

# US War Crimes, An International Vow of Silence

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Months before the start of the U.S. invasion of Iraq, members of Saddam regime and his military echelons in Baghdad cut deals with the US Army to surrender the capital and the rest of the country to U.S. forces. Yet despite this no war surrender, the Bush-Blair axis continued to bomb Iraq infrastructure. State buildings and Iraq's vital civilian infrastructure were destroyed and looted. As a result of this criminal act of "Shock and Awe", thousands of innocent civilians were killed and the entire nation of Iraq is terrorised and engulfed in fear to this day.

Donald Rumsfeld, the Defence Secretary, has said all along that the U.S. was in negotiation with senior leaders of the Ba'ath party and senior military commanders, offering safe passage to all, jobs to others in the post-war dispensation. The traitors of the old regime who betrayed their people are filling many of the army and security apparatus high positions in the current Iraqi "government". They are serving the Occupation by employing their old skills of terrorizing the Iraqi people. Their defender is no other than the Secretary of Defence himself.

In addition to the mass killings of Iraqi civilians, U.S. forces deliberately committed cultural genocide against Iraqi national heritage, and Iraqi treasures. "Not even the Nazis would have allowed such crimes", wrote the Indian philosopher, Aijaz Ahmad. Ahmed added; "Every single Article of the Geneva Convention and the U.N. Charter was violated, and a whole range of war crimes committed, with impunity. Yet, not a single member of the so-called 'international community' has come forward to say so: not Kofi Annan and his bureaucrats at the U.N., not the leaders of the Franco-German alliance [for political opportunism] or any other member of the Security Council, not the head of any Arab state" was able to whisper a word of resistance.

"The moral bankruptcy of the whole state system of the world is there for all to see. This global complicity is what made the invasion possible in the first place", added Professor Ahmad. Without this "moral bankruptcy", the illegal Occupation of Iraq would have been condemned by every civilised nation in the globe. Sadly, only very few have this moral courage. The invasion was an extension of the 13-years long genocidal sanctions that killed 2 million Iraqis, a third of them children under the age of five.

The U.S. and the British administration have intentionally misled their peoples and the world into believing that Iraq had WMD, that Iraq had connection to "terrorism", and that Iraq was responsible for the 9/11 attacks on the U.S. The truth is that the war against Iraq started many months before the March 2003 invasion, and before Congress voted for the war in September 2002. Full-scale U.S-Britain air attacks destroyed Iraq's ability to defend itself. It was evident that the U.S. intention to invade Iraq in violation of international law and U.N. Charter. The motives for the invasion and Occupation were obvious: the removal of an

independent government, and enhancing the U.S. and Israel domination of the region and control over Iraq's energy resources.

An overwhelming majority of international lawyers and legal experts agree that the war on Iraq was 'illegal', not because it was not conducted in self-defence and without the authorisation of the U.N. Security Council, but because Iraq had no WMD since 1992. Hence, the sanctions were illegal crimes and the war on Iraq is an "act of aggression" in gross violation of U.N. Charter. Some pro-war apologists argued that the U.N. Resolution 1441, which was adopted for the inspection regime, justify war against Iraq. This is a flawed argument. Resolution 1441 is specified to act "under Chapter VII, of the Charter of the United Nations".

All U.N. Security Council resolutions are specific. For example, U.N. Resolution 2649 adopted by the General Assembly on November 3, 1970, "affirms the legitimacy of the struggle of people under colonial and alien domination recognised as being entitled to the right of self-determination to restore the themselves that right by any means at their disposal". In other words, the Iraqi people have legitimate rights, under international law, to resist U.S. military Occupation of their country in order to preserve the sate of Iraq and to achieve national independence, and legally entitled to receive support.

In gross violations of international law and the Geneva Conventions, U.S. forces attacked and completely destroyed the city of Fallujah. The U.S. used banned forms of napalm bombs (MK-77 Mod 5), which ignite on impact, to attack the civilian population. According to the Red Cross, more than 6,000 innocent civilians (men, women and children) have been killed while the rest of the population has been displaced and are now refugees. The attack on Falluja, which was a war crime termed "collective punishment" and designed to instil fear and terrorise the entire population of Iraq.

To justify these atrocities, Western media, led by the Murdoch media, are embarked on racist propaganda to dehumanise the Iraqi people, crimes reminiscent to that of the Nazi's. Recently, the Times of London, equates the U.S. slaughter and destruction of the city of Fallujah with a 'clinical lobotomy', and describes the former residents as 'violent psychiatric' patients. Iraqis have legitimate right to resist this Anglo-American fascism disguised as "democracy" and "liberation". The atrocity is repeated in cities like Ramadi, Qaim and Hillah, where hospitals, schools and homes have been destroyed and civilians massacred in total violations of International Law, and U.N. Conventions

According to The Hague Conventions, Article 23: "It is a war crime to launch an indiscriminate attack affecting the civilian population in the knowledge that such an attack will cause an excessive loss of life or injury to civilians". The Geneva Conventions, Article 85; "It is especially forbidden to kill treacherously individuals belonging to the hostile nation or army". Moreover, the Geneva Conventions are part of U.S. law - being ratified by congress and by the president. Therefore U.S. leaders could be found guilty of war crimes under the war crimes Act of 1996, which carries the death penalty for grave breaches of the Geneva Conventions.

