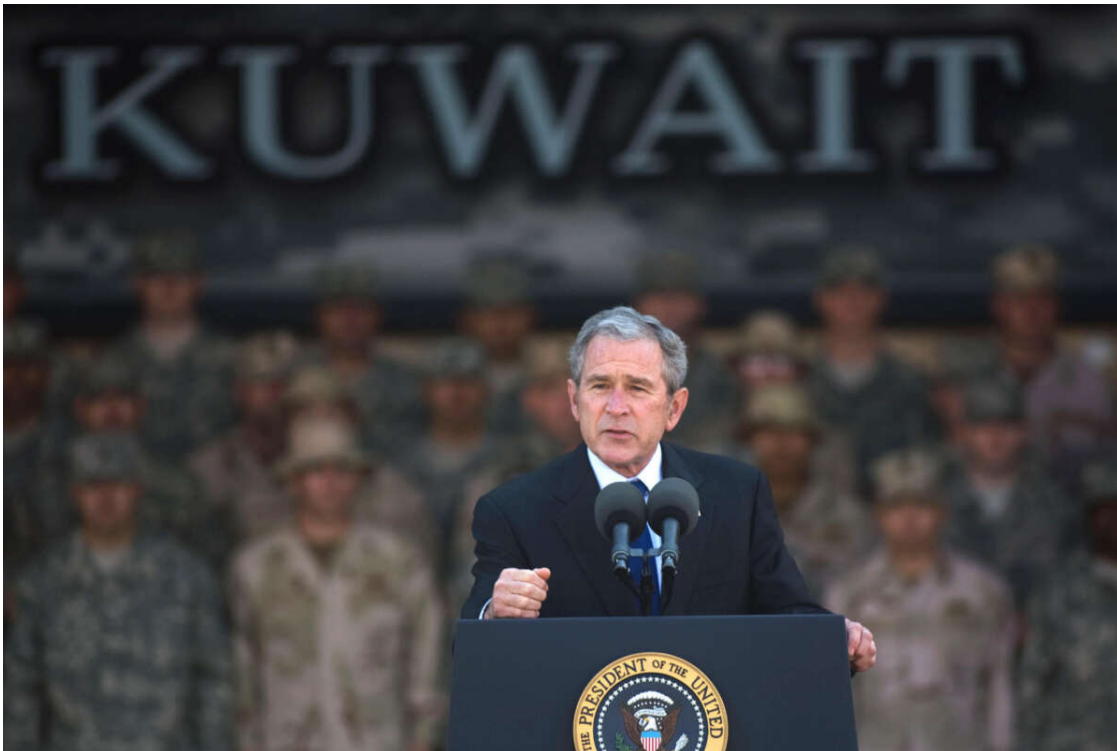


By Marjorie Cohn

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One year after Putin’s invasion of Ukraine, the International Criminal Court charged him with war crimes.



President George W. Bush addresses military personnel and coalition forces at U.S. Camp Arifjan, 35 miles south of Kuwait City, on January 12, 2008.

Mandel Ngan / AFP via Getty Images

Today, Iraqis mark the 20th anniversary of the horrific U.S.-U.K. bombing of Baghdad, dubbed “Shock and Awe.” In rapid succession, “coalition forces” dropped 3,000 bombs, including many that weighed 2,000 pounds, on Baghdad in what The New York Times called “almost biblical power.”

Although they launched an illegal war of aggression and committed war crimes in Iraq, 20 years later the leaders of the U.S. and the U.K. have never faced criminal accountability. By contrast, the International Criminal Court (ICC) has already charged Russian President Vladimir Putin with war crimes just one year after his unlawful invasion of Ukraine. He is the first non-African leader to be charged by the ICC, which frequently succumbs to pressure from the United States.

In what came to be called “Operation Iraqi Freedom,” [173,000 troops](#) from the United States and the United Kingdom invaded Iraq. During the [eight-year war](#), about 300,000 Iraqis and 4,600 Americans were killed. The United States spent \$815 billion on the war, not counting indirect costs. It plunged the country into a civil war and millions of Iraqi refugees remain displaced. Two decades later, not one of the officials responsible has been brought to justice.

Invading Iraq Was an Act of Aggression

Sources within his administration have confirmed that George W. Bush was [planning to invade Iraq and execute regime change](#) long before the September 11, 2001, terrorist attacks. The U.S.-led invasion violated the United Nations Charter, which authorizes countries to use military force against other countries only in self-defense or with approval by the UN Security Council.

The attack on Iraq didn’t satisfy either of these conditions and was therefore an act of aggression. After the Holocaust, the International Military Tribunal at Nuremberg [wrote](#), “To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.”

