

Double Standards for US War Crimes

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Barack Obama and George W. Bush at the White House.

U.S. pundits cheer when some African warlord or East European brute is dragged before an international tribunal, but not at the thought of justice being meted out to George W. Bush or other architects of post-9/11 torture and aggressive war on Iraq, as John LaForge notes.

In response to regular reports of atrocities by U.S. soldiers, drone controllers, pilots and interrogators, the White House routinely tries to help. Every president promises to honor U.S. armed forces and says they are the finest military of all, etc.

At Veterans' Day ceremonies, president fill-in-the-blank boast, "America is and always will be the greatest nation on Earth." This past Nov. 11, President Barack Obama said that since 9/11 the U.S. is "defining one of the greatest generations of military service this country has ever produced," and, of course, "[W]e have the best-led, best-trained, best-equipped military in the world."

Really? On Veterans' Day 2011, one headline [blared](#): "American Soldier is Convicted of Killing Afghan Civilians for Sport." U.S. aggression, occupation, torture of prisoners, massacres, drone attacks, offshore penal colonies and sexual assaults against our own service members, take the luster from the official self-image of "exceptionality."

In a bold invitation, Human Rights Watch has called on 154 parties to the UN Convention on Torture to bring charges against U.S. officials under explicit language in the treaty, ratified by the US in 1994.

The treaty requires such action when reputable allegations are not prosecuted by the accused governments, and ours doesn't need any more evidence, just some of which may be found in these mainstream U.S. media stories:

- "US Practiced Torture after 9/11, Nonpartisan Review Concludes" (Apr. 16, 2013)
- "Afghans Say an American Tortured Civilians" (May 13, 2013)
- "CIA Drones Kill Civilians in Pakistan" (Mar. 18, 2011)
- "GI Kills 16 Afghans, Including 9 Children, in Attacks on Homes" (Mar. 12, 2012)
- "Libya Effort is Called Violation of War Act" (May 26, 2011)
- "NATO and Afghan forces killed 310 civilians over the same period, mostly from airstrikes, the UN reports" (Aug. 3, 2009)

- “100,000 Iraqis killed since U.S. invasion analysis says” (Oct. 29, 2004)
- “U.N. Chief Ignites Firestorm by Calling Iraq War ‘Illegal’” (Sep. 17, 2004);
- “Iraq Says Blast in Baghdad Kills Dozens of Civilians: U.S. Blamed” (Mar. 29, 2003)
- “U.S. Presses for Total Exemption from War Crimes Court” (Oct. 9, 2002)
- “Pentagon Says U.S. Airstrike Killed Women and Children” (Mar. 13, 2002)
- “Bombing Necessary Despite Toll on Civilians, U.S. Envoy Says” (Jan. 9, 2002);
- “U.S. helicopters fire on women, children in Somalia” (Sep. 10, 1993)
- “US forces buried enemy forces alive” (Sep. 13, 1991)
- “200,000 died in Gulf War, and counting” (May 30, 1991)

The Military’s Dirty War on Women

Atrocities against people of occupied or targeted countries aren’t the only ones accumulating. According to a July 2012 report by the Pentagon, over 25,000 sexual assaults occurred in fiscal year 2012, a 37 percent increase from FY 2011. About “500 men and women were assaulted each week last year,” USA Today reported July 25. See: “Reports of Military Sexual Assault Rise Sharply,” NY Times, Nov. 7; & “Sexual Assaults in Military Raise Alarm: 26,000 Cases Last Year,” May 7, 2013.

Throughout the Army, Navy, Air Force and Marines, according to the Pentagon, 74 percent of females report one or more barriers to reporting sexual assault. In addition, 62 percent of victims who reported sexual assault indicated they experienced some form of retaliation.

This is why, according to Sen. Tammy Baldwin, D-Wisconsin., more than 85 percent of all military sexual assaults go unreported. In fact, Sen. Baldwin says, “overall rates of reporting dropped from 13.5 percent in 2011 to 9.8 percent in 2012.”

In view of the staggering numbers, and to help end the cover-up and suppression of sexual assault reporting, Sen. Kirsten Gillibrand, D-New York, has proposed removing investigation and disposal of such allegations from the military chain of command and place these cases with military prosecutors.

Currently, commanders — superior to victims and perpetrators — decide whether or not to prosecute an accused G.I. Commanders even have the power to reduce or overturn a judge or jury’s conviction.

Gillibrand’s Military Justice Improvement Act of 2013, S. 967, would give military prosecutors, instead of commanders, the independent authority to decide whether or not felony cases go to trial. The proposal has earned broad bipartisan support. It would reform the Code of Military Justice to make the system independent at the felony level.

A related bill, the Military Sexual Assault Prevention Act — S. 548 — sponsored by Sens. Amy Klobuchar, D-Minnesota, and Lisa Murkowski, R-Alaska, would prevent those convicted of sexual crimes from serving in the military, improve tracking and review of sexual assault claims in the military, and help ensure victims have access to criminal justice.

Presidential speeches can't permanently obscure our record of military outrages. Some congressional reform could at least confront the ones committed against women in uniform.

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