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Attorney Marjorie Cohn reminds us that despite the American Service-Members Protection Act, [U.S. officials are not immune from investigation for war crimes in Afghanistan](#)

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*The doctrine of **universal jurisdiction** permits any country to try foreign nationals for the most egregious crimes, even without any direct relationship to the prosecuting country. That means other nations can bring U.S. leaders to justice for war crimes and crimes against humanity.*

If a full investigation of U.S. officials proceeds, adds Jamil Dakwar, director of the ACLU's Human Rights Program, it "would send a clear signal to the Trump administration and other countries around the world that torture is categorically prohibited, even in times of war, and there will be consequences for authorizing and committing acts of torture."

"The long overdue message that no one is above the law is particularly important now, as the Trump administration ramps up military machinations in Afghanistan and embraces the [endless war with no plan in sight](#)," Katherine Gallagher, a senior lawyer at the Center for Constitutional Rights, said in a statement.

Chief ICC Prosecutor Fatou Bensouda notes the alleged crimes by the CIA and U.S. armed forces "were not the abuses of a few isolated individuals," but rather were "part of approved interrogation techniques in an attempt to extract 'actionable intelligence' from detainees." She added there was "reason to believe" that crimes were "committed in the furtherance of a policy or policies ... which would support U.S. objectives in the conflict of Afghanistan."