

Nothing Civil about Washington's War on Syria. US-NATO Violate International Humanitarian Law

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Insurgents are Washington proxies. Key NATO partners, rogue Arab League states, and Israel are very much involved.

The same dirty game repeats. Independent states are targeted for regime change. All options are used. They include full-scale war, mass killing, and turning nations into charnel houses on the pretext of liberating them.

American-style freedom is slavery. Mainstream discourse doesn't explain. It repeats long ago discredited notions about humanitarian intervention and responsibility to protect (R2P).

Washington-led Western generated violence ravages Syria. On Sunday, The International Committee of the Red Cross (ICRC) declared ongoing conflict a civil war.

It's not civil when mostly imported proxies are used. Most Syrians deplore violence and oppose internal and external groups committing it.

According to ICRC, Syria is involved in a "non-international armed conflict." Previous statements said violence occurred only in certain hotspots. "Hostilities have spread to other areas of the country," said ICRC.

"International humanitarian law applies to all areas where hostilities are taking place."

War rages in Syria. The laws of war apply. ICRC's statement changes nothing.

In times of war, international law and international humanitarian law apply. Gertrude Stein's most famous quote is relevant. "A rose is a rose is a rose," she said. She meant "things are what they are."

A war crime is a war crime is a war crime. So are crimes against humanity. The Nuremberg Charter calls a crime against peace:

- (1) "Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;" and
- (2) "Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned" above.

It defines war crimes as:

“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.”

Crimes against humanity are:

“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.”

“Complicity in the commission of a crime against peace, a war crime, or a crime against humanity....is a crime under international law.”

Since last year, all of the above apply in Syria.

The 1907 Hague Convention on the Opening of Hostilities includes similar laws of war.

The US Army Field Manual 27-10 covers “The Law of Land Warfare.” Section II explains Crimes Under International Law. Paragraph 498 states:

“Any person, whether a member of the armed forces or a civilian, who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

Such offenses in connection with war comprise:

Crimes against peace.

Crimes against humanity.

War crimes.”

Paragraph 499 defines War Crimes, saying:

“The term ‘war crime’ is the technical expression for a violation of the law of war by any person or persons, military or civilian. Every violation of the law of war is a war crime.”

Paragraph 500 covers Conspiracy, Incitement, Attempts, and Complicity, saying:

“Conspiracy, direct incitement, and attempts to commit, as well as complicity in the commission of crimes against peace, crimes against humanity, and war crimes are punishable.”

These provisions apply to all US military and civilian personnel. They include top commanders, the Secretary of Defense, his subordinates, and the President and Vice

President of the United States.

Moreover, under the Constitution's Supremacy Clause (Article VI, paragraph 2), all international laws and treaties are the "supreme Law of the Land."

The UN Charter's Article 2 states:

"The Organization is based on the principle of the sovereign equality of all its members...."

"All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

Article 33 states:

"The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

In other words, nations may not settle disputes by planning, instigating, or becoming involved in war. All other means must be used. Only the Security Council can authorize military action in cases when one or more nations attack another.

America, key NATO partners, and complicit regional states violated the laws of war by using proxy forces against Syria. Waging war this way isn't "civil."

Belligerent states bear full responsibility. Under international law, they're guilty of crimes of war and against humanity.

The Geneva Conventions and Protocol 1 Additional to the Geneva Conventions also apply. Their provisions are explicit with regard to crimes of war and against humanity.

Attacking civilians is strictly prohibited. Western-directed insurgents target them.

They're victims. So is Syria's government. It threatens no one. Nonetheless, it's been willfully and illegally attacked. Whether by NATO or proxy forces makes no difference. Killing is killing is killing whatever elements are involved.

They're entitled to sue belligerent states at the International Court of Justice (ICJ). It's the UN's primary judicial organ. It's charged with settling legal disputes between nations and providing advisory opinions received from authorized international organizations, agencies and the General Assembly.

According to Francis Boyle, countries like Iran and Syria can request emergency hearings. At issue is preventing further economic sanctions, blockades and/or war.

Washington obstructs peace. It refuses good faith negotiations. It bears full responsibility for violence ravaging Syria. The ICJ has legal authority to hold guilty states accountable.

Hoped for never again became perpetual war. It's official US policy. Holding it responsible is long overdue.

So is prosecuting culpable officials at the International Criminal Court (ICC). Established by the July 1, 2002 Rome Statute of the International Criminal Court, it has jurisdiction over individuals in its 121 member states.

When they're unable or unwilling, it's charged with investigating and trying them for genocide, crimes of war and against humanity. This type lawlessness is too grave to ignore.

ICC prosecutors function largely as imperial tools. Victims, not perpetrators are accused. US officials are flagrantly guilty. It's vital to hold them accountable. Only then might never again be possible.

Cut off the head of rogue lawlessness and maybe complicit partners will back off. Sunshine is the best disinfectant. Top US officials behind bars may be the best deterrent to war.

A Final Comment

Daily events advance the ball for war. On July 15, Mossad-connected DEBKAfile (DF) headlined "Assad receives last warning to stop moving his WMD(s): Top generals defect."

Alleged defections of generals, other officers, and entire army units are spurious. So are reports about Syria moving nerve agents, mustard gas and cyanide to northern and central locations for possible use.

At issue is hyping fear and advancing the ball for war. DF claims Western "intelligence channels" gave Assad a "last warning." Leave these alleged weapons in storage or they'll "be destroyed from the air."

This type threat comes perilously close to declaring war. Pretexts are easy to invent. It could come any time.

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