Furthermore, according to Charter of the International Military Tribunal, the Nuremberg War Crimes Trials, established after World War II to try and punish war criminals, spelling out the U.N. Charter. The Tribunal stipulated that, the War was "the supreme international crime differing only from other crimes in that it contains within itself the accumulated evil of the

whole". The Tribunal found the German perpetrators guilty of crimes and sentenced some of them to death. Similarly, the U.S. war crimes tribunal that was established by the US after World War II found Japan's prime minister, Tojo Hiodeki and foreign minister, Hirota Koki, guilty of crimes and were sentenced to death by hanging in December 1948. Since then, it has been more or less axiomatic that a law to be valid it must conform to some basic principle of justice, or morality. Hence, the U.S. crimes committed against the Iraqi people constitute the "supreme international crime".

It follows that in a civilised world the rules of law should be applied equally. So far, the 'international community' has failed to hold those responsible for war crimes against the Iraqi people accountable for their crimes. Michel Chossudovsky, professor of Economics and human rights advocate discusses this in detail. Chossudovsky writes; "The implications are far-reaching; those in high office who ordered 'the intelligence and facts [to be] fixed around the policy' are responsible for war crimes under national and international law". Sadly, despite the overwhelming evidence, those who are responsible for these international crimes have been either promoted to higher positions or re-elected to high office.

Since the invasion and Occupation, the crimes against the Iraqi people continue to accelerate. According to a study published in November 2004 in the Lancet, the highly reputable British medical journal, U.S. occupation forces in Iraq have killed more than 100,000 civilians between March 2003 and October 2004, the great majority of them are women and children. The estimate is considered "conservative" because it excludes the high death toll in areas such as Fallujah, where the U.S. committed crimes against humanity. Deliberately ignored by the media, the study also revealed that 14 per cent of US soldiers and 28 per cent of U.S. marines had killed a civilian: U.S-authorized war crimes. In a deliberate and criminal practice of "shoot to kill", hundreds of innocent Iraqi civilians are killed every week, and U.S. forces are targeting military-age Iraqi males.

Imagine the reaction if the victims of these atrocities were white Anglo-American civilians. Chances are that the U.S. and Britain will instigate a nuclear world war to avenge their deaths, a war crimes tribunal to try the criminals for their crimes, the criminals would be convicted of war crimes and would receive the death penalty if the tribunal adhere to Western laws.

Unfortunately, the West crimes against the Iraqi people have been ignored and Westerners who "opposed" the war, including the "Left" and "Liberal" elites have now bought into U.S. false propaganda that the war on Iraq is morally acceptable because it contributed to the removal of "dictatorial" regime. It is true, Saddam as a person was removed, but replaced by a more brutal colonial Occupation.

The living condition in Iraq today is much worse than under the regime of Saddam and the sanctions. Further, the use Saddam as the West moral compass, allows the Occupation forces to commit the highest crimes against the Iraqi people. The rate of civilian deaths in Iraq under U.S. Occupation is far greater than anything perpetrated by the regime of Saddam Hussein. Further, tens of thousands innocent Iraqis, including children, are illegally imprisoned in hundreds of giant U.S-run concentration camps in Iraq in contravention of international law. In addition, to the state of emergency curfew, most Iraqi towns and cities are under siege by U.S. forces. The U.S. is pitting Iraqis against each other and encourages sectarianism.

"For, what the Americans have brought with them is not only the gift of colonisation but all

the paraphernalia of communalisation and factionalisation of Iraqi society: dividing the Turkoman against the Kurd, the Kurd against the Arab, the Sunni against the Shia [sic], and indeed one Shia [sic] faction against the other, not to speak of the Ba'athist against the non-Ba'athist, the torturers of yesterday against a battered people, the clients against the patriots", noted Professor Aijas Ahmad. These are enforced through illegitimate and bogus elections, which only provide an "Iraqi face" for the illegitimate renewal of the Occupation.

From the beginning, the U.S. aim was to create an uncontrollable and chaotic Iraq, particularly the capital Baghdad, because it is the heart of the nation. "The seeds of rage sown by Rumsfeld's orgy of terror have quashed any opportunity for achieving a negotiated settlement", wrote Mike Whitney. This is the only way the U.S. can continue to imprison, torture and kill Iraqis, and occupy Iraq. The crimes against the Iraqi people are an international war crime with an international complicity in an ongoing violent Occupation.

When international war crimes committed in people's name, it is the duty of moral men and women to call attention to such acts regardless of who actually commits them. Unless peoples of the 'world community' hold the perpetrators accountable for war crimes - and the evidence is overwhelming - peoples will continue to betray their moral conscience and principles.

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