

Why John Bolton Really Hates the International Criminal Court

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When Bolton expresses his desire to “strangle the ICC in its cradle,” what he really means is he wants US troops to be able to murder babies in their cradles with impunity.

On February 12, 2010, US Army Rangers conducted a [nighttime raid](#) on a home in the village of Khataba, outside Gardez, Afghanistan. Dozens of men, women and children, including the district prosecutor and local police chief, had gathered at the house to celebrate the naming of a newborn baby just before the raid occurred. The Rangers stormed the home with guns blazing, killing the prosecutor, police chief, two pregnant women and a teenage girl.

The US military lied about the Khataba raid, initially making the outrageous claim that the women and girl had been killed by their relatives before the assault. But Afghan investigators soon discovered that not only had the American troops killed the civilians, they also dug the bullets out of their riddled bodies and washed the wounds with alcohol in a failed attempt to conceal their crime. When confronted with the evidence, the US-led coalition admitted its forces had indeed killed the women. Despite the US admission, none of the Rangers involved in the atrocity were ever disciplined.

The Khataba raid is but one of many US war crimes and atrocities in Afghanistan. Other notable events include the 2010 serial murder of unarmed Afghan civilians in Kandahar province by members of a self-described Army [“Kill Team,”](#) which collected victims’ body parts as grisly souvenirs of their crimes, the [torture and murder](#) of detainees at secret prisons including the notorious “Salt Pit” near Kabul and air strikes like the [intentional bombing](#) of an international charity hospital in Kunduz that killed 42 patients and staff in October 2015.

To date, no senior US government, military or intelligence officials have been held accountable for these and other incidents that, if committed by America’s enemies, would inarguably be considered — and prosecuted as — war crimes. The International Criminal Court (ICC) was created two decades ago to address the general impunity enjoyed by many war criminals. And while the court, which has almost exclusively prosecuted Africans, has been widely criticized as the [“Infamous Caucasian Court”](#) and an instrument of Western neocolonialism, it has in recent years [announced](#) that it would begin investigating US war crimes in Afghanistan, [as well as](#) Israeli crimes against Palestine, which became the 123rd

ICC member nation in 2015.

Countries with nothing to fear do not fear the ICC. The United States and Israel are very afraid of the ICC. The murder of unarmed civilians is a war crime. So is torture. Israel's indiscriminate bombing of densely-populated civilian areas, its half-century occupation of Palestinian territory and its construction and expansion of Jews-only settler colonies on Palestinian land are all also [illegal](#) under international law. Neither Israel nor the United States has joined the ICC. Other leading human rights violators, including North Korea, China, Saudi Arabia, Myanmar and Ethiopia, have either never joined or have withdrawn from the court.

The United States, which was instrumental in forging the post-World War II human rights framework embodied by the [Universal Declaration of Human Rights](#) and admirably demonstrated at the Nuremberg trials, has sadly abrogated its role and responsibility to promote and uphold human rights in recent decades. After Nicaragua [successfully sued](#) the United States in the International Court of Justice (ICJ) for waging a war of terror against it while supporting the horrifically brutal Contra rebellion, President Ronald Reagan ignored the ruling and angrily withdrew the US from the court. Later, the George W. Bush administration [refused](#) to join the nascent ICC on the dubious grounds that the court might be used to "frivolously" charge US troops with war crimes in "politically-motivated" trials.

However, the Bush administration's concern wasn't really that the ICC would be used frivolously, but that it would be used seriously, and not to prosecute low-ranking troops but rather officials in Washington, DC, quite a few of whom would surely qualify for prosecution. This was, after all, an administration that [went to great lengths](#) to "legalize" torture, and which [argued](#) that the president had unlimited wartime powers to, among other crimes, order the massacre of an entire village of civilians.

John Bolton, currently President Donald Trump's national security adviser, was a key proponent of torture and illegal invasion and occupation when he served in the Bush administration. Bolton has consistently criticized the ICC as a threat to "US sovereignty." What he really means is that it is a threat to US impunity. When Bolton expresses his desire to "strangle the ICC in its cradle," what he really means is he wants US troops to be able to murder babies in their cradles with impunity.

That's what happened on March 11, 2012 when US Army Sgt. Robert Bales raged from house to house in three villages in Panjwai district, Kandahar province, Afghanistan and [methodically executed](#) 16 civilians, nine of them children, before setting many of his victims' bodies on fire. Bales was sentenced to life imprisonment, but such accountability is the exception rather than the rule when it comes to US war crimes and atrocities. And that's exactly the way that Bolton and the other US officials who fear the ICC want things to remain.

There is much hand-wringing by those who fear President Trump fancies himself above the law. But for too much of its existence and in too many of its affairs, the United States has acted as if the law only applies to itself when it stands to achieve a favorable outcome.

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