

By Dirk Adriaenssens, Countercurrents.org

From [Truthout](#) | Original Article

The Kuala Lumpur Foundation to Criminalise War is serious about getting George W. Bush and Tony L. Blair arrested and prosecuted, after the milestone verdict of the Kuala Lumpur War Crimes Tribunal, where they were found guilty of Crimes against Peace, Crimes against Humanity and War crimes on 22 November 2011.

Bush is currently visiting Tanzania, Zambia and Ethiopia. He launched his Pink Ribbon Red Ribbon project in Zambia. The project is aimed at expanding the availability of breast care education and cervical cancer screening and treatment.

On 03 December the former Prime Minister of Malaysia, Tun Dr. Mahathir sent a letter to the presidents of these 3 African countries: Tanzania [1], Zambia [2] and Ethiopia [3], with a request to arrest and prosecute George Bush. The letter was sent by Dr. Yaacob Merican, Secretary General of the Kuala Foundation to Criminalise War. Here's the message that was sent to the president of Tanzania:

The Secretary to

His Excellency Jakaya Mrisho Kikwete,

President of United Republic of Tanzania

Dear Sir/Madam,

I would be most grateful if you could bring to the immediate attention of His Excellency Jakaya Mrisho Kikwete the contents of the attached letter from His Excellency Tun. Dr. Mahathir Mohamad, former Prime Minister of Malaysia and currently Chairman of the Kuala Lumpur Foundation to Criminalise War on the above-stated subject-matter.

--

DR. YAACOB MERICAN

Secretary General

Kuala Lumpur Foundation To Criminalise War

50480, Kuala Lumpur

www.criminalisewar.org

The content of the letter reads:

Your Excellency,

Please accept our personal compliments.

I have the honour to draw to your attention the Judgment by the Kuala Lumpur War Crimes Tribunal dated 22 November 2011, a certified copy of which is attached.

The Tribunal unanimously ruled that Mr. George W. Bush is guilty of committing a Crime against Peace, War Crimes, and Crimes against Humanity. We respectfully request that your government immediately arrest and prosecute Mr. Bush for these grievous crimes against international law and the domestic laws of every state in the world, including your own. Under principles of international law and comity this judgment constitutes prima facie evidence of Mr. Bush's guilt warranting the initiation of domestic criminal proceedings against him by your government.

We look forward to hearing from you of the disposition of our request at your earliest convenience.

Please accept, Excellency, the assurance of our highest consideration.

Signature

Tun Dr. Mahathir Mohamad

Chairman

Kuala Lumpur Foundation to Criminalise War.

It is the first time that a former head of state writes an official letter to presidents of countries where war criminal George W. Bush sets foot, with a request to arrest him. This is no doubt a novelty and a courageous stand by Tun Mahathir, totally in accordance with the recommendations as pointed out in the judgment of the Kuala Lumpur War Crimes Tribunal.

More political personalities should have the courage to follow Dr. Mahathir's example. War Crimes should not go unpunished. Visits of Bush & Blair should be protested, wherever they

go. War criminals should not feel themselves safe from punishment. Moreover, many countries have the right and the duty to arrest and prosecute War Criminals under the law of Universal Jurisdiction.

On 01 December, Amnesty International urged the governments of Ethiopia, Tanzania and Zambia to arrest former US President George W. Bush for crimes under international law, including torture, when he visits this week. (Amnesty International has made the same request of Switzerland and Canada during the former President's trips to those countries.)

Zeke Johnson writes on Amnesty International's website: [4]

No person, however high the office they may have held, should be above the law. We seek to hold former President Bush only to the same standard as any other person accused of similar crimes, from whatever country they may come. You do the crime, you do the time.

The former President's stated aim is to raise awareness about health issues in Africa, but per Amnesty's statement today, [5]

“this cannot lessen the damage to the fight against torture caused by allowing someone who has admitted to authorizing water-boarding to travel without facing the consequences prescribed by law.”

“If the US government won't arrest former President Bush for torture—President Obama has said he wants to look forward, not backward—why would some other country stick its neck out? Well, there is precedent for such an arrest (read: Chilean General Augusto Pinochet); it's up to regular people like us to demand it.”

On 20 October, Bush, along with former president Bill Clinton, appeared at the Surrey Regional Economic Summit. Amnesty International, the Canadian Centre for International Justice, the Center for Constitutional Rights, Human Rights Watch, and Lawyers Against the War have all called on Canadian authorities to arrest and prosecute Bush for the use of torture by U.S. forces. [6]

The efforts of the World Tribunal on Iraq, International Legal Scholars, Peace movements worldwide and the Kuala Lumpur Foundation to Criminalise War are beginning to show results.

The message of the Perdana Global Peace Organisation and the Malaysian Foundation to Criminalise War is very simple but very clear:

THE KUALA LUMPUR INITIATIVE TO CRIMINALISE WAR

The Kuala Lumpur Global Peace Forum of concerned peoples from all five continents are:

UNITED

in the belief that peace is the essential condition for the survival and well-being of the human race,

DETERMINED

to promote peace and save succeeding generations from the scourge of war,

OUTRAGED

over the frequent resort to war in the settlement of disputes between nations,

DISTURBED

that militarists are preparing for more wars,

TROUBLED

that use of armed force increases insecurity for all, and

TERRIFIED

that the possession of nuclear weapons and the imminent risk of nuclear war will lead to the annihilation of life on earth.

