



South Tyneside Stop The War Coalition



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**February 15th - Five Years On
Discussion Forum Document**



5th Anniversary of Mass Anti-War Demonstration

February 15th 2008 is the 5th anniversary of the mass anti-war demonstration where 2 million marched through London to oppose the invasion of Iraq. Tony Blair and the New Labour Government threw aside this mass censure of their war plans and joined Bush and the US in invading Iraq the following month on March 15th. Five years later there is no end to the carnage and violation of the sovereignty of Iraq and Afghanistan.....

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Preface

This issue of *Silence is Shame* comes on the eve of the National Demonstration in London, *World Against War - Troops out of Iraq and Afghanistan, Don't attack Iran, End the siege of Gaza*. The articles are based on the discussion Forum: *February 15th - 5 Years On*. which was organised in South Shields on February 15th this year to mark the 5th anniversary of the mass anti-war demonstration in London.

Contributors to the Forum pointed out

"The historical evidence points to the open ended stream of disinformation in our media.....The resultant of such a toxic mixture of half-reality and fantasy, is the atmosphere of unreality we find ourselves in, in which the world around us, seems to be somehow disconnected from the world that we actually are living in."

"But thinking, discussing and acting on the here and now and the necessity for change we recognised that February 15 was the defining moment that the people had been waiting for. The people had spoken – such wars were not in their name, occupation was not liberation and another world is possible."

Five Years On

by Nader Naderi

Five years on, now, we can with confidence assert; our government lied, and lied repeatedly to us, in its build up for war on Iraq, to unleash the carnage that we all have witnessed only partially, as narrated by the embedded reporters, on Iraqis, and our troops alike. Also we all have witnessed the heavy economic price that we all now have to pay for the adventurism, and fantasies of a bunch of lame brain ideologues, who are openly admitting to having committed group think, and going so far as admitting 'mistakes were made'!

The lies that have been fed to we the people, were so blatant and huge that most of our fellow citizens were convinced that lies of such magnitude cannot be uttered by anyone, let alone the government of the land, yet we along with our fellow citizens remained sceptical, and awaited the confirmation of the veracity of the assertions made by the very government that was bent on attacking Iraq.

During this waiting period, the facts confirmed are;

Texas author and Bush family friend Mickey Herskowitz, appointed as a ghost writer to Bush 43 campaign who later was fired for not portraying the presidential candidate in the best light

is on record, and recalls the following statement made by Bush Jnr. to him; "One of the keys to being seen as a great leader is to be seen as a commander-in-chief, my father had all this political capital built up when he drove the Iraqis out of [Kuwait] and he wasted it. If I have a chance to invade Iraq, if I had that much capital, I'm not going to waste it. I'm going to get everything passed I want to get passed and I'm going to have a successful presidency." This conversation taking place in the summer of 1998. With this aim in the mind of the commander-in-chief wannabe, Bush was selling his services to the movers and shaker of US, and as in evidence his sales pitch, got him selected as the us president in the elections of 2000. This court appointed administration went on to feed the global public with no less than nine hundred and thirty five lies, in an attempt to cover-up their blatant intents for injustice, and aggression, and sadly succeeding in this evil enterprise.

How much our government helped to realise this evil enterprise, has not been subject to much analysis, but suffice it to say that without the legitimisation of the Bush's fantasise, by the grinning Tony Blair, Bush would have a tough job selling his war to US population. However, his task of selling the war to US public was made easy with endorsement of the grand old European wisdom, and the sale of the Iraq war to US citizens was made.

Fact that, Tony was busy selling the Iraq war in UK, has been subject to enquiries set up by Tony for Tony and of Tony, including the Hutton Enquiry, the findings of which were; Andrew Gilligan had defamed the Prime Minister, and Iraq had WMD and could have been attacking us in forty five minutes.

Although, as we all know, Gilligan's only crime was to speak out on air on a morning broadcast at six am, and say out aloud; "Government had sexed up the dossier, it was presenting to the public, and parliament" . Hence so much cause for confidence in the integrity of our public institutions, as inspired in the proven 'Guilt' verdict of Gilligan, whose sacking as his punishment was followed up by the sackings of the BBC bosses, who were guilty of failure to keep a tight leash on their staff, and their shortcomings had resulted in such a travesty as Gilligan's broadcast. Although as we know Gilligan, Greg Dyke, et al were lucky to get away just

being sacked, Dr. Kelly the weapons inspector, and the source of Gilligan's insider information, was suicided and his body was left to be found under a tree in the countryside. This fact has been thoroughly, and factually set out in Norman Bakers Book "The Strange Death of David Kelly". Nick Davis in his book "Flat Earth News", somewhat points to this repression of the media operatives taking place, whilst promoting the Murdoch brand of media, to disseminate its brand of 'truth', which has been long in the making. The historical evidence points to the open ended stream of disinformation in our media, that has been the direct result of unhindered access of the spooks to media operatives, for planting their stories. The stories which then are passed by the media as gospel truths. The resultant of such a toxic mixture of half-reality and fantasy, is the atmosphere of unreality we find ourselves in, in which the world around us, seems to be somehow disconnected from the world that we actually are living in.

The liars whose confidence has grown by getting away with their huge lies, and have found themselves getting rewarded with various trumped up posts, such as Middle East Envoy, Candidacy for European Presidency, and JP Morgan advisor, along with the relevant and lavish retainers by the movers and shakers, and having little to fear in the way of being punished for their crimes against humanity, are now busy setting up their stall in a different frame of a common narrative.