Like other U.S. military interventions, the rationale for this illegal aggression was based on a lie. Much as President Lyndon B. Johnson used the fabricated Tonkin Gulf incident as a pretext to escalate the Vietnam War, Bush relied on mythical weapons of mass destruction and a nonexistent link between Iraqi President Saddam Hussein and the 9/11 attacks to justify his war on Iraq.

Bush, Vice President Dick Cheney, Defense Secretary Donald Rumsfeld and National Security Advisor Condoleezza Rice [falsely warned that Iraq had weapons of mass destruction \(WMDs\)](#) and Rice invoked the image of a “mushroom cloud” to justify the impending invasion of Iraq. Secretary of State Colin Powell shamefully presented false information about Iraq having WMD to the UN Security Council in February 2003.

In 2002, former UN weapons inspector Scott Ritter confirmed that Iraq had destroyed 90-95 percent of its WMD and there was no evidence that it had retained the other 5-10 percent, which didn’t necessarily constitute a threat or even a weapons program.

Indeed, no WMD were ever found by the UN weapons inspectors before or after Bush’s invasion of Iraq. Moreover, the Bush administration fabricated a connection between Iraq and al-Qaeda notwithstanding the intelligence to the contrary.

The Downing Street Minutes, a transcript of one of Prime Minister Tony Blair’s briefings with British intelligence that *The Times* of London published in 2005, demonstrated that the Bush administration had decided by July 2002 to invade Iraq and carry out regime change. The “intelligence and facts were being fixed around the policy,” the minutes revealed.

Even a 2005 congressional report prepared at the direction of former Rep. John Conyers, Jr. concluded that in spite of intelligence information to the contrary, members of the Bush administration made false statements before the invasion about Iraq having WMD, and linkages between Iraq and al-Qaeda.

Although Team Bush urged the UN Security Council to pass a resolution authorizing its attack on Iraq, the Council refused. Bush and his allies instead cobbled together prior Council resolutions, none of which — individually or collectively — authorized the invasion of Iraq.

Bush justified the attack with his doctrine of “preemptive war.” But the UN Charter only allows a country to use military force in response to an armed attack by another country or with permission of the Security Council. Operation Iraqi Freedom violated the UN Charter and constituted an illegal war of aggression.

War Crimes Committed by the Bush Administration

U.S. forces committed many other war crimes in Iraq, including extrajudicial killings, torture and the targeting of civilians, which are prohibited by the Geneva Conventions; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Covenant on Civil and Political Rights.

Torture and abuse conducted at Abu Ghraib prison in Iraq included the stacking of naked prisoners on one another; photographing prisoners who had been forcibly arranged in sexually explicit positions; keeping prisoners naked for days; forcing male prisoners to wear women's underwear; using snarling dogs; punching, slapping and kicking prisoners; and sodomizing a prisoner with a chemical light and broomstick.

Civilians were targeted as U.S. troops operated under rules of engagement that directed them to shoot everything that moved. In these "free-fire zones" the U.S. also bombed civilian areas and used cluster bombs, depleted uranium and white phosphorus, resulting in massive civilian casualties.

The most notorious free-fire zone was in Fallujah. In April 2004, U.S. forces attacked the village and [killed 736 people](#), at least 60 percent of whom were women and children. In another attack the following November, U.S. troops killed between [581 and 670](#) [civilians](#) in Fallujah.

Another infamous example of extrajudicial killing was the Haditha Massacre in November 2005, when U.S. Marines killed 24 unarmed civilians "execution-style" in a 3-to-4-hour rampage. The U.S. covered up the massacre until *Time* magazine ran a story about it in March 2006.

Documented extrajudicial killings also took place in the Iraqi cities of Al-Qa'im, Taal Al Jal, Mukaradeeb, Mahmudiya, Al-Hamdaniyah, Samarra, Salahuddin and Ishaqi.

These war crimes are not only abhorrent, but punishable under the U.S. War Crimes Act and the U.S. Torture Statute. Yet, although it has been 20 years since the invasion of Iraq, no U.S. leaders have been indicted. The Obama administration's Department of Justice actively decided not to [prosecute](#) anyone for the torture and abuse committed during the Bush regime. Yet it only took one year for the ICC to charge Putin with war crimes in Ukraine.

Last May, George W. Bush accidentally [admitted](#) that his decision to invade Iraq was unjustified. While addressing a crowd at the Bush Presidential Center in Dallas, Bush decried "the decision of one man to launch a wholly unjustified and brutal invasion of Iraq. I mean, Ukraine." He then added under his breath, "Iraq too."

Speaking about the war in Ukraine, President Joe Biden recently [declared](#) the apparent absurdity of "The idea that over 100,000 forces would invade another country — since World War II, nothing like that has happened." Biden apparently forgot about "Operation Iraqi Freedom."

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