To achieve peace, we now declare that:

Wars increasingly involve the killing of innocent people and are, therefore, abhorrent and criminal. Killings in war are as criminal as the killings within societies in times of peace.

Since killings in peace time are subject to the domestic law of crime, killings in war must likewise be subject to the international law of crimes. This should be so irrespective of whether these killings in war are authorized or permitted by domestic law.

All commercial, financial, industrial and scientific activities that aid and abet war should be criminalised.

All national leaders who initiate aggression must be subjected to the jurisdiction of the International Criminal Court.

All nations must strengthen the resolve to accept the purposes and principles of the United Nations Charter and institute methods to settle international disputes by peaceful means and to renounce war.

Armed force shall not be used except when authorised by a Resolution passed by two-thirds majority of the total membership of the General Assembly of the United Nations.

All legislators and all members of Government must affirm their belief in peace and pledge to strive for peace. (...) [7]

Zambia has dismissed Amnesty International's call for the arrest on torture charges of former President George W. Bush.

"On what basis does Amnesty International want us to arrest President Bush?" state media quoted Foreign Affairs Minister Chishimba Kambwili as saying.

Kambwili said Zambia would have considered the request only if it had come from the International Criminal Court acting on behalf of international organizations like the United Nations. [8]

This answer is totally irrelevant. The ICC has proved to be an instrument of Victor's Justice. Here's ICC's Special Prosecutor Moreno Ocampo's biased and meaningless answer on 9 February 2006: [9]

"The Office of the Prosecutor has received over 240 communications concerning the situation in Iraq.(...) The available information provided no reasonable indicia that Coalition forces had "intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such", as required in the definition of genocide (Article 6). Similarly, the available information provided no reasonable indicia of the required elements for a crime against humanity, i.e. a widespread or systematic attack directed against any civilian population. (...) The available information did not

indicate intentional attacks on a civilian population. (...) After analyzing all the available information, it was concluded that there was a reasonable basis to believe that crimes within the jurisdiction of the Court had been committed, namely wilful killing and inhuman treatment. (...) The information available at this time supports a reasonable basis for an estimated 4 to 12 victims of wilful killing and a limited number of victims of inhuman treatment, totalling in all less than 20 persons. Even where there is a reasonable basis to believe that a crime has been committed, this is not sufficient for the initiation of an investigation by the International Criminal Court."

This cynical answer was written after the Fallujah massacre, after hundreds of thousands Iraqis had died and after the total destruction of the Iraqi state.

In light of the unwillingness of the ICC to prosecute war criminals Bush & Blair, every country in the world has the duty to prosecute them.

"The ICC was established in order to punish war criminals who were not prosecuted by their own countries. So far, the ICC has only managed to prosecute Africans. The current cases presented for investigation involve Democratic Republic of the Congo, Uganda, Sudan, Kenya, Central African Republic, Ivory Coast and Libya. In the past a few Serbs were thrown in for good measure, but otherwise Africa has been the ICC target", writes Margaret Kimberley. [10]

The recommendations of the War Crimes Tribunal in Kuala Lumpur are very clear:

RECOMMENDATIONS

First, the Commission must invoke the Nuremberg law to report Bush, Blair and their accomplices for crimes against peace, war crimes and crimes against humanity under Part VI of the Charter of the Nuremberg Tribunal.

Second, the Commission must file reports of genocide and crimes against humanity with the International Criminal Court (ICC).

(...)

Fourth, the findings of this Tribunal must be communicated to all countries that have acceded to the Rome Statute and are possessed of universal jurisdiction.

Efforts to prosecute these war criminals are clearly increasing. But more needs to be done.

Worldwide, the common slogan should be *“War is a crime. War criminals belong behind bars. Watch out, Bush & Blair, this is only the beginning. You will never be safe wherever you go”.*

Dirk Adriaenssens, member of the BRussells Tribunal Executive Committee

International observer of the Kuala Lumpur War Crimes Tribunal 19-21 November 2011.

Link: <http://www.brussellstribunal.org/ArrestBush041211.htm>

[1] <http://www.brussellstribunal.org/pdf/LetterTanzania.pdf>

[2] <http://www.brussellstribunal.org/pdf/LetterZambia.pdf>

[3] <http://www.brussellstribunal.org/pdf/LetterEthiopia.pdf>

- [4] <http://blog.amnestyusa.org/waronterror/ethiopia-tanzania-zambia-arrest-former-president-bush-for-torture/>

- [5] <http://www.amnestyusa.org/news/press-releases/amnesty-international-urges-ethiopia-tanzania-zambia-to-bring-george-w-bush-to-justice>

- [6] <http://www.straight.com/article-491846/vancouver/amnesty-international-kick-george-w-bush-protest-occupy-vancouver>

- [7] http://www.perdana4peace.org/?page_id=9

- [8] <http://www.google.com/hostednews/ap/article/ALeqM5hBueYvwzbF5bKDTJSz8-LoCnWUBw?docId=c490032b8c964d589cd50913b9073db9>

- [9] http://www.iccnw.org/documents/OTP_letter_to_senders_re_Iraq_9_February_2006.pdf?PHPSESSID=fef512b2e4c1d042f9b8665f151e0f07

- [10] <http://www.globalresearch.ca/index.php?context=va&aid=27991>

Dirk Adriaenssens, member of the B Russell s Tribunal Executive Committee (04 December 2011. International observer of the Kuala Lumpur War Crimes Tribunal 19-21 November 2011.