

The following was presented 10 years ago in February, 1992. What the United States Military is about to do in Iraq at the direction of George W. Bush and his staff does not in any way diminish the unaddressed criminal conduct of President George Herbert Walker Bush and his staff.

Today, the government in the United States of America constitutes an international criminal conspiracy under the Nuremberg Charter, Judgment and Principles, that is legally identical to the Nazi government in World War II Germany. The Defendants' wanton extermination of approximately 250,000 People in Iraq provides definite proof of the validity of this Nuremberg Proposition for the entire world to see. Indeed, Defendant Bush's so-called New World Order sounds and looks strikingly similar to the New Order proclaimed by Adolph Hitler over fifty years ago. You do not build a real New World Order with stealth bombers, Abrams tanks, and tomahawk cruise missiles. For their own good and the good of all humanity, the American People must condemn and repudiate Defendant Bush and his grotesque vision of a New World Order that is constructed upon warfare, bloodshed, violence and criminality.

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Flashback

US War Crimes During the Gulf War

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CounterPunch

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The following paper was presented to a symposium held by the Albany Law School. The symposium, held on February 27, 1992, was titled: International War Crimes: The Search for Justice. This paper documents the numerous occasions that international laws were broken and disregarded during the Gulf War.

Introduction

1. For the past year I have been working with the International Commission of Inquiry into United States war crimes that were committed during the Persian Gulf War. This Commission has conducted the largest independent world-wide investigation of war crimes in history. Since last May [1991], the Commission has held thirty hearings across the United States and in twenty countries across five continents to expose the war crimes that the United States government inflicted upon the People and State of Iraq.

2. On Saturday, February 29, 1992 in New York City, at the Martin Luther, Jr. Auditorium, the Commission will publicly present its evidence before an International War Crimes Tribunal consisting of distinguished jurists and human rights activists drawn from around the world. In the brief space that has been allotted to me, I would like to present the basic gist of the charges that will be brought before the Tribunal against President George Bush, Vice President Dan Quayle, Secretary of State Jim Baker, Secretary of Defense Dick Cheney, National Security Assistant Brent Scowcroft, CIA Director William Webster, Chairman of the Joint Chiefs of Staff General Colin Powell, General Norman Schwarzkopf, and other members of the High Command of the United States military establishment who launched and waged this brutal, inhumane, and criminal war. Hereinafter, these individuals will be collectively referred to as the Defendants.

The Charges

3. The international crimes that have been charged and will be proven against these Defendants consist principally of the three Nuremberg Offences: the Nuremberg Crime Against Peace, that is waging an aggressive war and a war in violation of international treaties and agreements; Nuremberg Crimes Against Humanity; and Nuremberg War Crimes. In addition, these Defendants also committed grievous war crimes by wantonly violating the Hague Regulations on Land Warfare of 1907; the Declaration of London on Sea Warfare of 1909; the Hague Draft Rules of Aerial Warfare of 1923; the Four Geneva Conventions of 1949 and their two Additional Protocols of 1977; and the international crimes of Genocide against the People of Iraq as defined by the International Convention on the Prevention and Punishment of the Crimes of Genocide of 1948 as well as by the United States' own Genocide Convention Implementation Act of 1987, 18 <U.S.C>. 1091. Finally, and most heinously of all, these Defendants actually perpetrated a Nuremberg Crime against their own troops when they forced them to take experimental biological weapons vaccines without their informed consent in gross violation of the Nuremberg Code on Medical Experimentation that has been fully subscribed to by the United States government.

Universal Jurisdiction

4. These international crimes create personal criminal responsibility on the part of all these Defendants that warrant their prosecution under basic norms of customary international law, treaties, and statutes in any state of the world community that obtains jurisdiction over them for the rest of their lives. We believe that the International War Crimes Tribunal will produce a Judgment that can be put into the hands of every government in the world with no injunction that should any of these Defendants ever appear within their territorial jurisdiction, they must be apprehended and prosecuted for the commission of the specified international crimes. Like unto pirates, these Defendants are *hostes humani generis* -- the enemies of all humankind!

