

ICC Probe of US War Crimes in Afghanistan. Trump Lashes Back. ICC is “Threat” to America.

By [Stephen Lendman](#)

Global Research, June 12, 2020

Region: [Asia](#), [USA](#)

Theme: [Intelligence](#), [Law and Justice](#), [US NATO War Agenda](#)

In-depth Report: [AFGHANISTAN](#)

It is fairly well established that Afghanistan, the Taliban, and Osama bin Laden had nothing to do with 9/11 — the mother of all state-sponsored false flags, a pretext for the US to smash one nation after another.

US new millennium forever wars rage against invented enemies with no prospect for resolution because Republicans and Dems reject world peace and the rule of law.

It's unclear what will come out of the International Criminal Court's probe of indisputable US war crimes in Afghanistan.

Since established by the Rome Statute in 2002, the ICC never held the US, other Western nations, or Israel accountable for high crimes of war and against humanity.

Only their victims were prosecuted, falsely blamed for the highest of high crimes committed against them by the US, NATO, Israel, and their imperial partners.

For nearly two decades, the ICC operated solely as imperial tool — continuing the same agenda today unless chooses an unprecedented new course for justice.

Though mandated to prosecute individuals (not nations) for crimes of war, against humanity, genocide and aggression, the court never targeted the main offenders of these crimes.

Given its disturbing history, it requires a giant leap of faith to believe it will go where it never went before.

It's got a lot of proving to do to convince skeptics of its intention to go another way.

In early March, ICC judges authorized an investigation into accusations of war crimes by US military and intelligence personnel, Afghan forces, and the Taliban in the country.

According to Judge Piotr Hofmanski, chief prosecutor Fatou Bensouda “is authorized to commence investigation in relation to alleged crimes committed on the territory of Afghanistan in the period since 1 May 2003.”

The probe may also include the period since July 1, 2002. Why not from day one of US

aggression (10/7/01) wasn't explained.

US war on the country was planned six months or longer before 9/11.

On the shelf ready to go, it was launched less than 5 weeks after that fateful day.

Many months of planning precede all US wars, nothing impromptu about them.

At the time of the ICC's March announcement, Pompeo called it "breathtaking (and) reckless," threatening reprisals against court officials if they investigate US actions in Afghanistan or anywhere else.

Bensouda said the ICC determined that a reasonable basis exists to probe war crimes by US military forces and intelligence operatives in Afghanistan.

She should have said just cause exists to investigate all US wars of aggression against nations threatening no one — including US state terror, illegal sanctions, and other hostile actions against peace, constituting war by other means.

All of the above falls within the ICC's mandate.

US new millennium direct, proxy, and other types of warmaking alone have been responsible for countless millions of lost lives, vast destruction, and human misery in numerous countries.

They also inflicted enormous harm on ordinary Americans by using US discretionary income to feed the nation's military, industrial, security complex at the expense of vital homeland needs gone begging.

WikiLeaks' Afghan war diaries documented the highest of US high crimes against the nation and its people.

They represent the most comprehensive documentation of US aggression against a nation threatening no one since the Pentagon Papers.

Data came mainly from soldiers and intelligence officers, also from US embassies and other sources.

They revealed US criminality in Afghanistan, including coverups, collusion, distortion, and duplicity.

All wars are based on misinformation, disinformation, Big Lies and deception. Truth-telling would destroy pretexts for waging them.

The UN Charter explicitly states under what circumstances war by one nation against another is permitted.

Articles 2(3) and 33(1) require peaceful settlement of international disputes.

Article 2(4) prohibits force or its threatened use.

Article 51 allows the "right of self-defense if an armed attack occurs against a

Member...until the Security Council has taken measures to maintain international peace and security.”

Justifiable self-defense is permitted, never preemptive wars for any reasons with no exceptions.

The Security Council alone is authorized to decide under what circumstances warmaking is permitted — not heads of state, legislators, or the courts anywhere.

In 1974, the UN General Assembly defined aggression to mean “the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any manner inconsistent with the Charter of the United Nations.”

Throughout the post-WW II period, the US has been indisputably guilty time and again — today in multiple theaters.

What’s going on unaccountably is what chief Nuremberg Tribunal’s Justice Robert Jackson called “the supreme international crime against peace.”

Time and again, the US breached the UN Charter, the Geneva Conventions, the US War Crimes Act, the UN Torture Convention, the UN International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the UN Convention on the Rights of the Child, the Rome Statute of the International Criminal Court (ICC), the Universal Declaration of Human Rights, the Genocide Convention, the Nuremberg Charter, Judgment and Principles, US Army Field Manual 27-10, and other US and international laws.

If all of the above doesn’t demand accountability in an international tribunal, what does!

WikiLeaks lifted the fog of war by documenting US atrocities in Afghanistan and Iraq.

Julian Assange and Chelsea Manning were arrested, imprisoned, and brutalized for releasing the Afghan War Diary, the Iraq War Logs, collateral murder video, and related US diplomatic cables.

They both should have been honored instead of demonized, imprisoned, and brutally mistreated — for the “crime” of truth-telling about what everyone has a right to know.

In response to the ICC’s announced intention to probe US war crimes in Afghanistan, Trump declared a national emergency for what he called a “threat” to the US by the ICC.

He issued an executive order, authorizing (illegal) sanctions and visa restrictions against ICC officials and their family members.

Pompeo lashed out at the court, saying the Trump regime is “determined to prevent having Americans and our friends and allies in Israel and elsewhere hauled in” for ICC prosecution.”

In response to Trump regime actions, a statement by the Court said the following:

“(T)hreats and coercive actions cannot be allowed to hinder the rule of law.”

“These attacks (by the Trump regime) constitute an escalation and an

unacceptable attempt to interfere with the rule of law and the Court's judicial proceedings."

"An attack on the ICC also represents an attack against the interests of victims of atrocity crimes, for many of whom the Court represents the last hope for justice."

In 2002, the American Service Members' Protection Act (ASPA, aka Hague Invasion Act) was enacted to prevent US "military personnel and other (US) elected and appointed officials (from) criminal prosecution by an international court to which the United States is not party."

The measure authorizes the president to use "all means necessary and appropriate to bring about the release of any US or allied personnel being detained or imprisoned by, on behalf of, or at the request of the International Criminal Court."

The US is not a state party to the Rome Statute or ICC.

The principle of universal jurisdiction principle (UJ) holds that certain crimes are too grave to ignore, including genocide, crimes of war and against humanity.

Under UJ, nations may investigate and prosecute foreign nationals when their country of residence or origin won't, can't, or hasn't for any reason.

US Nuremberg-level high crimes of war and against humanity in Afghanistan and numerous other countries are far too grave to ignore.

It's long past time for unaccountability of its officials to end.

Holding them responsible may be the best chance to pursue world peace and stability over permanent US wars on humanity that one day may kill us all if not stopped.

*

Note to readers: please click the share buttons below. Forward this article to your email lists. Crosspost on your blog site, internet forums. etc.

Award-winning author Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. He is a Research Associate of the Centre for Research on Globalization (CRG)

His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html>

Visit his blog site at sjlendman.blogspot.com.

The original source of this article is Global Research
Copyright © [Stephen Lendman](#), Global Research, 2020

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Stephen Lendman](#)

About the author:

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html> Visit his blog site at sjlendman.blogspot.com. Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca