

Tony Blair faces prospect of an International Criminal Court investigation for war crimes in Iraq.

By [Global Research](#)

Global Research, March 18, 2007

Sunday Telegraph 18 March 2007

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Court 'can envisage' Blair prosecution

By Gethin Chamberlain, Sunday Telegraph, 17/03/2007

Tony Blair faces the prospect of an International Criminal Court investigation for alleged coalition war crimes in Iraq.

The court's chief prosecutor told The Sunday Telegraph that he would be willing to launch an inquiry and could envisage a scenario in which the Prime Minister and American President George W Bush could one day face charges at The Hague.

Luis Moreno-Ocampo urged Arab countries, particularly Iraq, to sign up to the court to enable allegations against the West to be pursued. Iraq's ambassador to the United Nations said that his country was actively considering signing up.

America has refused to accept the court's jurisdiction and is unlikely to hand over any of its citizens to face trial. However, Britain has signed up and the Government has indicated its willingness to tackle accusations of war crimes against a number of British soldiers. Mr Moreno-Ocampo said it was frustrating that the court was viewed in the Arab world as biased in favour of the West. Asked whether he could envisage a situation in which Mr Blair and Mr Bush found themselves in the dock answering charges of war crimes in Iraq, he replied: "Of course, that could be a possibility\u2026 whatever country joins the court can know that whoever commits a crime in their country could be prosecuted by me."

Human rights lawyers remain sceptical about whether charges will ever be brought.

Some Muslim countries have criticised what they claim is the court's reluctance to address offences committed by western governments.

Sudan, which has been investigated over its role in the killing of civilians in Darfur, has called for the court to investigate coalition actions in Iraq, while Mahathir Mohamad, Malaysia's former prime minister, has announced plans to set up an alternative war crimes tribunal to hear complaints against countries including Britain, Israel and America.

Mr Moreno-Ocampo said that, while he was sympathetic to the views of Arab countries, the answer was for them to get involved in the legal process.

The court is restricted in what it can investigate. The UN Security Council can ask it to act -

as in the case of Darfur – or the court can launch an investigation if it receives a complaint from a state which is party to the Rome agreement that established it. It can also look into alleged offences carried out by, or on the territory of, a party to the agreement.

Jordan has signed up and Afghanistan is a signatory, though Sudan is not. Days before the invasion of Iraq in 2003, Saddam Hussein approached lawyers in Britain about signing up but was overtaken by events. Had he succeeded, the actions of the US in Iraq would fall within the court's jurisdiction.

Mr Moreno-Ocampo said it was still possible for an investigation to be launched into coalition actions in Iraq if that country signed up.

Hamid al-Bayati, Iraq's ambassador to the UN, said Iraq was actively considering joining.

The court is currently prosecuting cases against the Lords Resistance Army in Uganda, a militia leader in the Democratic Republic of Congo and a number of individuals alleged to have been involved in the conflict in Darfur.

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