The Historical Origins of the War

5. I do not have the time in this brief presentation to analyse the entire history of illegal U.S. military interventionism into the Middle East -- especially the Persian Gulf region -- and in particular its divide-and-conquer (*divida et impera*) policies. Suffice it to say here that the "immediate cause" of the United States war to destroy Iraq and take over the Arab oil fields in the Persian Gulf goes back to the 1973 Arab oil boycott of Europe. The Arab oil states imposed the boycott in solidarity with those Arab states that were then attempting to reclaim their Lands that had been illegally stolen from Them by Israel in 1967. The Arab oil boycott brought Europe to its knees. Subsequently, Arab oil states were able to increase the price of oil to a point of economic fairness that would enable them to provide for the basic human needs of their own Peoples.

6. But the success of the Arab oil boycott led several prominent U.S. government officials in the Nixon administration, and especially Henry Kissinger, to publicly threaten that the United States government would prepare itself to seize the Arab oil fields in order to prevent something like the boycott from ever happening again. This illegal governmental threat was stated openly, publicly, and repeatedly during the course of the Nixon administration, the Ford administration, the Carter administration, and the Reagan administration. The Bush administration would finally be the ones to carry this threat out. But only after a decade of active preparations.

The Rapid Deployment Force

7. During the course of the Carter administration, the United States government obtained authorisation from Congress to set up, arm, equip, and supply the so-called Rapid Deployment Force (RDF), whose primary mission was to seize and steal the Arab oil-fields of the Persian Gulf region. So the planning and preparations for the U.S. war against Iraq go all the way back to the so-called "liberal" Carter administration -- at the very least. The United States Foreign Policy Establishment consists of liberal imperialists, reactionary imperialists, and middle-of-the-road imperialists. But they all share in common a firm belief in America's "Manifest Destiny" to rule the world.

8. For the next decade, the Pentagon obtained a new generation of high-technology conventional weapons possessing massive destructive power and lethality; the logistical

support network necessary to convey a force of 500,000 soldiers over to the Persian Gulf region within six months; and base access rights and facilities for that purpose throughout Africa, the Middle East, and Southeast Asia. Working in conjunction with its de facto allies in the region such as Egypt and Israel, the Pentagon stockpiled enormous quantities of weapons, equipment, and supplies in the immediate vicinity of the Persian Gulf as a prelude to military intervention. Hence, the United States government had been planning, preparing, and conspiring to seize and steal the Persian Gulf oil fields for over a decade.

United States War Plans Against Iraq

9. Sometime after the termination of the Iraq-Iran War in the Summer of 1988, the Pentagon proceeded to revise its outstanding war plans for U.S. military intervention into the Persian Gulf region in order to destroy Iraq. Defendant Schwarzkopf was put in charge of this revision. For example, in early 1990, Defendant Schwarzkopf informed the Senate Armed Services Committee of this new military strategy in the Gulf allegedly designed to protect U.S. access to and control over Gulf oil in the event of regional conflicts. In October 1990, Defendant Powell referred to the new military plan developed in 1989. After the war, Defendant Schwarzkopf referred to eighteen months of planning for the campaign.

10. Sometime in late 1989 or early 1990, the Pentagon's war plan for destroying Iraq and stealing Persian Gulf oil fields was put into motion. At that time, Defendant Schwarzkopf was named the Commander of the so-called U.S. Central Command -- which was the renamed version of the Rapid Deployment Force -- for the purpose of carrying out the war plan that he had personally developed and supervised. During January of 1990, massive quantities of United States weapons, equipment, and supplies were sent to Saudi Arabia in order to prepare for the war against Iraq.

11. Pursuant to this war plan, Defendant Webster and the CIA assisted and directed Kuwait in its actions of violating OPEC oil production agreements to undercut the price of oil for the purpose of debilitating Iraq's economy; in extracting excessive and illegal amounts of oil from pools it shared with Iraq; in demanding immediate repayment of loans Kuwait had made to Iraq during the Iraq-Iran War; and in breaking off negotiations with Iraq over these disputes. The Defendants intended to provoke Iraq into aggressive military actions against Kuwait that they knew could be used to justify U.S. military intervention into the Persian Gulf for the purpose of destroying Iraq and taking over Arab oil fields.

The U.S. "Green Light" to Invade Kuwait

12. The Defendants showed absolutely no opposition to Iraq's increasing threats against Iraq. Indeed, when Saddam Hussein requested U.S. Ambassador April Glaspie to explain State Department testimony in Congress about Iraq's threats against Kuwait, she assured him that the United States considered the dispute to be a regional concern, and that it would not intervene militarily. In other words, the United States government gave Saddam Hussein what amounted to a "green light" to invade Kuwait.

13. This reprehensible behaviour was similar to that of the Carter administration during September of 1980, when United States government officials gave Saddam Hussein the "green light" to invade Iran and thus commence the tragic Iraq-Iran War. A decade later,

Saddam Hussein simply surmised that he had been given yet another "green light" by the United States government to commit overt aggression against surrounding states. Only this time, the Defendants knowingly intended to lead Iraq into a provocation that could be used to justify intervention and warfare by United States military forces for the real purpose of destroying Iraq as a military power and seizing Arab oil fields in the Persian Gulf.

Bush Is the Bigger War Criminal

14. On August 2, 1990, Iraq invaded and occupied Kuwait without significant resistance. The Kuwaiti government itself estimated that approximately 300 people were killed as a result of Iraq's invasion of Kuwait, and a few hundred more as a result of the military occupation. By comparison, Defendant Bush's invasion of Panama in December of 1989 took between 2,000 and 4,000 Panamanian lives, and the United States government is still covering up the actual death toll. Defendant Bush killed more innocent people in Panama than Saddam Hussein did in Kuwait.

15. Defendant Bush's invasion of Panama was even more illegal, reprehensible, and criminal than Saddam Hussein's invasion of Kuwait. The world must never forget that the first step in the construction of Bush's "New World Order" was his illegal invasion of Panama and the murder of thousands of completely innocent Panamanian civilians. America's self-anointed policeman in the Persian Gulf had the blood of the Panamanian People on his hands.

Bush's Perversion of the Constitution

16. Pursuant to the Pentagon's war plan for destroying Iraq and stealing Persian Gulf oil fields -- and without consultation or communication with Congress -- Defendant Bush initially ordered 40,000 U.S. military personnel into the Persian Gulf region during the first week of August 1990. He lied to the American People and Congress when he stated that his acts were purely defensive. Right from the very outset of this crisis -- and even beforehand -- Defendant Bush fully intended to go to war against Iraq and to seize the Arab oil fields in the Persian Gulf. Defendant Bush deliberately misled, deceived, concealed and made false representations to the Congress to prevent its free deliberation and informed exercise of legislative power.

17. Defendant Bush intentionally usurped Congressional power, ignored its authority, and failed and refused to consult with the Congress. He individually ordered a naval blockade against Iraq -- itself an act of war -- without approval by Congress or the U.N. Security Council. Defendant Bush waited until after the November 1990 elections to publicly announce his earlier order sending more than 200,000 additional military personnel to the Persian Gulf for offensive purposes without seeking the approval of Congress. Pursuant to the Pentagon's war plan, Defendant Bush switched U.S. forces from a defensive position and capability to an offensive capacity for aggression against Iraq without consultation with, and contrary to assurances given to, Congress and the American People.

18. On the very eve of the war, Defendant Bush then strong-armed legislation through Congress that approved enforcement of U.N. resolutions vesting absolute discretion in any nation, providing no guidelines, and requiring no reporting to the United Nations. Defendant Bush knew full well that he intended to destroy the armed forces and civilian infrastructure

of Iraq. Those acts were undertaken to enable him to commit a Nuremberg Crime Against Peace and war crimes. This conduct violated the Constitution and Laws of the United States and especially the War Powers Clause found in Article 1, Section 8 of the Constitution, the U.S. War Powers Act of 1973, 87 Stat. 555, and the United Nations Charter, which is the "Supreme Law of the Land" under Article 6 of the Constitution. For this reason alone, Defendant Bush and his co-conspirators committed "High Crimes and Misdemeanors" that warrant their impeachment, conviction, removal from office, and criminal prosecution.

Bush's Mad Rush to War

19. While concealing his true intentions, Bush continued the military buildup of U.S. forces from August into January 1991 for the purpose of attacking and destroying Iraq. Bush pressed the military to expedite preparations and to commence the war against Iraq before military conditions were optimum for domestic political purposes so that the war would not interfere with his presidential re-election campaign. Indeed, the entire timing, conduct and duration of the war were planned so as to promote Defendant Bush's re-election prospects. But as a direct result of Defendant Bush's mad rush to war, United States military personnel suffered needless casualties. Defendant Bush has still lied and covered up to the American People and Congress the true nature and extent of U.S. casualties during the Persian Gulf War.

Bush Corrupted the United Nations

20. Defendant Bush repeatedly coerced the members of the United Nations Security Council into adopting an unprecedented series of resolutions that culminated in his securing authority for any nation to use "all necessary means" to enforce these resolutions. To secure these votes in the Security Council, Defendant Bush paid multi-billion-dollar bribes; offered arms for regional wars; threatened and carried out economic retaliation; illegally forgave multi-billion-dollar loans; offered diplomatic relations despite human rights violations; and in other ways corruptly exacted votes. This illegal activity subverted and perverted the very Purposes and Principles of the United Nations Charter itself found in articles 1 and 2 thereof.

Bush Circumvented and Violated Chapter VI of the United Nations Charter

21. In his mad rush to war, Defendant Bush caused the United Nations to completely bypass Chapter VI of the U.N. Charter that mandates the specific settlement of international disputes. Defendant Bush consistently rejected and ridiculed all of Iraq's efforts to negotiate a peaceful resolution of the dispute. Defendant Bush proudly boasted that there would be no negotiation, no compromise, no face-saving, etc.

22. Defendant Bush's successful attempt to subvert every effort for negotiating a peaceful resolution of this dispute violated the solemn obligation mandating the peaceful resolution of international disputes found in article 2, paragraph 3 of the United Nations Charter; in article 33, paragraph 1 of the United Nations Charter; and in article 2 of the Kellogg-Briand Pact of 1928. Just like the Nazi war criminals before him, Defendant Bush pursued recourse to war as an instrument of his national policy and for the solution of international controversies in violation of article 1 of the Kellogg-Briand Pact. Just as the Nazi war criminals did by invading Poland in September of 1939, these Defendants perpetrated a Nuremberg Crime

Against Peace in their decision to go to war against Iraq and to seize and steal the oil resources of the Persian Gulf.

The Conduct of the War Itself

23. Obviously, in the brief space that has been allotted to me, there is no way that I could adequately describe all of the atrocities and war crimes that were committed by these Defendants and their Agents during the course of their actual conduct of military hostilities against the People and State of Iraq. These matters have been covered in great detail during the course of the public investigations and hearings conducted around the world by the Commission during the past year. Nonetheless, I will provide you here with a succinct account of the major categories of war crimes committed by these Defendants during the course of their criminal war against Iraq.

Bush Ordered the Destruction of Facilities Essential to Civilian Life and Economic Productivity Throughout Iraq

24. Systematic aerial and missile bombardment of Iraq was ordered to begin at 6:30 p.m. <E.S.T>. January 16, 1991, in order to be reported on prime time TV. The bombing continued for 42 days. It met no resistance from Iraqi aircraft and no effective anti-aircraft or anti-missile ground fire. Iraq was basically defenceless.

25. Most of the targets were civilian facilities. The United States intentionally bombed and destroyed centres for civilian life, commercial and business districts, schools, hospitals, mosques, churches, shelters, residential areas, historical sites, private vehicles and civilian government offices. In aerial attacks, including strafing, over cities, towns, the countryside and highways, United States aircraft bombed and strafed indiscriminately. The purpose of these attacks was to destroy life and property, and generally to terrorise the civilian population of Iraq. The net effect was the summary execution and corporal punishment indiscriminately of men, women and children, young and old, rich and poor, of all nationalities and religions.

26. As a direct result of this bombing campaign against civilian life, at least 25,000 men, women and children were killed. The Red Crescent Society of Jordan estimated 113,000 civilian dead, 60% of them children, the week before the end of the war. According to the Nuremberg Charter, this "wanton destruction of cities, towns, or villages" is a Nuremberg War Crime.

27. The intention and effort of this bombing campaign against civilian life and facilities was to systematically destroy Iraq's infrastructure leaving it in a pre-industrial condition. The U.S. assault left Iraq in near apocalyptic conditions as reported by the first United Nations observers after the war. As a direct, intentional and foreseeable result of this anti-civilian destruction, over one hundred thousand people have died after the war from dehydration, dysentery, diseases, and malnutrition caused by impure water, inability to obtain effective medical assistance and debilitation from hunger, cold, shock and distress. More will die until potable water, sanitary living conditions, adequate food supplies and other necessities are provided. Yet Defendant Bush continues to impose punitive economic sanctions against the People of Iraq in order to prevent this from happening.

The United States Intentionally Bombed and Destroyed Defenceless Iraqi Military Personnel; Used Excessive Force; Killed Soldiers Seeking to Surrender and in Disorganised Individual Flight, Often Unarmed and Far from Any Combat Zones; Randomly and Wantonly Killed Iraqi Soldiers; and Destroyed Material After the Cease-Fire

28. In the first hours of the aerial and missile bombardment, the United States destroyed most military communications and began the systematic killing of Iraqi soldiers who were incapable of defence or escape, and the destruction of military equipment. The U.S. bombing campaign killed tens of thousands of defenceless soldiers, cut off from most of their food, water and other supplies, and left them in desperate and helpless disarray. Defendant Schwarzkopf placed Iraqi military casualties at over 100,000. Large numbers of these soldiers were "out of combat" and therefore not legitimate targets for military attack.

29. When it was determined that the civilian economy and the military were sufficiently destroyed, the U.S. ground forces moved into Kuwait and Iraq attacking disorientated, disorganised, fleeing Iraqi forces wherever they could be found, killing thousands more and destroying any equipment found. In one particularly shocking manoeuvre, thousands of Iraqi soldiers were needlessly and illegally buried alive. This wholesale slaughter of Iraqi soldiers continued even after and in violation of the so-called cease-fire.

30. The Defendants' intention was not to remove Iraq's presence from Kuwait. Rather, their intention was to destroy Iraq. The disproportion in death and destruction inflicted on a defenceless enemy exceeded 100 to one. The Defendants conducted this genocidal war against the Male Population of Iraq for the express purpose of making sure that Iraq could not raise a substantial military force for at least another generation.

The United States Used Prohibited Weapons Capable of Mass Destruction and Inflicting Indiscriminate Death and Unnecessary Suffering Against Both Military and Civilian Targets

31. Fuel air explosives were used against troops in place, civilian areas, oil fields and fleeing civilians and soldiers on two stretches of highway between Kuwait and Iraq. One seven mile stretch called the "Highway of Death" was littered with hundreds of vehicles and thousands of dead. All were fleeing to Iraq for their lives. Thousands were civilians of all ages, including Kuwaitis, Iraqis, Palestinians, Jordanians and other nationalities.

32. Napalm was used against civilians and military personnel, as well as to start fires. Oil well fires in both Iraq and Kuwait were intentionally started by U.S. aircraft dropping napalm and other heat intensive devices.

33. Cluster bombs and anti-personnel fragmentation bombs were used in Basra, and other cities and towns, against the civilian convoys of fleeing vehicles and against military units.

34. "Superbombs" were dropped on hardened shelters with the intention of assassinating Iraqi President Saddam Hussein -- a war crime in its own right.

The United States Intentionally Attacked Installations in Iraq Containing Dangerous Substances and Forces in Violation of Article 56 of Geneva Protocol I of 1977

35. The U.S. intentionally bombed alleged nuclear sites, chemical plants, dams and other dangerous forces. The U.S. knew such attacks could cause the release of dangerous forces from such installations and consequently severe losses among the civilian population. While some civilians were killed in such attacks, there are no reported cases of consequent severe losses. Presumably, lethal nuclear materials, and dangerous chemical and biological warfare substances, were not present at the sites bombed.

The United States Waged War on the Environment

36. Before the war started, the Pentagon had developed computer models that accurately predicted the environmental catastrophe that would occur should the United States go to war against Iraq. These Defendants went to war anyway knowing full well what the consequences of such an environmental disaster would be. Attacks by U.S. aircraft caused much if not all of the worst oil spills in the Gulf. Aircraft and helicopters dropped napalm and fuel-air explosives on oil wells throughout Iraq and many, if not most, of the oil well fires in Iraq and Kuwait.

Defendant Bush Encouraged and Aided Shiite Muslims and Kurds to Rebel Against the Government of Iraq Causing Fratricidal Violence, Emigration, Exposure, Hunger and Sickness and Thousands of Deaths. After the Rebellion Failed, the U.S. Invaded and Occupied Parts of Iraq Without Lawful Authority in Order to Increase Division and Hostilities Within Iraq

37. Without authority from the U.S. Congress or the United Nations, Defendant Bush encouraged and aided rebellion against Iraq, failed to protect the warring parties, encouraged mass migration of whole populations placing them in jeopardy from the elements, hunger and disease. After much suffering and many deaths, Defendant Bush then without authority used U.S. military forces to distribute aid at and near the Turkish border, ignoring the often greater suffering among refugees in Iran. He then arbitrarily set up bantu-like settlements for Kurds in Iraq and demanded for Iraq to pay for U.S. costs. When Kurds chose to return to their homes in Iraq, he moved U.S. troops further into northern Iraq against the will of the government and without any legal authority to do so. As Defendant Baker correctly put it when he visited the area, these atrocities constituted a Nuremberg "crime against humanity."

Defendant Bush Intentionally Deprived the Iraqi People of Essential Medicines, Potable Water, Food and Other Necessities

38. A major component of the assault on Iraq was the systematic deprivation of essential human needs and services, to terrorise and break the will of the Iraqi People, to destroy their economic capability, and to reduce their numbers and weaken their health. Towards those ends, the Defendants:

- imposed and enforced embargoes preventing the shipment of needed medicines, water purifiers, infant milk formula, food and other supplies; -- froze funds of Iraq and forced other nations to do so, depriving Iraq of the ability to purchase needed medicines, food

and other supplies; -- preventing international organisations, governments and relief agencies from providing needed supplies and obtaining information concerning such needs;

- failed to assist or meet urgent needs of huge refugee populations and interfered with efforts of others to do so, etc.

As a direct result of these cruel and inhuman acts, thousands of people died, many more suffered illnesses and permanent injury. For these actions, the Defendants are guilty of Nuremberg Crimes Against Humanity and the Crime of Genocide as recognised by international law and U.S. domestic law.