The latest of these attempts can be seen in the speech of the Foreign Secretary in St Hugh's College Oxford on 12th February, Milliband informs us all; "I am unapologetic about a mission to help democracy spread through the world," although he is gracious to acknowledge that the controversies surrounding the Iraq war has: "clouded the debate about promoting democracy around the world. I understand the doubts about Iraq and Afghanistan and the deep concern at the mistakes made. But my plea is that we do not let division over those conflicts obscure our national interest, never mind our moral impulse, in supporting movements for democracy." However, Milliband finds the dangers of UK adopting an isolationist policy on the vane, and along with further homilies about the virtues of democratic planet Earth, promoted by a none isolationist UK, he then goes onto state the military option as a last and final but an insuperable solution.

Fact that as we know, currently in the UK there are six hundred and sixty seven agencies included among these the councils, and ambulance service, are authorised under law and have the legal powers to engage in conducting surveillance on any one of us, this luxury is afforded to these agencies in among the fifteen thousand laws passed into statute during the neo Labour years, that leaves we the people effectively in need of being democratised, ironically does not cross the Foreign Secretary's mind. Norman Baker goes on record; brutality, immorality and deception are to be found in totalitarian regimes across the world however, these qualities can easily be found in Western democracies too. We fool ourselves if we think "It can't happen here". With this in mind, as we head for a recession, while faced with the inflationary price rises for basic commodities, and worried about our savings that are losing their worth, and value on a weekly cycle, we can be assured that letting these liars to get away with their deceit, and ill intentions, is not in the interests of; morality, economy, and above all, fairness, and justice.

Finally, the narrative of liars is now changing from admitting to their 'mistakes' to blaming the public, for not having confidence in our public institutions, the liars find this lack of confidence to be caused by multiculturalism, and spouse it through Sky news, informing us all of the findings of an influential think tank to this effect. Hence the problems of public lacking confidence in the liars, is not the liars fault, the liars did not undermine the public confidence in our public institutions, it is the Curry Cooks, and Romany Gypsies, Asylum Seekers, and Immigrants what done it! In the good old Murdoch Media Fashion, are you going to believe their latest tosh, and let these liars to get away with it again?

Nader Naderi

February 15 – Five Years On

by Roger Nettleship

I think the starting point of this discussion on the 5th anniversary of the biggest anti-war demonstration in British history is that the anti-war movement is building and needs to continue to be built as strong as ever.

Five years ago, when we gathered together in the Ocean Road Community centre to plan our participation in the demonstration with the bloody occupation of Afghanistan already a reality and with the imminent threat of the invasion of Iraq, we made a commitment to take a stand with the people of Britain and the world against this war. What followed that commitment and that stand has been a remarkable journey to build the anti-war movement in Britain into one of the most powerful movements of modern times.

Regardless of our differing political, religious, social and other standpoints our starting point was to think, discuss and act on the here and now and the necessity for change. As you know the government and major political parties ignored the censure of the millions that took to the streets and then having ignored

the will of the people they also cynically tried to claim that the demonstration had failed. But thinking, discussing and acting on the here and now and the necessity for change we recognised that February 15 was the defining moment that the people had been waiting for. The people had spoken – such wars were not in their name, occupation was not liberation and another world is possible.

This was the reality that launched us on a journey to build the anti-war movement as a mass movement of the working class and people that can put an end to war.

I think it is interesting and helpful to reflect on the some highlights of the work we have undertaken in the South Tyneside Stop the War Coalition to contribute to this movement over the last five years.

In April 2006, I was asked to contribute to the forum of the Tyneside Stop the War Coalition and this was probably the first attempt we had made to sum up the work we have done here and wanting to highlight its importance I spoke on the importance of discussion in the anti-war movement. I explained that we met regularly once a week since before the beginning of the attack on Iraq. Besides participating in the national events, we had organised numerous events locally, meetings, forums, a discussion document and intervened in the general election to oppose the warmongers and their apologists.

However, I explained that, what you see is that discussion has always been the starting point of any action and activities. So, it is important to see what is this discussion and what are its features. If we are going to not only survive but build a movement no force can act in the old way. We can no longer build movements of leaders and followers, of leaders that supposedly understand everything and followers that just carry things out. This is how the Tony Blairs of this world come to power and how the movement gets diverted.

The point of discussing is not getting some leader to impress us with what they know, the point is that in order to start the

discussion everyone has to familiarise themselves with events and topics. They have to look behind the news and events and do investigation. I said that on one level it is regularly talking over events each week as they happen and analysing them together to inform how we should intervene. On another level, it is not just responding to events but setting the agenda and taking up an important theme that the movement should tackle in order to move forward to strengthen itself, and involving people in that. This is crucial to defeat the backward and fascist ideas of the warmongers, their justifications, particularly their demonisation of Muslims. This trench of progressive ideas, both its analytical side and its clear calls for action, has to be dug so as to bring the movement towards its goal and aims.

This way people who take part in the discussion become involved in setting the policy of the movement and in carrying it out. This is why widening this discussion is so crucial to weakening the enemy and developing the movement.

Our experience is very positive on this. I gave the example of *Silence is Shame*, which was born out of the fact nobody could be silent in taking a stand against the criminal invasion of Afghanistan and Iraq and it began to involve everyone in the group in ending that silence and becoming both writer and publicist against the war.

An important point that the talk touched on was that this work of ours created a new kind of unity, in spite of the fact that we were never going to be anything other than people who were a coalition of people of different standpoints, and backgrounds who are making our own history as an anti-war movement and something which reflects the new world we all talk about and desire. It embodies the principle of the unity of the people in a conscious movement against war and for social progress. In particular, it defines the anti-war movement as a movement developing its own programme and aims not simply as the sum of its parts but with a quality that is born out of the most advanced collective experience.

It was in the forums and in *Silence is Shame* that it was elaborated that defeating the warmongers demanded giving rise

to modern arrangements and that February 15 was that defining moment in Britain which gave rise to the demand for an anti-war government and the elaboration of some of its features and programme as a complete alternative to the pro-war cabinet government of present day Britain. But most importantly an anti-war government is a fundamental principle of democracy that you cannot have a system that claims to be democratic yet brings warmongers and war criminals to power, that violates the rights of the people and home and abroad and does not have the well being of the people of Britain and other countries at heart.

Also, since 2003, the British government and ruling elite have more and more drawn on their most inhuman values of past colonial slavery in an attempt to counter the anti-war movement. The attack on human rights, imprisonment without trial, the justification of torture and return to medievalism are all reminders of their colonial rule. In particular the attack on the Muslim community and the systematic everyday demonisation of them by the mass media has become such a fascistic feature of Britain today. In the course of his lecture at the Royal Courts of Justice, the Archbishop of Canterbury Dr Rowan Williams touched on how different communities relate to something other than the British legal system. For example, Muslims have a religious opposition to charging interest. On this, Dr Ali Former, Chairman of Liverpool Islamic Institute, said: "There are parts of Sharia family law and financial law which it would be good to have accommodated within the British legal system..... I think it would be a great step forward if this could happen and I don't think the Archbishop was talking about anything more than that."¹ Yet the mass media turned on the Archbishop, spreading the most complete fabrication and disinformation about what he had said on *sharia* law as part of their policy to spread fear in association with anything to with Muslims. Why is this? The Muslims are playing such an important role in the anti-war movement and this is an attempt to attack the developing coherence of all the people. This has placed an important responsibility on those active in the anti-war movement to respond in the context that this is an attack on all of us and

¹ Workers' Daily: <http://www.rcpbml.org.uk/wdie-08/d08-019.htm#lead>

thus gives rise to the need to oppose this attack on Muslims in the context of defending the rights of all.

It is an attack on the coherence of the anti-war movement so we cannot accept any role that tries to marginalise us to one of either a spectator or a victim. Whoever we are, whether Muslim, Christian or other, whether student or worker, whatever walk of life or political allegiance, we have a common cause in defence of our dignity and the rights of all.

We are one polity. It is those that want to divide people that do not recognise society as existing in one polity but see society in feudal and medieval terms and wanting to exert power of a small minority of very rich monopoly interests by creating arrangements and alliances of the most backward of their class and trying to divide the polity. They attack and try to criminalise the youth that most precious force that should be nurtured in every way. They single out one section of the people and try and incite them against another. These interests in such values and outlook are the same that incite chauvinism and hatred towards peoples of other countries and are pre-requisite to wars and genocide. This kind of medieval outlook on the world and its problems which is endemic in the outlook of these ruling circles and their multi-national media companies is a world apart from the outlook of the working class and people who strive to solve the problems of their collectives and harmonise the interests of the various collectives with the interests of the individual to achieve their aims.

It is therefore absolutely essential that any organised force that operates within the collective of the anti-war movement should have only the interests, unity and aims of the anti-war collective and individuals at heart. To harmonise those interests and especially with those individuals that have taken such an important and very brave stand in the anti-war movement, such as the military families, individuals in the armed forces and as well as some political as well as the many personalities of standing in the society.

The South Tyneside Stop the War Coalition has always been relatively small but its quality is it has managed to harmonise the interests of those with quite a number of different party affiliations and those with none over the last five years in all

fighting for the aims and objectives of the anti-war movement. They set the agenda with everyone else at the meetings and then organise to carry out the decisions taken. That is where the sovereignty lies for the anti-war movement and that is how it develops its own history and forward march from which everyone in the movement learns and for which everyone fights.

February 15th 5 years on and it was said at the beginning this movement is building and needs to continue to be built as strong as ever. The task is to consolidate the anti-war movement to demand an anti-war pro-people government with modern arrangements that put human beings at the centre and defend their unity as the most precious thing. I think this forum organised on the momentous events 5 years ago is a testament to that building movement.

Roger Nettleship

Broken hearts, broken heads and a bitter journey Five years on

by Alan Trotter

It's five years since Mr Blair and his buffoons took this country to war. Over one million Iraqi's killed, twice that number displaced, almost 200 British personnel killed, over £8 billion wasted on death and destruction and it goes without saying that the heartache is immeasurable.

We have seen many atrocities in Iraq, the abandoned and forsaken, cities being destroyed and people living without water, electricity and medical supplies as utter chaos reigns in Iraq, how can any intelligent person now believe that our government was telling the truth five years ago or defend the actions of these liars.

Who benefits from this carnival of destruction, the profiteers, the racketeers, the corpulent faceless multi nationals who have their greedy snouts in any trough where money can be made and

the companies who's very existence relies on the wholesale slaughter and devastation of people and their homes.

Who pays the price for this carnage, the innocent civilian, families of killed military personal, the innocuous children, the maimed, the scarred, those who suffer mental trauma and the ones who have humanitarian concerns, the decent individual who puts value on human life.

The truth has been lost in the fog of war with so many smokescreens and mirrors, the British public has be repeatedly lied to by the ruthless mealy mouthed gangsters in Westminster, Kipling got it right when he wrote 'If any question why we died tell them, because our fathers lied.

Every member of parliament who voted to invade Iraq must bear the responsibility for their actions, these graceless and unprincipled contemptuous charlatans have no shame or humanity about them, look at what their stupidity has done by backing this immoral and illegal invasion.

There are so many things which disgust me about this war, but one picture I cannot get out of my mind is B52s dropping cluster bombs which break up into 'bomblets' which kill indiscriminately causing death and widespread injuries to the civilian population, the use of these repulsive weapons was defended by Geoff Hoon and the US still oppose a ban on cluster bombs.

The peace movement grows ever stronger from that day when two million of us marched in London although the deceiving media has tried everything to dishearten us with intentional misrepresentation of facts and figures.

I do believe that peace will come, I must believe that or I would not be able to go on, but the overall cost of that peace will be monumental.

Alan Trotter

February 15 ... Five Years On ...

by Phil Talbot

February 15th was the fifth anniversary of the mass anti-war demonstration in 2003 in London - when up to 2 million people, including dozens from South Tyneside, marched to oppose the then impending invasion of Iraq.

It was the biggest ever political demonstration in British history. Sadly, the mass opposition to their war plans was ignored by Tony Blair and his New Labour Government - including South Shields MP (and now British Foreign Secretary) Mr David Miliband.

At that time Mr Miliband falsely claimed to the people of South Tyneside that 'yes' there was 'overwhelming evidence' that Saddam possessed 'weapons of mass destruction' (Shields Gazette, 15 March 2003). He has never even acknowledged that 'error of judgement' let alone apologized for it. Five years on, his reward for getting that vital foreign policy issue so grossly wrong has been ... promotion to the top Foreign Office job.

People like Mr Blair, Mr Bush - and allies such as Gordon Brown and Mr Miliband - ignored all the warnings voiced before, during, and after the February 15 event. They willingly decided

upon the invasion Iraq, contrary to international law, in March 2003 - with the terrible consequences that are now widely known.

Five years on, there is no end to the resultant carnage and destruction of the previously sovereign country of Iraq. Hundreds of thousands of people have died violently in Iraq since 2003 and many more have been injured or otherwise traumatized.

The financial cost of the war has now been calculated by a Nobel prize-winner in economics Joseph Stiglitz and his fellow researcher Linda Bilmes. They say that the Iraq war will cost America - just America - a 'conservatively estimated' ("We didn't want to sound outlandish," they said) 3 trillion dollars (= \$3,000,000,000,000). The cost to the rest of the world, including Iraq itself, and Britain, will probably account for about the same amount again. In a recently published book Mr Stiglitz reveals how short-sighted budget decisions, cover-ups and a war planned and fought in deep bad faith will affect us all for decades to come.

Although the war can seem distant from South Tyneside, the people of the borough have felt some of its horror - with several of our young people killed in the fighting, others wounded, and many more experiencing the realities of the war while serving with the British forces.

Five years on, Mr Blair has gone, to be replaced by Mr Brown as Prime Minister. Mr Brown voted for the war in Cabinet and in the House Of Commons and so fully supported the illegal attack on Iraq - it is reality avoidance for him, or anyone else who voted for the war, to suggest otherwise.

The occupation of Iraq that followed the illegal invasion continues ... with tens of thousands of US forces in the north and - despite vague promises of withdrawals - thousands of British troops still occupying parts of the south of that country.

At the same time, the occupation of Afghanistan (which started in 2001) continues, with violence there worsening, and with an estimated 5,000 British troops still deployed there. Of late we have all witnessed the third-in-line to the British throne fighting the local people in the foreign country (to him) of Afghanistan.

The British Prince was wearing an American flag on his baseball cap while fighting Afghan people in their own country -

which many might sense is a very telling 'statement' about the present state of world affairs.

The present British Government, led by Mr Brown, with the South Shields MP Mr Miliband as its Foreign Secretary, seems to remain a poodle to the right-wing American government. They still seem to be supporting American threats of military action against Iran and other sovereign countries.

Many fear the aim of Mr Bush and his allies is to impose the interests of the big corporations on the world - and to plunder smaller countries of their wealth and resources.

Five years on, like many people of Britain and the wider world, I continue to oppose the crudely violent styles of foreign policy known as 'the war on terror'. This does not make me a supporter of 'terrorism' - on the contrary.

People in Britain and elsewhere are taking up the questions of how to end pro-war forms of government, of how to defend national sovereignty against corporate attack, and of how to make social progress based on people's own peaceful efforts.

We in the Stop The War movement invite people to take part in ongoing informed discussions of these issues. We encourage people to think, to discuss and to act - to make another, better, world possible in the here and now.

Phil Talbot

Remarks on National Day of Action “Don’t Attack Iran”

by Roger Nettleship

The following are remarks made at protest on November 24, 2007 at the Monument, Newcastle on the National Stop the War Coalition Day of Action to oppose any attack on Iran

To day the national stop the war coalition is holding a day of action don't attack Iran. The threat to Syria and Iran through both war propaganda and diplomatic pressure has the aim to further violate the sovereignty of these nations and Balkanise the Middle East into fractions.

If anyone is in doubt about the further war threat that Bush and Brown are posing to the Middle Eastern countries then look no further than the condoning of the Israeli Air Strike on Syria on September 6th. Both Israeli and U.S. officials dropped hints soon after the Israeli air raid that it was aimed at sending a message to Iran.

That the Anglo-American alliance are using diplomatic and “international” pressure is not a sign that they want to resolve their differences between themselves Syria and Iran. The Anglo-American ambitions pertaining to Iran and Syria are not one of co-

operation. The ultimate objective is political and economic subordination through diplomatic, or military means.

Moreover, either as a friend or foe, America cannot tolerate Iran within its present borders. The balkanization of Iran, like that of Iraq and Russia, is a major long-term Anglo-American goal. Just as the attack on the nation building of the Palestinians has always been at the centre of their control over the middle east via their armed client state Israel their occupation of Iraq was undertaken not just for oil but to try and smash the nation building and unity among the arab and other peoples of the middle east.

It is their strategy and they who are behind the death squads and violence which is an attempt to try and subvert the resistance and smash up Iraq a nation that has a history of some three thousand years. This is what they have in mind for Syria and Iran but this will not happen without widening the conflict further.

Russia which has itself been subject to the same treatment of being piece by piece pulled apart is engaged with China and Iran. The contention over the Middle East, Afghanistan, Iran and Iraq threatens a new world war

That there was no condemnation of the Israeli air strikes on Syria shows that it is part of the criminal war preparations of Bush and Brown and that they are preparing for war in almost exactly the same way as with Iraq. They are demonising Iran over its nuclear power programme claiming without any evidence that Iran has nuclear weapon ambitions. This sounds criminally familiar to the propaganda over Iraq. This is a crime against the Peace when after the second world war such a crime was regarded as the most serious war crimes because it leads to everything else. Without the propaganda for war and the bogus pretext genocide would not take place.

Join with us today in this day of action, discuss with your friends and work colleagues and let us build the resistance to these war preparations and not let this pass. The people have shown that are peace loving. Next year on February 15th will be the 5th anniversary of of the 2 million demonstration in London to oppose the invasion of Iraq. This was a defining moment that

millions of people all over the world made when they took a stand that war is not the solution in solving international problems.

It was a realisation that pro-war government is an anachronism and must be replaced by an anti-war government This means that we need peoples assemblies, local forums and that we don't recognize those laws that try to stop our actions and activities to build this resistance to war.

Let us make our stand.

Bring the troops home from Iraq and Afghanistan!

No troops on foreign soil!

Hands off Syria and Iran!

Fight for and anti-war government!

Roger Nettleship

Evidence of genocide

by Simon Moore

Reported to the Metropolitan Police on 20/12/07 by Simon Moore, Rob Little and Chris Coverdale of *We Are Change* and *The Campaign to Make War History*

1/ We assert that members of HM armed forces committed genocide against the Iraqi people, which conduct constitutes a serious crime in domestic criminal law under sections 51 and 52 of The International Criminal Court Act 2001.

Facts

Prior to September 2002 the Prime Minister of Great Britain decided to form a Coalition with the United States of America to greatly increase the number and ferocity of armed attacks against the State of Iraq with the intention of removing the regime of Saddam Hussein and destroying Iraq's Weapons of Mass Destruction. Subsequently members of HM Government gave orders for increased numbers of HM armed forces to be deployed to the Middle East in readiness for a full-scale armed invasion of Iraq. The invasion and occupation of Iraq began on March 20th 2003 and reliable sources (Iraq Body Count) indicate that to date at least 78,743 Iraqi civilians¹ have died violent deaths as a result of the actions of Coalition forces.

A crime of genocide against the people of Iraq

We contend that HM armed forces joined a Coalition of States and took part in the illegal armed invasion and occupation of Iraq and used illegal high explosive weapons such as cruise missiles, rockets, cluster bombs, mortars and depleted uranium artillery shells in thousands of attacks against villages, towns and cities in Iraq, and as such are jointly and severally responsible for killing tens of thousands of Iraqi men women and children. We contend that this act constitutes a crime of genocide in the law of England and Wales under section 51 of the International Criminal Court Act 2001.

The Rome Statute of the International Criminal Court

In July 2002 Australia became the sixtieth State to ratify the 1998 Rome Statute of the International Criminal Court and as a result the world's first international criminal law came into effect. The Rome Statute introduced the universal criminal offences of 'genocide, crimes against humanity and war crimes', and set up a permanent international criminal court in The Hague with jurisdiction over these crimes.

The international Criminal Court Act 2001

By enacting the International Criminal Court Act 2001 (ICCA), Parliament ratified this international treaty, introduced the criminal offences of 'genocide, crimes against humanity, war crimes and conduct ancillary to such crimes' into UK domestic criminal law, and at the same time ceded ultimate jurisdiction over these crimes to the International Criminal Court in The Hague. The following are relevant extracts from the ICCA:

OFFENCES UNDER DOMESTIC LAW

50 (1) In this part "genocide" means an act of genocide as defined in Article 6,

ARTICLE 6 Genocide

For the purpose of this Statute, "genocide" means any of the following acts committed with intent to destroy, in whole or in part a national, ethnic, racial or religious group, as such (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part..." 51 Genocide, crimes against humanity and war crimes

(1) It is an offence against the law of England and Wales for a person to commit genocide, a crime against humanity or a war crime.

(2) This section applies to acts committed –

(a) in England or Wales, or

(b) outside the United Kingdom by a United Kingdom national, a

United Kingdom resident or a person subject to UK service jurisdiction.

By using high-explosive, indiscriminate weapons such as cruise missiles, rockets, cluster bombs, depleted uranium tipped artillery shells, and mortars against targets in Iraq, American and British armed forces knowingly and deliberately caused the deaths of at least 78,000 Iraqi men, women and children.

66 Mental element

(3) For this purpose

(a) a person has intent –

(i) in relation to conduct, where he means to engage in the conduct, and

(ii) in relation to a consequence, where he means to cause the consequence or is aware that it will occur in the ordinary course of events; and

(b) “knowledge” means awareness that a circumstance exists or a consequence will occur in the ordinary course of events.

We contend that these killings were carried out with intent to destroy members of the Iraqi national group. The grounds for describing these deaths as intentional [as defined in Article 66.3(a) of the Act] are that officers of HM forces, gave orders to fire such weapons, knowing that by the nature of their design and purpose that the explosive power of these weapons when detonated or hitting the target would result in the deaths of individuals within the vicinity of the explosion; and that this awareness of the mortal consequences of their actions on Iraqi citizens constituted “intent to destroy members of a national group” and as such is a crime of genocide.

50 (2) In interpreting and applying the provisions of those articles the court shall take into account

(a) any relevant Elements of Crimes adopted in accordance with article 9.....

(3) The secretary of State shall set out in regulations the text of the Elements of Crimes referred to in subsection (2) as amended from time to time. The regulations shall be made by statutory instrument which shall be laid before Parliament after being made.

The relevant Elements of Crimes were adopted in accordance with Article 9 of the Rome Statute on the 4th May 2004 when the Secretary of State issued Statutory Instrument 2004 No 1080. The International Criminal Court Act 2001 (Elements of Crimes) Regulations. The relevant section states:

Genocide by killing

Elements

- 1. The perpetrator killed [4] one or more persons.*
- 2. Such person or persons belonged to a particular national, ethnic, racial or religious group.*
- 3. The perpetrator intended to destroy, in whole or in part, that national, ethnic, racial or religious group, as such.*
- 4. The conduct took place in the context of a manifest pattern of similar conduct directed against that group or was conduct that*

could itself effect such destruction. Notes [4] The term killed is interchangeable with the term "caused death"

We contend that the intentional killing of Iraqi citizens, members of a national group, by means of high explosive weapons took place on thousands of occasions since March 20th 2003, and that such conduct taking place in the context of the armed invasion and occupation of Iraq ordered by members of the British and American Governments created a manifest pattern of similar conduct throughout the State of Iraq and as such (Element 4) constitutes genocide by killing.

2/ We assert that the Prime Minister, Tony Blair, the Foreign Secretary, Jack Straw, the Defence Secretary, Geoff Hoon, members of the cabinet and other members of HM Government engaged in genocide and conduct ancillary to genocide against the Iraqi people, which conduct constitutes serious crimes in English law under sections 51 and 52 of The International Criminal Court Act 2001 (ICCA), and in international criminal law under Article 25 of the Rome Statute of the International Criminal Court.

Facts

Analysis of Governmental affairs shows that The Prime Minister decided in 2002 to form a Coalition with the Government of the United States of America to undertake the invasion and occupation of Iraq. In a vote in Parliament on March 18th 2003 412 MPs voted in favour of war knowing that armed attacks by Coalition forces using high-explosive weapons would result in the death and injury of Iraqi citizens.

Evidence of foreknowledge of the crime

Evidence of foreknowledge that the outcome of their decision would result in the deaths of innocent Iraqi civilians is contained in the final two paragraphs of the speech by Jack Straw in closing the debate in Parliament on March 18th 2003 (Hansard Vol 401 No.65 Page 902).

"But as elected Members of Parliament, we all know that we will be judged not only on our intentions, but on the results, the consequences of our decisions... Yes of course there will be consequences if the House approves the Government's motion. Our forces will almost certainly be involved in military action. Some may be killed; so too, will innocent Iraqi civilians... I urge the House to vote with the Government tonight."

We contend that the conduct of Tony Blair (former Prime Minister), Jack Straw (then Foreign Secretary now Justice Minister), Gordon Brown (former chancellor of the Exchequer and current Prime Minister), John Prescott, members of the Cabinet, the Attorney General, 412 Members of Parliament and others, in preparing for and planning the invasion and occupation of

Iraq, and subsequently commanding HM armed forces to attack targets in Iraq, constitutes the crimes of genocide and conduct ancillary to genocide under sections 51 and 52 of the International Criminal Court Act 2001.

52 Conduct ancillary to genocide, etc. committed outside jurisdiction

(1) It is an offence against the law of England and Wales for a person to engage in conduct ancillary to an act to which this section applies.

(2) This section applies to an act that if committed in England or Wales would constitute -

(a) an offence under section 51 (genocide, crime against humanity or war crime), or

(b) an offence under this section, but which, being committed (or intended to be committed) outside England and Wales, does not constitute such an offence.

Ancillary conduct is defined in ICCA section 55

55. Meaning of "ancillary offence"

(1) References in this Part to an ancillary offence under the law of England and Wales are to -

(a) aiding, abetting, counselling or procuring the commission of an offence,

(b) inciting a person to commit an offence,

(c) attempting or conspiring to commit an offence, or

(d) assisting an offender or concealing the commission of an offence.

(2) In subsection (1)(a) the reference to aiding, abetting, counselling or procuring is to conduct that in relation to an indictable offence would be punishable under section 8 of the Accessories and Abettors Act

1861 Section 8 of The Accessories and Abettors Act 1861 states :

8. Abettors in misdemeanours Whosoever shall aid, abet, counsel or procure the commission of any indictable offence, whether the same be an offence at common law or by virtue of any Act passed or to be passed, shall be liable to be tried, indicted, and punished as a principal offender.

Evidence of Genocide

Actus Reus

1. The Prime Minister (Tony Blair) gave the orders to join the armed invasion and occupation of Iraq thereby causing the deaths of tens of thousands of Iraqis. Whatever the final number of deaths, it is more than 1 person and therefore meets the first criterion for genocide by killing – the perpetrator caused the deaths of one or more persons.

2. The vast majority of the victims were Iraqis. The sole reason for killing these men, women and children is that they were Iraqis living in Iraq. This meets the second criterion for genocide by killing – such persons belonged to a particular national group.

Mens Rea

3. That Tony Blair set out with the intention of destroying part of a national group can be established from his (i) published statements, (ii) choice of conduct [course of action] and (iii) prior knowledge of the consequences of his decisions.

(i) The Prime Minister made numerous assertions over the past four years when being questioned about the war with Iraq that indicate his state of mind and his intentions. "it was the right thing to do", "I had to make a hard decision", "there will be casualties". These and other statements made in TV and radio interviews prior to the start of the conflict confirm that he knew that his chosen course of action (the use of armed force) would cause the death of Iraqis thus demonstrating that he set out knowing that he would kill Iraqis. Perhaps none is more telling than the statement made to members of the Armed Forces at the Basra airbase during his 'farewell' tour of Iraq as reported by Martin Amis in the Guardian of 2nd June 2007 and repeated by Martin Bell in his book *The Truth That Sticks*.

"So we are killing more of them than they kill us..... You're getting back out there after them. It's brilliant actually."

