

## Tony Blair Stands Accused

Malaysia must not allow this mass murderer to be immune from justice.

By [Shad Saleem Faruqi](#)

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It is distressing to note that former British Prime Minister Tony Blair has been invited to Malaysia as an honoured guest of an NGO when he stands accused of war crimes and crimes against humanity by many learned and independent scholars of international law.

The case against him looks rock solid, especially after his confession to the BBC and the Chilcot Inquiry that he would have gone to war to topple Saddam Hussein regardless of the issue of Iraq's alleged weapons of mass destruction.

Indictments around the world:

- > The international criminal court to which Britain is a signatory has received a record number of petitions against Blair.
- > The World Tribunal on Iraq held in Istanbul in 2005 heard evidence from 54 witnesses and published rigorous indictments against Blair, former US president George W Bush and others.
- > The Brussels War Crimes Tribunal, the Blair War Crimes Foundation and the American international law jurist Richard Falk have amassed impressive evidence of Blair's complicity in international war crimes.

Spain's celebrated judge Baltasar Garzon (who indicted former Chilean dictator and president Augusto Pinochet) has called for Bush, Blair and former Spanish Prime Minister Jose Maria Aznar to be prosecuted for the illegal invasion of Iraq, which Garzon has condemned as "one of the most sordid and unjustifiable episodes in recent human history".

Many UK jurists have described the invasion as a devastating attack on the rule of law that left the United Nations in tatters.

Here at home, the Kuala Lumpur War Crimes Commission, after two years of meticulous investigation, received first-hand evidence from Iraqi victims of war that there have been grave violations of the international law of war in Iraq.

Last year, the Kuala Lumpur War Crimes Tribunal, consisting of several international jurists - including Richard Falk from the US, Alfred Webre from Canada, and Niloufer Bhagat from India - unanimously adjudicated that Bush and Blair do not enjoy any immunity in international humanitarian law.

The main charges against Blair relate to his collusion with Bush in an illegal war of aggression against Iraq in 2003.

**Crimes against peace:** Blair repeatedly and deliberately deceived the UN, his allies and his own people that Saddam had weapons of mass destruction that could be rained on anyone within 45 minutes. In deceit and conspiracy, he incited passions for an illegal war.

The resulting amassing of an American, British and Australian invasion force outside Iraq and the invasion of March 20, 2003, were flagrant acts of lawlessness and an international crime.

The Charter of the UN contains a general prohibition against force as a means of resolving disputes. The unleashing of the horrors of war on innocent populations is permitted in only two circumstances by the Charter. First, legitimate self defence, under Article 51 in the event of an actual armed attack. Iraq had not attacked the US, the UK, Spain or Australia, and the argument about self-defence had no credibility.

Second, specific Security Council authorisation of force as a last resort to maintain peace and security under Articles 39 to 42 of the Charter. There never was such a resolution. The US and UK had tried to bulldoze one through but the Security Council was divided and the attempt failed, rendering the subsequent invasion a crime against peace.

**Genocide and crimes against humanity:** The Anglo-American alliance is also guilty of the heinous crimes of war, genocide and crimes against humanity.

The misadventure in Iraq has up to now caused 1.4 million deaths, four million refugees and countless maimings and traumas. Two to three million Iraqis are mentally and physically disabled. Iraq today is a land of five million orphans and one to two million widows.

There is near-total devastation of basic infrastructure, health, cultural and educational systems. Water systems have been contaminated. Iraq's assets have been looted by the Allies.

In the prosecution of the illegal and racist war, indiscriminate rocket attacks were, and still are, being rained on civilian centres, killing thousands of innocent women and children.

In 2004, the entire population of Fallujah was expelled, save for young men of military age. Banned radioactive ammunition like depleted uranium, white phosphorous and cluster bombs have been used. Torturing of prisoners of war has been practised on a large scale.

These crimes of complicity by Blair are punishable under the United Nations Charter, the 1998 Rome Statute of the International Criminal Court, the Nuremberg Principles, Article 146 of the 1949 Geneva Convention and Article 3 of the 1907 Hague Convention.

What is also notable is that Blair has expressed no remorse whatsoever. Instead, he struts around the world as an apologist for the US in the Middle East and Israel. He recently received an Israeli "peace prize" worth US\$1mil (RM3.2mil).

Malaysia must stand up and be counted among the community of civilised nations. It must not allow this perpetrator of epic crimes, who fakes faith in democracy and in "God's work and God's will", to touch our soil ever again.

(Blair, who gave a talk at a local university in 2008, has been invited to head a line-up of speakers at the 2010 National Achiever Congress in Subang Jaya this weekend.)

If he does enter this country again we should arrest him. Regrettably, Malaysia has not yet ratified the Rome Charter, but we do have a Penal Code. Murder is a crime.

The Kuala Lumpur War Crimes Commission has countless reports from Iraqi survivors against Blair for complicity in mass slaughters, tortures, looting and other war crimes. The police must act on these reports and arrest this mass murderer.

In addition, citizens' groups must file complaints against Blair with the United Nations General Assembly and with the Attorney-Generals of countries like Spain, Germany, Belgium, France and the UK which have "universal jurisdiction" statutes to pursue and prosecute war crimes and crimes against humanity.

A tribunal like the one that tried Nazis at Nuremberg and several Yugoslav and African warlords since then needs to be constituted.

The world needs to be reassured that international humanitarian law is not applied and enforced in a racist and selective way against Asian and African tyrants only. Imperial politicians from the West who destroy millions of lives should not, any more, be immune from justice.

***Shad Saleem Faruqi*** is Emeritus Professor of Law at UiTM and Visiting Professor at USM.

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