Defendant Bush, Having Destroyed Iraq's Economic Base, Demands Reparations Which Will Permanently Impoverish Iraq and Threaten Its People with Famine and Epidemic

39. Defendant Bush seeks to force Iraq to pay for damages to Kuwait largely caused by the U.S. and even to pay U.S. costs for its violation of Iraqi sovereignty in occupying northern Iraq to further manipulate the Kurdish population there. Such reparations are neo-colonial means of expropriating Iraq's oil, natural resources, and human labour. Meanwhile, the United States government dominates and controls the respective governments and oil resources of Kuwait, Saudi Arabia, Bahrain, Oman, the United Arab Emirates, and Qatar.

40. The United States government has successfully carried out its long-standing threat and war plan to seize and steal the oil resources of the Persian Gulf for its own benefit. The United States now directly controls the natural energy resources that fuel the economies of Europe and Japan. Acting with their de facto allies in Israel and Great Britain, the Defendants are today consolidating their control over the entire Middle East in a blatant bid to establish worldwide hegemony.

Bush's "New World Order"

41. Today, the government in the United States of America constitutes an international criminal conspiracy under the Nuremberg Charter, Judgment and Principles, that is legally identical to the Nazi government in World War II Germany. The Defendants' wanton extermination of approximately 250,000 People in Iraq provides definite proof of the validity of this Nuremberg Proposition for the entire world to see. Indeed, Defendant Bush's so-called New World Order sounds and looks strikingly similar to the New Order proclaimed by Adolph Hitler over fifty years ago. You do not build a real New World Order with stealth bombers, Abrams tanks, and tomahawk cruise missiles. For their own good and the good of all humanity, the American People must condemn and repudiate Defendant Bush and his grotesque vision of a New World Order that is constructed upon warfare, bloodshed, violence and criminality.

Impeachment

42. All of these aforementioned international crimes constitute "High Crimes and Misdemeanors" as defined by the Article 2, Section 4 of the United States Constitution and therefore warrant the impeachment, conviction, and removal from office of Defendants Bush, Quayle, Baker, Cheney, Powell, and Scowcroft. In regard to this matter, Congressman Henry Gonzalez of Texas has already introduced an Impeachment Resolution into the House of Representatives, that is numbered House Resolution 86, calling for the impeachment and removal from office of these Defendants because they have committed these international crimes and also because they have subverted and perverted constitutional government in America "to the manifest injury of the people of the United States."

A Special Prosecutor

43. These Defendants must be impeached by the House, tried and convicted by the Senate, and removed from office. Thereafter, we believe that the Commission of Inquiry and the International War Crimes Tribunal will have produced sufficient evidence to trigger the application of the Ethics in Government Act, 28 <U.S.C.>. 591 et seq., that would lead to the appointment of an Independent Counsel (i.e., Special Prosecutor) to investigate and prosecute these high-ranking officials for the wholesale violation of federal criminal laws in their decision to launch and wage this criminal war against the People and State of Iraq. We fully intend to see Bush, Baker, Cheney, Quayle, Scowcroft, Webster, Powell, Schwarzkopf and the rest of the U.S. High Command sitting in jail for the rest of their natural lives.

44. Make no mistake about it: The very nature, future and existence of the American Republic depends upon the success of these endeavours. Today, the battle begins for the hearts and minds of the American People between the Warmongers and the Peacemakers. We ask all of you to join us in this legal campaign and moral crusade to restore to the United States of America a democratic government with a commitment to the Rule of Law and the Constitution both at home and abroad.

