

Will the US Actually Be Tried in An International Court for Afghanistan War Crimes?

By [Sputnik](#)

Global Research, November 04, 2016
[Sputnik](#) 11 November 2016

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

Theme: [Crimes against Humanity,](#)
[Terrorism](#)

In-depth Report: [AFGHANISTAN](#)

*After reports emerged alleging that the US may be tried by the International Criminal Court (ICC) over war crimes in Afghanistan, Radio Sputnik host **Brian Becker** discussed the possibility of such a scenario with international criminal lawyer **Christopher Black**.*

Black, who is on the list of counsel at the ICC, told Loud & Clear that the initial report by Foreign Policy, suggesting Washington's actions in Afghanistan may be investigated, appeared at a tough time for the organization. Prior to the publication three African nations — South Africa, Gambia and Burundi — withdrew from ICC over its alleged bias toward the continent.

[Listen to Christopher Black: "ICC Opens Afghanistan War Crimes Investigation: Could the U.S. Actually be Tried?" on Spreaker.](#)

"It's something to reestablish [ICC's] prestige and credibility, because it's in a state of collapse at the moment," Black commented on the occasion, adding that there's little evidence that the US will actually appear before court.

Citing the ICC report from the last year, Black stressed that potential inquiry into Afghanistan's war crimes will be referred to every party involved in the conflict, including the Taliban, Afghan government and other forces. But it won't concern the states that investigate the purported war crimes on their own, he added.

"[The report] says that the US has disciplinary procedures set up. People are being investigated [by US courts] and [ICC] may have to assess whether it is a serious investigation on that. Because the ICC won't charge a country with war crimes if its own internal procedures are in place and they are pursuing people who commit crimes."

In case of Afghanistan, Washington largely justifies its actions in the country, Black said.

"They said they made that attack, aggression against Afghanistan, in order to go after the Taliban government, which was 'harboring Osama bin Laden'," he said. "But remember the history, the Taliban said 'we do have bin Laden here and will hand him over if you present evidence of his crimes.' All they received was bombs."

Moreover, Black highlighted, the US is not a member of ICC and has its federal protection

act in place that prevents American personnel and officials from being charged by international courts, which means it's unlikely the ICC will ever charge any American with war crimes.

"I don't see them [US] accepting anything from the ICC, if it had an independent prosecutor," Black said, adding that the ICC, under its two prosecutors, has done nothing to deal with war crimes committed by NATO forces in Libya or Yugoslavia.

The ICC ultimately is a tool for extension of American power worldwide Black explained, adding that Washington controls the prosecution staff in the ICC, "by placing its personnel in key positions or by persons that can control key positions."

"The NATO tribunals have three purposes: to demonize governments that they want to crush, to cover-up their role in those wars and to make sure those people will never come back to governments. And the rest is propaganda."

Since its establishment in 2003, it has opened 10 investigations and has found guilty 39 people, all from Africa.

"The US and its Western allies are using the ICC to go after who are standing their way, But they do not go for people [Uganda's President Yoweri] Museveni who commit war crimes on the daily basis all over the Congo. Their client-leaders are left away and the rest are targeted," he said.

The original source of this article is [Sputnik](#)
Copyright © [Sputnik](#), [Sputnik](#), 2016

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Sputnik](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca
www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca