

“It Can’t be Fixed:” Senior ICC Judge Slam John Bolton, Quits in Protest of US, Turkish Meddling

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A senior judge at the United Nations’ International Court in The Hague has resigned in protest of “shocking” interference from the Trump administration into a preliminary war-crimes investigation into U.S. troops.

The judge, Christoph Flügge, who hails from Germany, slammed National Security Advisor John Bolton over his response last year to a preliminary investigation into American soldiers accused of torturing people in Afghanistan. That investigation ultimately found “a reasonable basis to believe that war crimes and crimes against humanity” were committed by U.S. forces, [MintPress News reported](#).

“The United States will use any means necessary to protect our citizens and those of our allies from unjust prosecution by this illegitimate court,” Bolton said in September.

He also called for sanctions against the International Criminal Court (ICC) and warned the body against pursuing any investigations into “Israel or other U.S. allies.”

Bolton even cited a Palestinian-led effort to bring Israel to the ICC over its human-rights abuses in Gaza and the West Bank as a reason for closing the Palestine Liberation Organization (PLO) office in Washington.

He went on to promise to ban ICC “judges and prosecutors from entering the United States,” adding:

We will sanction their funds in the U.S. financial system, and we will prosecute them in the U.S. criminal system. We will not cooperate with the ICC. We will provide no assistance to the ICC. We will not join the ICC. We will let the ICC die on its own. After all, for all intents and purposes, the ICC is already dead to us.”

“John Bolton, the national security adviser to the U.S. president, held a speech last September in which he wished death on the International Criminal Court,” Flügge said after leaving his post.

Flugge continued on Bolton’s declaration:

If these judges ever interfere in the domestic concerns of the U.S. or investigate an American citizen, [Bolton] said the American government would

do all it could to ensure that these judges would no longer be allowed to travel to the United States – and that they would perhaps even be criminally prosecuted.”

The American security adviser held his speech at a time when The Hague was planning preliminary investigations into American soldiers who had been accused of torturing people in Afghanistan. The American threats against international judges clearly show the new political climate. It is shocking. I had never heard such a threat.

It is consistent with the new American line: ‘We are No 1 and we stand above the law.’”

A supine UN, a dreadful precedent

The attacks from the White House were one of two reasons for Flügge’s resignation, as the judge was left aghast by the UN’s deferential response to Turkey after Turkey arrested Aydın Sefa Akay, another UN judge, over alleged links to Fethullah Gülen, a cleric living in exile in the U.S. whom Turkish President Recep Erdoğan claims is the mastermind behind the 2016 failed coup attempt in Turkey.

Akay was at the end of his tenure when the charge was leveled by Turkey.

“We, the other judges, immediately protested. But his tenure was nevertheless not extended by the UN secretary general. And with that, he’s gone,” Flügge said.

The assaults by Turkey and the U.S. were both undertaken in the summertime. Afterwards, Flügge said he realized that the “diplomatic world” did not value the independent judiciary that was the ICC. The lack of a response by the UN to Turkey for its meddling in ICC matters set a dangerous precedent, according to the judge.

“Every incident in which judicial independence is breached is one too many,” Flügge said. “Now there is this case, and everyone can invoke it in the future. Everyone can say: ‘But you let Turkey get its way.’ This is an original sin. It can’t be fixed.”

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