

**SPEECH BY
TUN DR MAHATHIR BIN MOHAMAD
AT THE WAR CRIMINAL CONFERENCE AND EXHIBITION
AT DEWAN MERDEKA, PWTC, KUALA LUMPUR
ON MONDAY, 5 FEBRUARY 2007**

“CRIMINALISING WAR”

1. This is the third in a series of conferences and exhibitions with the theme “Criminalising War”. But apart from this the Perdana Global Peace Organisation has also set up an office and recruited staff so as to correspond and coordinate the work which we think is necessary if this idea of a worldwide effort to change orthodox perceptions of war and peace into one which rejects war totally is to be successful.

2. As I have said over and over again, war is about killing people. Killing people as we all know is regarded as a crime in any human society claiming to be civilised. Even if the killing is justified, it would still be wrong, it would still be a crime, it would still be murder. No one may take the law into his own hands and execute a person even if he is a murderer. That is how strongly we feel about taking someone’s life.

3. Yet civilised human society, including and above all those which claim to be the most civilised and advanced regard the killing of people in war as legitimate. There is a terrible contradiction here. It cannot be that the massive killing of people in war is legitimate and morally right, when the killing of an individual however justified is considered wrong. Either both are right or both are wrong. If we regard the mass killing of people in war as right then the murder of individuals within society must also be right. But we would be horrified if any human society would consider murder as right. Every human society boasting to be civilised would consider murder as a crime, a crime so serious as to warrant the highest penalty. How then can the same society consider indiscriminate mass killings of innocent people, children, old people, sick people and invalids by the hundreds and thousands and millions even, as right, proper and legitimate? Think! Think again!

4. Would you kill a person whom you do not know, who had done you no wrong, in full view of everyone? Would you want to be the victim – being killed in full view of everyone with no one coming to your help because that is the code of the society that you live in? You would want to be neither. You would not want to live in a society that permits you to kill people without retribution that permits other people to kill you also without retribution. You would want to live in another society.

5. But today the community of nations which we call the world, the globalised world continue to condone mass killings of people and, far from punishing the killers, actually rewards the most prolific killers, giving them the right to punish the lesser killers. Would we consider a world which upholds such rights and practises civilised?

6. We talk of human rights. Can there be a greater right than the right to life? Yet the very people, who talk endlessly of human rights in all its permutations, would spend trillions of dollars developing and producing ever more efficient weapons to kill people and at the slightest excuse would actually use them to kill hundreds of thousands of people. And worse still they often do this in the name of human rights. Can there be any greater hypocrisy than this?

7. Such hypocrisy is possible because the human race, the so-called civilised world still accepts that killing people by the thousands and more is a legitimate way to achieve an objective. The objectives are made out to be right, to be noble. But is there anything noble or right when achieving them would require the murder of largely innocent people by the thousands and thousands.

8. When we said that war should be criminalised, many objected. What of wars in self-defence? Surely such wars are legitimate, permissible.

9. I am inclined to agree. I have to agree because we live in an imperfect world, an imperfect civilisation. The war to defend yourself takes place because the offensive war is still legitimate. If there is no aggression what necessity is there for a war in defence. If war or additionally the contemplation of war, or threatening war are considered to be criminal and the leaders are punished, then there would be practically no wars of aggression. But if despite this, wars of aggression still takes place, then wars in defence would be permissible. But in such a case, the international community should go to the defence of the defenders.

10. Others maintain that war has been used to settle disputes for 7,000 years and it is unrealistic to criminalise wars, to abolish wars today. But why are we talking of human rights when we know that our ancestors even a few hundred years ago had no regard whatsoever for human rights. Surely we cannot be bound so rigidly to past values if we expect civilisation to progress. With the passing years civilisation must be marked with greater enlightenment.

11. We conceive the idea of human rights because we think it reflects increasing enlightenment of human civilisation. We have even conceived the idea of animal rights where before there was no such thing. Remember the duels which were once regarded as a way to settle the honour of gentlemen. We don't think so now because we know it is not the righteous and honourable gentleman who would necessarily win. The winner would be the one with skill in fighting, the bully and the rogue.

12. Simply because in the past war was a way of settling disputes between nations does not mean that wars must always be an option in the settlement of such disputes. A hundred years from now would we still be killing people in order to settle disputes between nations? A thousand years from now would we still be killing people to solve our problems? Imagine the killing power of the weapons then. Every time there is a war whole nations could be wiped out. Will the bigger scale of killings be regarded as a measure of the progress and enlightenment of human civilisation? Already, the powerful countries are manufacturing weapons for warfare in outer-space, aptly called "Star-Wars" weapons.