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References:

- **War Crimes**

A Report on United States War Crimes Against Iraq to the Commission of Inquiry for the International War Crimes Tribunal

<http://www.deoxy.org/wc/warcrime.htm>

- **United States Constitution**

Presentation version by FindLaw - Law, Lawyers and Legal Professionals:

<http://www.findlaw.com/casecode/constitution/>

Presentation version by the National Archives and Records Administration (NARA):

<http://www.nara.gov/exhall/charters/constitution/conmain.html>

- **United Nations Charter**

<http://www.yale.edu/lawweb/avalon/un/unchart.htm>

article 24

<http://www.yale.edu/lawweb/avalon/un/unchart.htm#art24>

article 39

<http://www.yale.edu/lawweb/avalon/un/unchart.htm#art39>

- **1945 Nuremberg Charter**

<http://www.yale.edu/lawweb/avalon/imt/proc/imtconst.htm>

- **Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal**

<http://www.un.org/law/ilc/texts/nurnfra.htm>

- **The Nuremberg Code (1947)**

Permissible Medical Experiments

<http://www.cirp.org/library/ethics/nuremberg/>

<http://bmj.com/content/vol313/issue7070/#NUREMBERG>

- **Hague Conventions of 1907:**

Hague I - Pacific Settlement of International Disputes : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/pacific.htm>

Hague II - Limitation of Employment of Force for Recovery of Contract Debts : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague072.htm>

Hague III - Opening of Hostilities : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague03.htm>

Hague IV - Laws and Customs of War on Land : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague04.htm>

Hague V - Rights and Duties of Neutral Powers and Persons in Case of War on Land : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague05.htm>

Hague VI - Status of Enemy Merchant Ships at the Outbreak of Hostilities : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague06.htm>

Hague VII - Conversion of Merchant Ships into War Ships : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague07.htm>

Hague VIII - - Laying of Automatic Submarine Contact Mines : 18 Oct 1907

<http://www.yale.edu/lawweb/avalon/lawofwar/hague08.htm>

Hague IX - Bombardment by Naval Forces in Time of War : 18 Oct 1907
<http://www.yale.edu/lawweb/avalon/lawofwar/hague09.htm>

Hague X - Adaptation to Maritime War of the Principles of the Geneva Convention : 18 Oct 1907
<http://www.yale.edu/lawweb/avalon/lawofwar/hague10.htm>

Hague XI - Restrictions With Regard to the Exercise of the Right of Capture in Naval War : 18 Oct 1907
<http://www.yale.edu/lawweb/avalon/lawofwar/hague11.htm>

Hague XIII - Rights and Duties of Neutral Powers in Naval War : 18 Oct 1907
<http://www.yale.edu/lawweb/avalon/lawofwar/hague13.htm>

- **Draft Rules of Aerial Warfare - The Hague, February 1923**
<http://www.dannen.com/decision/int-law.html#C>

- **Geneva Conventions of 1949:**

Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949
<http://www.yale.edu/lawweb/avalon/lawofwar/geneva05.htm>

Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949
<http://www.yale.edu/lawweb/avalon/lawofwar/geneva06.htm>

Convention (III) Relative to the Treatment of Prisoners of War; August 12, 1949
<http://www.yale.edu/lawweb/avalon/lawofwar/geneva03.htm>

Convention (IV) Relative to the Protection of Civilian Persons in Time of War, August 12, 1949
<http://www.yale.edu/lawweb/avalon/lawofwar/geneva07.htm>

- **1977 Protocol Additions to Geneva Conventions of 1949**

- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977,
<http://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/f6c8b9fee14a77fdc125641e0052b079?OpenDocument>

- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977,
<http://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/d67c3971bfff1c10c125641e0052b545?OpenDocument>

- **Convention on the Prevention and Punishment of the Crime of Genocide**
<http://www.preventgenocide.org/law/convention/>

- **Genocide Convention Implementation Act of 1987, 18 <U.S.C.>. 1091.**
<http://www4.law.cornell.edu/uscode/18/pIch50A.html>

- **UN Universal Declaration of Human Rights**
<http://www.un.org/Overview/rights.html>

- **Ethics in Government Act, 28 <U.S.C.>. 591**
<http://caselaw.lp.findlaw.com/cascode/uscodes/28/toc.html>
http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=28&sec=591

<http://www.ratical.org/ratville/CAH/fab090202.html>