(ii) The Prime Minister chose to wage war and use armed force in the certain knowledge that Iraqis would be killed. Although he had at least 100 peaceful legal options open to him such as negotiating peacefully, continuing with the UNMOVIC weapons inspections, continuing the destruction of Iraq's long range rockets, allowing the UN Security Council to find a peaceful solution, withdrawing totally from involvement with Iraq, disabling Iraq's military communications systems, instigating antigovernment sanctions or continuing UN sanctions, he chose to pursue the illegal action of waging a war of aggression in the certain knowledge that the consequence would be injury and death to thousands of Iraqis. When a person is faced with a number of alternative courses of action and then deliberately chooses to pursue the path of death and destruction over the numerous paths of life, negotiation and assistance their free choice of the course of action that will result in causing death proves 'intent to kill'. Just as with the IRA bombings in London, Birmingham and Omagh, the Prime Minister deliberately ordered armed attacks on villages, towns and cities using cruise missiles, rockets, cluster bombs, mortars and depleted uranium tipped artillery shells knowing that HM armed forces' use of high explosives would kill thousands of Iraqis - members of a national group.

A person only chooses to use a cruise missile if they intend to kill people in the vicinity of the explosion; a person only chooses to use cluster bombs [an indiscriminate weapon of mass destruction containing 256 bomblets] if they intend to kill large numbers of men, women and children within three kilometres of the target; if a person chooses to use depleted uranium tipped artillery shells with a half life of a thousand years knowing that it will

cause birth defects, cancers, deformities and miscarriages it demonstrates their intention to “cause serious bodily or mental harm to *members of the group and deliberately inflict on the group conditions of life calculated to bring about its physical destruction in whole or in part*. Any person who makes the deliberate choice to use weapons of this nature does so with the intention of killing large numbers of people. If the Prime Minister and the other offenders had wanted to forcefully disarm or temporarily disable Iraqi nationals they could have ordered the use of tear gas or tazers or other non fatal options. Further evidence of the PM’s choice to destroy Iraqis is provided by his decision to vote in favour of war with Iraq when Parliament was given the choice on March 18th 2003. Clear evidence that the Prime Minister and 411 other MPs had both ‘knowledge’ and ‘intent’ that the outcome of their decision would result in the deaths of British troops and innocent Iraqi civilians, is contained in the final two paragraphs of the speech by Jack Straw in closing the debate in Parliament on March 18th 2003 (Hansard Vol 401 No.65 Page 902).

“But as elected Members of Parliament, we all know that we will be judged not only on our intentions, but on the results, the consequences of our decisions... Yes of course there will be consequences if the House approves the Government’s motion. Our forces will almost certainly be involved in military action. Some may be killed; so too, will innocent Iraqi civilians... I urge the House to vote with the Government tonight.”

(iii) Further evidence of the Prime Minister’s intent to kill is provided in the Secret Legal Advice from the Attorney General to the Prime Minister of March 7th 2003 [2 weeks in advance of the invasion]. In the final section of his legal advice, the Attorney General draws attention to the potential legal consequences of going ahead with the war without obtaining a second resolution.

“You will wish to take account of the ways in which the matter might be brought before a court... Two further, though probably more remote possibilities are an attempted prosecution for murder on the grounds that the military action is unlawful and an attempted prosecution for the crime of aggression. Aggression is a crime under customary international law which automatically forms part of domestic law...”

The Attorney General points out the possibility of facing prosecution for ‘murder’ and ‘aggression’. This means that two weeks before the debate in Parliament, both Tony Blair and the Attorney General knew full well that waging a war of aggression with Iraq was a crime and that by killing innocent Iraqis they would be committing murder. These three sections of evidence meet the third of the criteria for genocide by killing and make it clear that the perpetrator intended to destroy, in whole or in part, the Iraqi national group as such.

4. In relation to the fourth criterion for genocide by killing - The conduct took place in the context of a manifest pattern of similar conduct directed against that group or was conduct that could itself effect such destruction. The

nature of the conduct, waging a war of aggression and using overwhelming armed force against Iraqi conscripts and civilians was repeated on 40,000? occasions across Iraq and was thus a manifest pattern of similar conduct directed against the group, but every armed attack during both the invasion and armed occupation was designed to kill innocent people in the vicinity and as such was conduct that could itself effect such destruction.

Intent to commit genocide

We assert that by making public and private statements in support of an attack on Iraq, by voting in Parliament in favour of armed action, by agreeing in Cabinet to the policy, by signing or giving orders to others to conduct armed attacks against Iraq, by providing assistance with the invasion and occupation of Iraq in the knowledge that innocent men, women and children would be killed, the Prime Minister, members of the Cabinet, the Attorney General, 412 Members of Parliament, and others did aid, abet, counsel and procure the commission of genocide against the Iraqi people and as accessories to genocide are liable to be tried, indicted and punished as principal offenders for the crime under ICCA s. 51 and 52.

International Criminal Law

3/ We contend that the conduct of The Prime Minister, members of the Cabinet, the Attorney General, 414 Members of Parliament and others in commanding, HM armed forces to join a Coalition of states to attack Iraq in the knowledge that its citizens would be killed, constitutes a crime of genocide under Articles 6 and 25 of the Rome Statute of the International Criminal Court (RSICC) rendering the offenders criminally responsible and liable for punishment for such a crime within the jurisdiction of the International Criminal Court.

The Nuremburg Law

[The duty to refuse to take part in or assist the state in waging illegal war]

1. We submit that every human being has a duty in international law under the Nuremburg Principles to refuse the orders, commands and laws of the State where that State is in violation of the laws against war.

2. As the world's first major war crimes trial, the Nuremburg Tribunal provided the principles and tenets that now form the basis of customary international war law. In 1946 Germany's leaders were convicted of crimes against peace and humanity for waging wars of aggression against eleven nation states in violation of the Kellogg-Briand Pact. The judgement highlighted the principles governing conflict between nations, and highlighted the responsibilities of individuals in preventing war.

3. The Nuremburg and Tokyo War Crimes Trials were the first occasions in modern history when political leaders were held to account for their crimes in court. The essence of the trials was that individual political, civil and military leaders and officials could not shelter behind their duty to the state, when the state was in breach of international law. As both Germany and

Japan had ratified the Kellogg-Briand Pact, their leaders, by breaching the Pact, had committed serious crimes for which they were personally responsible and for which they were convicted and punished.

4. The reason why the Nuremburg trials are important is that they provide the first example of the rule of international war law in action and the judgment gave a lucid account of the laws against war and the principles which underpin relations between states. The International Law Commission then used the Nuremburg judgement as the basis for the statutory laws against war agreed by the UN General Assembly which were entitled the Nuremburg Principles in recognition of their source.

5. The single most important legal development derived from the Nuremburg judgment is the focus on the responsibility of the individual in matters of international warfare. Those responsible for waging war are to be held to account in court. This is reflected in English law in Article 24 Section VI of the Manual of Military Law which states:-

"24. If a person who is bound to obey a duly constituted superior receives from the superior an order to do some act or make some omission which is manifestly illegal, he is under a legal duty to refuse to carry out the order and if he does carry it out he will be criminally responsible for what he does in doing so."

6. Until 1946 national leaders such as Kaiser Wilhelm or Napoleon Bonaparte who were responsible for waging wars causing the deaths of millions had escaped the ultimate penalty for their crimes. Furthermore, the Nuremburg judgement made it clear that it was not only Heads of State that could be indicted, but all those individuals who together were responsible for planning, supporting, condoning, funding or taking part in aggressive war. This is also reflected in English law in

Article 25 of Chapter VI of the Manual of Military Law which states:-

"25. The privileges of Parliament do not apply to criminal matters and the members of either House are subject to the same rules regarding criminal responsibility as any other citizen with the exception that they cannot be made criminally responsible in the ordinary courts for anything said by them while in their places in Parliament when it is sitting."

6. The Nuremburg Principles became international statute criminal law when they were adopted by the United Nations General Assembly in 1950. As these seven principles are the world's primary international laws against war, it is the duty of every citizen of Member States of the United Nations to uphold and abide by these laws.

I. Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

II. The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

III. *The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible Government official does not relieve him from responsibility under international law.*

IV. *The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him.*

V. *Any person charged with a crime under international law has the right to a fair trial on the facts and law.*

VI. *The crimes hereinafter set out are punishable as crimes under international law:*

(a) Crimes against peace:

(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;

(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

(b) War crimes: *Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labor or for any other purpose of civilian population of or in occupied territory, murder or ill treatment of prisoners of war, of persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.*

(c) Crimes against humanity: *Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connection with any crime against peace or any war crime.*

VII. *Complicity in the commission of a crime against peace, a war crime, or a crime against humanity as set forth in Principle VI is a crime under international law.*

7. We assert that in commanding the armed invasion and occupation of Iraq in March 2003, the Prime Minister, members of the Cabinet, 412 MPs, Peers, officers in command of HM armed forces and others committed crimes against peace, war crimes and crimes against humanity as they are defined under Principle VI of the Nuremburg Principles. This is the same crime [a violation of the Kellogg-Briand Pact] for which Germany's leaders were convicted and hanged at Nuremburg in 1946.

8. We submit that every citizen of Britain who knowingly hands over taxes to HM Government condones, supports and assists the British Government in waging the illegal war against the people of Iraq and as such is engaged in a crime of 'conduct ancillary to genocide, crimes against humanity and war crimes' and additionally commits a crime of 'complicity in a crime against peace' under Conduct ancillary to genocide committed by law enforcement officers Finally we must point out that members of law enforcement authorities in Britain [the police, the CPS, the Judiciary, the Attorney General, the Law Officers Department and the Ministry of Justice]

have a statutory duty in both English and International law to investigate these crimes and to arrest, charge and prosecute offenders. I must also point out that deliberate repeated refusalsⁱⁱ to investigate, arrestⁱⁱⁱ or detain known genocide offenders [war criminals] for the indictable offences explained above is a criminal offence in England and Wales of 'conduct ancillary to such crimes' and renders those members of the law enforcement authorities who have repeatedly refused to investigate the crimes and arrest offenders liable to prosecution in England and Wales under section 52 of the

International Criminal Court Act 2001 or in the ICC in The Hague under Article 25 of the Rome Statute of the International Criminal Court. Both are indictable

crimes and both render convicted offenders liable to life imprisonment. Chris Coverdale, Rob Little, Simon Moore for *We Are Change* and *The Campaign to Make War History* London December 2007

i The Rome Statute of the International Criminal Court.

ii The Police, the CPS, the Judiciary and the Attorney General have all refused to initiate criminal proceedings against the perpetrators of the genocide of the Iraqi people on more than 120 separate occasions over the past four and half years. Each refusal is a crime of 'conduct ancillary to genocide' by the individual law officer.

iii Recent refusals by the Metropolitan Police to assist members of the Peace Strike in making citizen's arrests of Cabinet Members for the indictable offences of 'genocide' and 'conduct ancillary to genocide' render the police officers concerned criminally liable for 'conduct ancillary to genocide'.

(Major extracts from the indictment)

Chris Coverdale *The Campaign to Make War History* January 2008

www.WeAreChange.org.uk



DEMONSTRATE 15 MARCH

WORLD AGAINST WAR

**Troops out of Iraq
and Afghanistan
Don't attack Iran
End the siege of Gaza**

Assemble 12 noon, Trafalgar Square, London
Called by Stop the War Coalition,
CND and BMI as part of a global protest
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Silence is Shame!

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