13. Seven thousand years ago wars were fought but they were fought using clubs and sharp sticks. The number of people killed would be quite limited, maybe by the tens or scores or hundreds. Even if the losers were massacred only a few hundreds or thousands would die. That was the scale of genocide 7,000 years ago.

14. But present day wars kill millions of people, mostly innocent non-combatants, children and old people, sick people and invalids, the totally defenceless. Today's wars can wipe out whole cities with hundreds of thousands of people, buildings and all in just 24-hours as happened to Dresden, Germany in the last World War, when it was carpet-bombed. The fireball created sucked up all the oxygen and people in bomb shelters suffocated to death.

15. But we now know that just one bomb, an atomic bomb can vaporise a whole city in one split second as happened to Hiroshima and Nagasaki.

16. The people who devised the bombs and used them were not quite sure of their power. They thought in terms of conventional explosives, where the damage would be confined to a fairly well-defined area and would be of limited duration.

17. Then we learnt that the residual radiation can kill the rescuers who entered the area, through a variety of diseases. Even those who came much later were afflicted with radiation diseases. Now we are learning more about the effects of radiation. It is not limited to any given area. It is capable of spreading thousands of miles, carried by dust and wind. And we are learning that the half life of those radiated particles lasts for centuries, even millions of years as the experts will tell you.

18. The killers will be killed too, for the radiation would reach their countries. And so will their children, and children's children.

19. But now we have depleted uranium, a waste product used extensively by the nuclear powers because it is cheap. But depleted uranium is as capable of producing the particles as would a nuclear bomb explosion. Those who use depleted uranium must know that it pollutes the air not just when and where it is used but is carried to faraway places, including the countries which use it in the attacks against their helpless victims.

20. The nuclear powers are saying that only they can be trusted to possess nuclear weapons. Why? Is it because they are sensible, humane people who would not use their nuclear weapons. Can we trust them? Look at the carnage they caused with their so-called conventional weapons. They have not hesitated to kill hundreds of thousands of people with their conventional weapons. Would they not use their safe nuclear weapons which can kill probably a smaller number of people. Would this not start a nuclear war! Their willingness to use depleted uranium which is a nuclear weapon is not reassuring about their not using their 10,000 nuclear warheads against others. It is even less reassuring when we know they are adding to their nuclear arsenal more and better nuclear weapons. Despite the Nuclear Test Ban the US is still testing.

21. And powerful countries are already manufacturing weapons for warfare in space. The U.S. Space Command in its Blueprint, *VISION 2020*, unequivocally declared that the U.S. will dominate the space dimension of military operations *"to protect U.S. interests and investments – integrating space forces into war-fighting capabilities across the full spectrum of conflict..."*

22. General Joseph Ashy, the former Commander-in-Chief of the U.S. Space Command commented:

"It's politically sensitive, but it is going to happen. Some people don't want to hear this, and it sure isn't in vogue, but – absolutely – we're going to fight in space. We are going to fight from space and we are going to fight into space. That's why the U.S. has developed programs in directed energy and hit-to-kill mechanisms. We will engage terrestrial targets someday – ships, airplanes, land targets – from space. We will engage targets in space from space..."

23. How can we be sure that some day they will not choose a madman to be their leader, who might press the button on the sly? What we have seen lately, leaders lying to their own people and the world in order to go to war, to kill hundreds of thousands of people merely confirms the possibility of mad people being placed in charge of nuclear weapons and other WMD.

24. Can we trust the nuclear powers when they have shown how ready they are to war and kill indiscriminately at the slightest provocation? Yet they are insistent that no one else be allowed to have nuclear weapons. The few countries that have recently acquired the technology can produce only a very limited number of nuclear weapons. These countries are not likely to use their weapons because the nuclear powers would not hesitate to wipe them off the surface of the earth, with conventional or nuclear weapons. So why do the nuclear powers need 10,000 nuclear warheads and why do they need more? What they have is already more than enough to deter weak nations.

25. What we should be demanding now is for the nuclear weapons reduction program to be implemented by the big nuclear powers. In fact, under the Nuclear Non-Proliferation Treaty (NPT) this is the condition precedent, imposed on the nuclear weapons state in order that non-nuclear weapons state forego nuclear weapons. But the nuclear powers refuse to accede to the condition precedent. How do they expect others to comply with the NPT? They have no moral right to stop other countries from developing nuclear weapons.

