

Torture charges filed against George W. Bush in Canadian Court

By [Global Research](#)

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Today, Tuesday November 30 2004 in Vancouver, Lawyers Against the War filed torture charges against George W. Bush under the Canadian Criminal Code. The charges were laid by Gail Davidson, co-chair of Lawyers against the War-LAW, under provisions enacted pursuant to the U.N. Torture Convention, ratified by both Canada and the United States.

The charges were accepted by the Justice of the Peace and referred for a hearing to decide whether Bush should be required to appear for trial. The Attorney General of Canada's consent is required within eight days for proceedings to continue, and the question of Bush's diplomatic immunity will have to be resolved by the court.

LAWs instructions for starting criminal procedures against Bush
<http://www.lawyersagainsthewar.org/legalaction/bushcharges.html>

Received by Email From Lawyers Against The War

Dear Friend,

George W. Bush has been accused of committing the most serious war crimes and we are outraged that our government has invited him here on a state visit. We have written to the Prime Minister demanding that Bush be declared persona non grata and that the invitation be rescinded. We have written to the Minister of Citizenship and Immigration pointing out that war criminals are legally inadmissible in Canada. We are demanding that the Attorney General open an investigation into the war crimes of Bush and other members of his administration so that the next time they try to enter Canada they do so at their own risk. We have urgently asked for meetings with all of these people or their representatives. We have received no response except to acknowledge receipt of our letters.

There is little more we can do — little, but not nothing. Unlike almost all other crimes, no proceedings can be taken under the Crimes Against Humanity and War Crimes Act (section 9(3)) without the personal consent in writing of the Attorney General, Irwin Cotler, who, like his colleagues is stonewalling us.

HOWEVER, nobody's consent is required to lay charges under the torture provisions of the Canadian Criminal Code (section 269.1). True, the Attorney General's consent is required for the prosecution of a non-citizen within 8 days of the laying of charges, but we can cross that bridge when we come to it. In the meantime the charges would stand.

To that end, LAW has prepared charges against Bush for being a party to torture at Abu

Ghraib prison in Iraq and at the U.S. Naval Base Guantánamo Bay, Cuba. We will be emailing them and posting them on Monday on our website www.lawyersagainsthewar.org , along with a brief of evidence and the procedures to be taken to formally charge Bush with torture (as a party through counselling, aiding and abetting). We think it would be appropriate if Canadians all across the country welcomed the President by visiting their local justice of the peace and swearing out an information against him.

LAW respects international law and has no desire to violate it, so it is important to note that laying an information would not in any way violate Bush's immunity as a visiting head of state, because no process would be issued unless the Attorney General's consent was obtained within eight days and a hearing was held and. But this is not a purely symbolic act. Most criminal proceedings start just this way.

Furthermore, there is no risk at all to an informant who reads our material or any other material and concludes in good faith that there are reasonable grounds to believe that Bush has been a party to torture and then swears and information to that effect before a justice.

So please download our material, read it and, if you agree that Bush has been a party to torture, please follow the instructions and visit your local justice of the peace when Bush arrives and before he leaves Canada. Don't be discouraged if your information is rejected. Although Justices of the Peace are bound to accept any reasonable information, Justices are likely to be wary of charging the President of the United States.

If you cannot find the material right away, please be patient. We will make it available as soon as we can.

Yours truly,

Michael Mandel and Gail Davidson

Lawyers Against the War

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