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Iran moves to hold war crimes tribunal

Mon, 26 Jan 2009 18:49:12 GMT

The Iranian cabinet introduces a bill to take action on individuals accused of war crimes amid a seeming ceasefire in the Gaza Strip.

The cabinet of Iranian President Mahmoud Ahmadinejad laid out details of the bill on Sunday, discussing methods to track down and prosecute individuals accused of committing or issuing the order for war crimes.

Under the newly-introduced bill, launching a military offensive, killing civilians, employment of weapons of mass destruction (WMD), laying a siege to civilians and military personnel and imposing food shortages on them are regarded as war crimes.

Individuals charged with committing or ordering such crimes, depending on the extent of their involvement, would be sentenced to 10 to 20 years in prison by an Iranian court or would face execution.

Should the bill receive Iran's Majlis (parliament) vote of approval, the country's legislative assembly would then task penal institutions with prosecution of the accused.

Under international law, war crimes are "violations of the laws or customs of war" including murder, the ill-treatment or deportation of civilian residents of an occupied territory to slave labor camps, the murder or ill-treatment of prisoners of war, the killing of hostages, the wanton destruction of cities, towns and villages, and any devastation not justified by military necessity.

The International Criminal Court, a treaty-based court located in The Hague, came into being in 2002 to take legal action against war crimes committed on or after that date.

However, countries like the United States and Israel have so far refused to sign the treaty which created the court and therefore do not permit The Hague to have jurisdiction over their citizens.

While Israel cannot be tried in the International Court of Justice, any country that is a signatory to the Geneva Convention can try to prosecute individuals who took part in the Gaza operation as culpable of war crimes.

The move by Iran's cabinet comes as Israeli Prime Minister Ehud Olmert vowed Sunday to protect any Israeli soldiers accused of war crimes in the Gaza Strip from prosecution overseas.

Speaking at a cabinet meeting, Olmert said, "The commanders and soldiers that were sent on the task in Gaza should know that they are safe from any tribunal and that the State of Israel will assist them in this issue and protect them as they protected us with their bodies during the military operation in Gaza."

The use of controversial chemical white phosphorous shells as well as indiscriminate firing during the offensive in the densely-populated coastal sliver are among accusations the Israeli military is facing.

According to Health officials in the embattled Gaza Strip, 23 days of intense Israeli military operation left more than 1,330 Palestinians dead and some 5,450 others wounded.

Following the shelling of the United Nations Relief and Works Agency headquarters with phosphorus munitions in Gaza, UN officials called for independent probes into whether war crimes were committed during the Israeli offensive.

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An estimated 4,000 homes has been totally destroyed and 17,000 damaged in the three-week war on Gaza.

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