(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;

(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

b

War crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, illtreatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill - treatment of prisoners of war, of persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

c

Crimes against humanity:

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.

Principle VII

Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.

Yearbook of the International Law Commission, 1950, vol. II, para 97

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