



To Dame Elizabeth Neville, Chief Constable of Wiltshire,
c/o Swindon Central Police Station, Fleming Way, Swindon.

21st November 2003

Dear Dame Elizabeth

We are writing to ask you to arrest the Prime Minister, Tony Blair MP, for offences committed under the International Criminal Court Act of 2001 in relation to the attack on Iraq launched by the British and American governments earlier this year. The act introduced three new offences into British law, those of genocide, crimes against humanity and war crimes. Every citizen has a duty to report crimes to the police. When a crime is reported it is the duty of the Police and the Crown Prosecution Service to investigate the reported crimes and arrest, charge and prosecute the offenders if there is a case to answer

When Tony Blair persuaded Parliament to order British military forces to join America in invading Iraq, he violated the most important of all international laws, the agreement contained in Articles 1 and 2 of the UN Charter prohibiting war and specifying that international disputes must be settled by peaceful means.

By using indiscriminate high explosive weapons such as cruise missiles, cluster bombs and depleted uranium shells, British military forces caused the deaths of many Iraqis. By ordering the use of these weapons knowing that Iraqi deaths would ensue, Tony Blair engaged in conduct ancillary to genocide, the most serious offence in UK criminal law (ICC Act 2001 Section 52 Article 6).

The Universal Declaration of Human Rights forbids the taking of human life with only one exception; that is, when an individual has been tried in a duly constituted court of law and convicted of an offence for which death is the preordained sentence. Not one of the people who died in Iraq was accused of any crime, afforded the right to a trial, legally represented, convicted of an offence or shown any mercy before their lives were extinguished. Premeditated killing such as this is an act of murder and is a criminal offence in Britain (Homicide Act 1977) and throughout the world.

British forces' use of cluster bombs in Iraq was itself a war crime. These weapons are designed as indiscriminate anti-personnel bombs to kill or injure people and they are not effective against military installations. By using cluster bombs, which lie around for years and cause the deaths of innocent children and civilians, the UK government demonstrated that they were intending to kill Iraqis both now and in the future. The wilful killing of civilians in this manner is a war crime and is a criminal offence in English law (ICC Act 2001 Sections 51 and 52 and Schedule 8 Article 8).

Similarly the British use of depleted uranium shells, causing toxic uranium dust particles to disperse and contaminate wide areas of southern Iraq, is a war crime. This horrific act will lead to increases in cancers, premature deaths and miscarriages in pregnant women in Iraq for years to come. Wilfully killing and injuring civilians in this manner is both a crime against humanity (ICC Act Sch. 8 Article 7) and a war crime (ICC Act 2001 Sch. 8 Article 8 sections 2(a)(i) and 2(b)(iv)(xvii)(xviii).

Giving the orders to engage in such acts is conduct ancillary to the offences.

The rather misleading name of the International Criminal Court Act 2001 does not mean that offences committed under the Act must be tried in the ICC in The Hague, rather that, in the event that justice cannot be obtained through the courts of England and Wales, a prosecution can then be brought in The Hague.

There is continuing controversy about the legality of the war in Iraq. Some of the most senior figures in the British legal system have now advanced the view that the war itself was illegal. Given the failure to find any Weapons of Mass Destruction in Iraq, even the dubious justification of pre-emptive self-defence is not available. However, whether or not the invasion of Iraq was legal in international law the conduct of the war by British forces has broken British law:

In Britain everyone is equal under the law and no one escapes it. The ICC Act 2001 applies equally to the Queen, the Prime Minister, High Court judges, military commanders and cabinet ministers. If any of them commits a crime under the Act, then they must be arrested, charged and tried for the offence.

Please let me know what progress you make with your enquiries.

Your faithfully,

Swindon Stop the War Coalition

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