26. In any case, why should the nuclear powers have the right to deter attacks against their countries when other countries cannot deter attacks by nuclear powers? Are only the lives, the property and the countries of the nuclear powers' worthy of protection and saving while the lives, the property and the countries of the non-nuclear powers are deserving of no protection? Do we have first class and second class

human beings and the latter have less rights to their lives. Are Muslim third class world citizens that they in particular should have no nuclear weapons? What is their record? Have they used nuclear weapons? Have they used depleted uranium?

27. We are seeing today what the mind controllers of the powerful call a War Against Terror. Which came first – attacks and invasion/occupation by the powerful against weak countries or so-called terror attacks by irregulars against their attackers and oppressors? Clearly it is the attacks against weak people that preceded the so-called terror attacks. And the attacks against weak countries are no less terrifying to their people than the attacks by the weak against the strong. The attacks by the weak represent their retaliation against the strong and not the other way round as is made out by the controlled international media today.

28. The reason why those primitive attacks were mounted by the weak is clear. Not having the capacity to reply in kind, not being able to fight a quote unquote conventional war, the weak resorted to whatever weapons and counter attacks that they could. The damage and deaths caused by the terrorists, even if we include the destruction of the World Trade Centre are far less than those caused by their powerful oppressors. For the suicide pilots killing 3,000 people, 600,000 Afghans and Iraqis have been killed and will continue to be killed.

29. I do not think we should sanction terror attacks but neither can we sanction the cruel retaliation by powerful countries and their proxies against the puny attacks by their victims. The terror caused by the powerful countries with their rockets, missiles and bombs cannot be said to be less than that caused by a suicide bomber. The terror caused is actually greater and the powerful countries are much more terrorists than the suicide bombers. For as long as we believe killing people is a way of solving disputes, there will be terror attacks by both sides. War is nothing more than legitimised terrorism.

30. Today's wars have no boundaries. Today's wars must be classified as World Wars. This is because the nuclear weapon used by the powerful countries damage and kill well beyond the war zone. Even the depleted uranium weapons do this. And in the same way the retaliation by their victims is also not confined to the war zone. The terrorists can attack anywhere in the world. New York and Bali are far from the sites of the present war. But we know they can receive the spill over. The war and the threat of war, nuclear, or conventional or suicidal attacks can happen anywhere. The expensive security measures simply increase the

cost of doing everything but cannot guarantee attacks will not take place. If not today, tomorrow, the year after, the decade after. The moment security is relaxed there will be bombs exploding.

31. Unless war is made illegal the whole world will have to endure an endless state of war between the powerful and the weak. There would be no security for anyone whether involved or not involved. There would be no place in the world that would be safe. Instead of diminishing, instead of peace we are going to see endless escalating wars with ways of killing and destruction we cannot always anticipate or prepare for. Possessions of nuclear weapons will deter no one, will provide no safety. For security the nuclear weapons will be quite useless. The nationals of these nuclear powers can be attacked and killed anywhere in the world. Issuing travel advisories simply make prisons of their own countries. Of what use is world power and hegemony if you cannot even see the countries and the world you hegemonise. The more security checks and retaliatory attacks you mount, the greater will be the anger and hatred, the more will your people be the targets of unpredictable attacks, even if we discount the increasing cost of everything we do.

32. We are called upon to join in a war against terror. But a war against terror cannot be won – simply because the terrorists are faceless. They can act individually or in small independent groups. You may be able to identify some but some will be there sitting beside you and you will not know it.

33. In Malaysia we fought against people who used terror tactics and we won. We did not win through force alone but through winning the hearts and minds, firstly of the sympathisers and supporters and then of the insurgents themselves. Indeed it was the hearts and minds that won the day. We value the sacrifices made by our security forces but they know that the battle for the hearts and minds of the enemy saved many of their lives, and helped us win the war. The most effective action was removal of the causes.

34. The war in the Middle East will be an endless war unless the hearts and minds of the people there are won. And they can only be won if the big powers are willing to admit the root causes of the conflict and remove them. When you are wrong, admit you are wrong. Being in denial helps neither you nor anyone else. Sending in more troops simply creates more targets.

