

Citizens of Wisconsin Deliver War Crimes Indictment against President Barack H. Obama

Five Arrested at Volk Field Calling for End to Killer Drones

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Peaceful Attempt to Deliver War Crimes Indictment to Commander Results in Arrests

[Wisconsin Coalition to Ground the Drones and End the Wars](#)

May 29, 2013

CAMP DOUGLAS, WI – Five nonviolent activists attempted to deliver an indictment for war crimes to Volk Field Commander Colonel Dave Romauld. They walked peacefully onto the base with the indictment in hand, and asked for a meeting with Colonel Romauld. Instead of a meeting, they were promptly arrested, taken to the Juneau County jail in handcuffs, and charged with disorderly conduct and trespassing. They were released several hours later after processing.

Arrested were Bonnie Block, Madison; Joyce Elwinger, Milwaukee; Joy First, Mt. Horeb; Mary Beth Schlagheck, Windsor, and Kathy Walsh, Madison. Between the five women, they have 25 grandchildren and 3 great-grandchildren that motivate them in this work.



They are all members of the Wisconsin Coalition to Ground the Drones and End the Wars and they have vigiled at the gates of Volk Field monthly since December of 2011. The nonviolent solemn vigils are a way to remember the innocent lives that have been lost as a result of drone warfare.

They believe that it is important to continue to act in resistance to the violation of

international and human rights law, and that drone warfare is inherently in violation of these laws. Block said, "We demand an end to the training of Shadow drone pilots that is going on at Volk Field. In this time when many state and national elected officials preach austerity, the waste of \$8 million of our tax dollars for the building of a huge training facility at Volk Field is obscene."

They join activists around the world calling for an end to U.S. attacks by killer drones. There are thousands of documented deaths already in Pakistan, Afghanistan, Iraq, Yemen, Somalia, and other places around the globe, including over 200 children in Pakistan alone.

"We are fulfilling our obligations under Nuremberg, and exercising our First Amendment rights by going to the base today with this indictment. We must speak out and act in resistance when our government is breaking the law and murdering innocent children, women, and men," explained Walsh.

WAR CRIMES INDICTMENT

To President Obama, to Secretary of Defense Secretary Chuck Hagel, to the full Military Chain of Command, including Commander Colonel Dave Romuald, and to all Service Members and civilian staff of Volk Field.

Each one of you, when you became a public servant, serving in a government position or when you joined the United States Armed Forces, you publicly promised to uphold the United States Constitution. We take this opportunity to call your attention to Article VI of the US Constitution, which states:

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

This clause is known as the Supremacy Clause because it provides that the Constitution and laws of the U.S., including treaties made under authority of the U.S. shall be supreme law of the land.

The Supremacy Clause provides part of the Supreme Law of the Land.

One Treaty duly ratified by the U.S. is the United Nations Charter. It was ratified by a vote of 89 to 2 in the U.S. Senate, and signed by the President in 1945. It remains in effect today. As such, it is part of the supreme law of the land.

The Preamble of the U.N. Charter states that its purpose is to "save future generation from the scourge of war" and it further states, "all nations shall refrain from the use of force against another nation."

This Treaty applies both collectively and individually to all three branches of government, on all levels, U.S. federal, state and local governments, starting with the executive branch: the U.S. President and the executive staff; the judicial branch: all judges and staff members of the judiciary; the legislative branch: all members of the U.S. Armed Forces and all departments of Law Enforcement and all civilian staff, who have sworn to uphold the

Constitution, which includes Article VI.

Under the U.N. Charter and long established international laws, anyone—civilian, military, government officials, or judges- who knowingly participates in or supports illegal use of force against another nation or its people is committing a war crime.

Today you must recognize that when you promised to uphold the Constitution, you promised to obey Treaties and International Law – as part of the Supreme Law of the Land and furthermore, under the Uniform Code of Military Justice of the U.S., you are required to disobey any clearly unlawful order from a superior.

Based on all the above,

WE, THE PEOPLE, CHARGE THE UNITED STATES PRESIDENT, BARACK OBAMA AND THE FULL MILITARY CHAIN OF COMMAND TO COMMANDER COLONEL DAVE ROMUALD, EVERY DRONE CREW, AND SERVICE MEMBER AT VOLK FIELD, WITH CRIMES AGAINST PEACE & CRIMES AGAINST HUMANITY, EXTRAJUDICIAL KILLINGS, VIOLATION OF DUE PROCESS, WARS OF AGGRESSION, VIOLATIONS OF NATIONAL SOVEREIGNTY, AND KILLING OF INNOCENT CIVILIANS.

We charge that the Wisconsin Air National Guard of the United States of America, at Volk Field under the command of Commander Colonel Dave Romuald trains soldiers in the operation and maintenance of the Shadow UAV (drone).

The Shadow drones are being used for reconnaissance, surveillance, target acquisition, and battle damage assessment. Though, at the present time, these drones do not carry missiles, they are part of the program of using drones not only in combat situations for the purpose of assassinations but also for killings far removed from combat zones without military defense, to assassinate individuals and groups far removed from military action. There is concern that one day soon the RQ-7 Shadow drones will carry missiles.

Extra judicial killings, such as those the U.S. carries out by drones are intentional, premeditated, and deliberate use of lethal force to commit murder in violation of U.S. and International Law.

It is a matter of public record that the US has used drones in Afghanistan, Iraq, Pakistan, and several other countries in Africa for targeted killings of specific individuals which has nearly always resulted in the deaths of many other people as well.

There is no legal basis for defining the scope of areas where drones can or cannot be used, no legal criteria for deciding which people can be targeted for killing, no procedural safeguards to ensure the legality of the decision to kill and the accuracy of the assassinations.

We believe we have a responsibility to deliver this indictment. We cite Misprision of a Felony, 18 USC § 4 – Misprision of felony, <http://www.law.cornell.edu/uscode/text/18/4>

“Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.”

In support of this indictment we cite the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, who has said that the use of drones creates “a highly problematic blurring of the law applicable to the use of inter-state force.... The result has been the displacement of clear legal standards with a vaguely defined license to kill, and the creation of a major accountability vacuum.... In terms of the legal framework, many of these practices violate straightforward applicable legal rules.” See United Nations General Assembly Human Rights Council Study on Targeted Killings, 28, May 2010.

<http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.24.Add6.pdf>

To further bolster our case, and to illustrate the seriousness with which others around the world view our actions, we quote from <http://dissenter.firedoglake.com/2013/05/09/-pakistan-court-decision-finds-us-drone-strikes-are-war-crimes-which-are-absolutely-illegal/> which just recently reported, “A high court in Pakistan has found that United States drone strikes carried out in Pakistan by the CIA are war crimes, which are ‘absolutely illegal’ and a blatant violation of Pakistan’s state sovereignty.”

The drone training being carried out at Volk Field leads to a deliberate illegal use of force against another nation, and as such is a felonious violation of Article VI of the US Constitution.

By giving material support to the drone program, you as individuals are violating the US Constitution, dishonoring your oath, and committing war crimes.

We demand that you stop participating in any part of the operations and training of these drones immediately, being accountable to the people of United States and Afghanistan.

As citizens of this nation, which maintains over 700 military bases around the globe, and the largest, most deadly military arsenal in the world, we believe these words of Martin Luther King still hold true, “the greatest purveyor of violence in the world today is my own government”.

There is hope for a better world when WE, THE PEOPLE, hold our government accountable to the laws and treaties that govern the use of lethal force and war. To the extent that we ignore our laws and constitution and allow for the unchecked use of lethal force by our government, allowing the government to kill whoever it wants, where ever it wants, however it wants with no accountability, we make the world less safe for children everywhere.

We appeal to all United States citizens, military and civilian, and to all public officials, to do as required by the Nuremburg Principles I-VII, and by Conscience, to refuse to participate in these crimes, to denounce them, and to resist them nonviolently.

Signed by:

THE WISCONSIN COALITION TO GROUND THE DRONES AND END THE WARS

Joy First

Bonnie Block

Joyce Ellwanger, Milwaukee, WI

Don Timmerman, Roberta Thurstin Timmerman, Mikel Komba, Milwaukee, WI, Casa Maria Catholic Worker Community

Mary Beth Schlagheck

Kathy Walsh

Fred Brancel, Madison, WI, Wisconsin Network for Peace and Justice

Pat Calchina, Madison, WI

Sister Pat Chaffee, Dominican Order, Racine, Wis

Judy Miner, Madison, WI, Wisconsin Network for Peace and Justice

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Janet Parker, Madison, WI, Farley Center for Peace, Justice, and Sustainability

David Soumis, No Drones Wisconsin, Veterans For Peace

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