

# International Criminal Law - From Justice to Oppression

*By Christopher Black(\*)*

**The Nuremberg Trials of 1946 advanced international law in a fundamental way. For the first time in history the victims of aggressive war brought their attackers to justice and aggression was defined as the ultimate war crime from which all others flow. Today, international war crimes trials are used by the aggressor to persecute the victims of their aggression. International law has turned full circle from justice to oppression, from justice to revenge.**

What can better illustrate this than the one-sided justice at the ad hoc tribunals, the ICTY and ICTR, where the victims of western aggression are accused of the grossest slanders and crimes in order to obscure the real facts of those wars under a cloud of darkness and confusion. What can better illustrate this than the statement by the judges of the ICTR in the case of General Ndindilimana, in the Military II case, just released, at paragraph 2191, that “The Defence submits that the indictment and arrest ‘were motivated by political reasons’. The Chamber recalls that before this Chamber, the Defence stated that the prosecution made every effort to encourage Ndindilimana to testify against Colonel Bagasora, but Ndindilimana refused. The Prosecution did not deny this. Following his initial refusal, the Prosecution produced a far-reaching indictment charging Ndindilimana with a number of crimes....Most of those charges were eventually dropped.”

## **Political reasons**

As the judges of the ICTR revealed that the court’s prosecutor indicted people for political reasons, the ICTY demanded that Serbia hand over General Mladic for allegedly engaging in a “joint criminal enterprise” to kill Croats and Bosnian Moslems. General Mladic maintains that he defended Serbs from the criminal actions of the Croat and Bosnian Moslem forces attacking his peoples, for which there is abundant evidence. Yet the victim once again is the accused and the witnesses brought against him are from the party of the aggressor.

Now we have the absurdity of the International Criminal Court issuing criminal indictments against various Africans whose common connection is to be in the way of western interests in Africa. The latest indictment against Colonel Ghaddafi, made because his country resists the aggression and war crimes of the USA and its satellites in Europe and Canada shows, even to the blind, that control of the ICC has been seized by the USA, even as that country refuses to be subject to its jurisdiction.

## **Shocking aspect**

Never in history has “criminal justice” been perverted to such criminal ends. The most shocking aspect is the complete acquiescence of the nations of the world in this charade. Members of the Security Council, apart from the United States, have the power to annul the ad hoc tribunals but they do not. They have the power to refuse to refer clearly political accusations to the ICC. But they do not. It is they who are in charge and who are responsible, just as much as the USA.

General Mladic would have good reason to tell the ICTY judges that since they are a proxy for the Security Council, he wants to be tried by the Security Council itself, and then he could see who he was really up against and why. Colonel Gaddafi would have the same right to demand to be brought face to face with his real accusers in the Security Council so he could reveal to the world their true interests. But this right to face one’s accuser, this right to honesty, will not be allowed. Instead they are faced with a theatre troop acting out a macabre play, a show for the public.

## **So corrupted**

Indeed, the entire structure of “international justice” since 1946 has become so corrupted that it is difficult to see how it can be transformed into a vehicle to stop aggression as it was intended,

instead of a propaganda tool justifying it. The rot has spread everywhere.

The nations of the world must once again stand up and demand that the principles of the United Nations Charter be adhered to. They were thought important once. They are important now. They must demand that this architecture be dismantled, that international justice be restored in the true sense of the phrase, and that the sovereignty of nations and self-determination of peoples be inviolate principles once again. But this architecture cannot be dismantled until the Security Council is abolished and the United Nations General Assembly represents the true interests of the peoples of the world in complete equality.

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