Spanish Judge calls for architects of Iraq invasion to be tried for war crimes

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Baltasar Garzón, the Spanish judge who sought to prosecute Chilean dictator General Augusto Pinochet, has called for US President George W. Bush and his allies to be tried for war crimes over Iraq.

Writing in *El Pais* on the fourth anniversary of the invasion, Garzón stated, "Today, March 20, marks four years since the formal start of the war on Iraq. Instigated by the United States and Great Britain, and supported by Spain among other countries, one of the most sordid and unjustifiable episodes in recent human history began.

"Breaking every international law, and under the pretext of the war against terror, there has taken place since 2003 a devastating attack on the rule of law and against the very essence of the international community. In its path, institutions such as the United Nations were left in tatters, from which it has not yet recovered."

"Instead of commemorating the war," Garzón continues, "we should be horrified, screaming and demonstrating against the present massacre created as a consequence of that war."

He then writes that George W. Bush and his allies should eventually face war crimes charges for their actions in Iraq: "We should look more deeply into the possible criminal responsibility of the people who are, or were, responsible for this war and see whether there is sufficient evidence to make them answer for it."

"For many it would be merely a question of political responsibility, but judicial actions in the US are beginning to emerge, as is the case of the verdict passed on one of vice-president Cheney's collaborators, [I. Lewis Libby] which point in a different direction."

"There is enough of an argument in 650,000 deaths for this investigation and inquiry to start without more delay," he added.

Garzón then turns his scathing criticisms towards the former Spanish Prime Minister, José María Aznar, who followed British Prime Minister Tony Blair in supporting Bush's war of aggression against Iraq.

"Those who joined the US president in the war against Iraq have as much or more responsibility than him because, despite having doubts and biased information, they put themselves in the hands of the aggressor to carry out an ignoble act of death and destruction that continues to this day."

Aznar still defends the invasion of Iraq. He reluctantly admitted last month that he now knew Saddam Hussein had no weapons of mass destruction, but added that "the problem was not having been clever enough to know it earlier."

Garzón answers this in his article: "If he didn't know enough, he should be asked why he didn't act prudently, giving United Nations inspectors more leeway instead of doing the opposite in total submission and fidelity to President Bush."

Fearful of the extension of the insurgency in Iraq throughout the Middle East and internationally, Garzón declares that "the North American bellicose action, and that of those who supported it, has determined or at least has contributed to the creation, development and consolidation of the biggest terrorist training camp in the world.... In some way, with a terrible lack of awareness, we have been and are helping this monster grow more and more and strengthened by the minute, so that it is probably invincible."

Garzón has investigated everything from Basque terrorism to the March 11, 2004 Madrid train bombings, whose alleged perpetrators are currently on trial. He led the investigation into the rightist terror group Grupos Antiterroristas de Liberación (GAL), whose creation was attributed to the Socialist Party

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(PSOE) government of the day. He also banned Herri Batasuna, the political arm of ETA—the first political party to be outlawed since the death of Franco in 1975.

Back in 1996 the Progressive Union of Prosecutors filed criminal complaints against the Argentine and Chilean military for the disappearance of Spanish citizens under the dictatorships that ruled them in the 1970s and 1980s. One year later, Garzón issued an arrest order that included Argentine Navy Captain Adolfo Scilingo, who made a televised confession in 1995 of "death flights" in which hundreds of detainees were thrown from airplanes to their deaths in the Atlantic Ocean. Scilingo was detained after travelling to Spain voluntarily.

Former Chilean President Pinochet was arrested during a medical check-up in London in 1998 based on a warrant issued by Garzón. For months the judge attempted to have the dictator extradited to Spain to be tried for heading the military coup in 1973 that overthrew the elected president Salvador Allende and the subsequent murder of thousands of students and workers. He has also signalled his intention to question Richard Nixon's national security adviser Henry Kissinger about events in Chile, after declassified documents released by the US State Department and the CIA suggested that Kissinger was well aware of what was happening.

The fact that such a prominent international judicial figure openly speaks of bringing war crimes judgement against the leaders of the US, UK and Spain is an indication that the entire Iraq campaign is heading towards a disaster and a response to the mounting opposition around the world.

Yet his statement was given only the most cursory coverage by the media in the United States and internationally. No publication chose to make an editorial comment and most simply reproduced or slightly amended a Reuters report.

Such is the level of hostility to the Iraq war and occupation in Spain, however, that even sections of ex-Prime Minister Aznar's Popular Party (PP) are publicly declaring that his attendance at the meeting in the Azores that supported Bush in his decision to invade Iraq was an error.

Reporting on their criticism, the right-wing newspaper *El Mundo* commented on March 20, "The PP should not continue avoiding an auto-criticism on Iraq."

It continues that, although the present critics were in the main opposed to sending troops to Iraq at the time, today "even if only a few dare to say it aloud ... the vast majority in the PP accept in private that Aznar made a mistake. In his zeal to make Spain more of an Atlantic country, trusting Bush blindly, he only succeeded in fertilising the rank anti-Americanism of a sector of Spanish society, as well as neglecting the repercussions this would have on domestic affairs, which, as the new (PSOE) government is demonstrating, demanded more attention than our projection abroad."

A few hours after the *El Pais* article by Garzón had reached the shops, the secretary of organisation for the PSOE, José Blanco, declared in an interview in *Telecinco* that someone had to pay the consequences for the decision to invade Iraq. And if Bush, Blair and Aznar were to be made legally accountable, then he would support this.

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