35. But even as we seek a solution to the war in West Asia, we have to struggle to render wars as illegal unless sanctioned by the international community. Force may be used only if the international community concludes that brutish regimes like those of Pol Pot or Radovan Karadic need to be removed. But sanctions and other acts must be exercised not by the Security Council but by the General Assembly of the United Nations. And it should not be by unanimity. This is an important caveat, as we have seen how the powerful countries, abuse their vetoes, rendering the Security Council useless. The only other justification for the use of military force is when a country is attacked and has to defend itself. In such a situation the international community must go to its defence. No country should on its own, decide to go to the defence of an attacked country.

36. In the 7,000 years of human civilisation, we have seen progress in almost every field. Certainly in terms of quality and regard for human rights there have been vast improvements. As I have said even the death penalty has been abolished in many countries.

37. But in the 7,000 years of human civilisation, wars have become less and less human. We pay only lip-service to the Geneva and other conventions. In fact in the war on Iraq the U.S. actually claim that international conventions do not apply. As a result they kill ever more people. We disregard their status as combatants or non-combatants. We have enlarged the theatre of war so as to cover whole countries. And now, we are again seeing a return of the old bestiality, the old brutish ways. People are being taken prisoners or detained indiscriminately. They are being tortured, humiliated, treated like animals, with no rights to seek legal redress. Their status as prisoners of war is ignored. Only recently, the United States Congress at the urging of President Bush enacted the Military Commission Act 2006, legalising torture and providing immunity to those who commit torture. The Dark Ages have come back.

38. President Bush asked, "Why do they hate us?" But the victims of Bush's and Blair's war crimes, have more right to ask "Why do Bush and Blair hate us so much, that they are willing to sanction the barbaric torture of men, women and children in prisons such as Abu Ghraib and Guantanamo Bay?" The victims have come to this conference to testify about the horrors that they had to endure. You will hear the evidence about women being raped in front of their husbands, and men raped in front of their families. The purpose apparently being to humiliate and make them totally subservient. Bush and Blair have nuclear and non-nuclear weapons to make them the most powerful leaders in the world.

But they still resort to primitive torture. Does this not prove that nuclear weapons are useless? Does this not show that war makes brutes of ordinary people?

39. Clearly our modern wars are worse than the old wars. We are less human, and less humane. We have brought out the beast in our soldiers. In terms of war, our civilisation has regressed, has become more and more primitive. Leaders of the so-called progressive and presumably civilised world have lied, have conspired to kill and to destroy with no respect for anything. The ancient civilisation of Babylon lie now in ruins as savage and ignorant soldiers show no regard for human heritage. We are sliding further and further back in the conduct of our wars. It makes nonsense of our claims that we are today more civilised than our forebears. Only hypocrites can say this. Unfortunately, hypocrites have been elected to rule the world. It does not speak well of the people who elected and re-elected them. It does not speak well of democracy, for which people are being killed in an ill-conceived war.

40. I believe there are enough good people in this world willing to criminalise war, to eliminate war as an option. Even the people in the most belligerent country in the world are not all for war. The majority, if they know that what their Government is doing is undermining their own security, is in fact exposing them and their children to diseases, would be against war. If they are supporters of the wars their countries are fighting now it is because they are ignorant, ignorant of the true situation, the true causes and the diseases which they are being exposed to.

41. The first move in the struggle for peace is to ensure that people know the truth about war, about the dangers which even the attackers and the victors would be exposed to.

42. We know the media is owned and controlled by the warmongers. The majority of them would support wars, would invent excuses for wars, would lie to encourage wars. They would ignore this conference and exhibition or would lie about what we are doing. We have to have our own means of contact and communication, our own network to counter their war propaganda and lies.

43. We have to build a base for spreading the word, the idea that wars are crimes against humanity, that those who resort to wars in furtherance of their ideology or agenda are common criminals and must be labelled as such and punished.

44. The first move must be the establishment of a worldwide network of Non-Governmental Organisations (NGOs) for peace, to encourage peace activists everywhere, to talk peace and the criminalisation of war, to physically obstruct war and the preparations for war, to condemn the military industrial complex, to do everything possible to gain support for the movement to make war a crime in the statute books of the international community.

45. In the countries where Governments are elected the anti-war activists and supporters must campaign in favour of candidates who renounce war. Such campaigns are especially important in the militarily powerful countries. We must make sure that only anti-war candidates get support for Presidency and Prime Ministership, and for all legislative bodies. We must ignore other attributes or promises made by the candidates and single-mindedly and solidly support anti-war candidates.

46. The anti-war people may be a minority but we have seen how a small minority in the United States can actually determine that only candidates endorsed by them would be elected. If the anti-war voters want to they can achieve the same results. Only if the leaders elected are pacifists and subscribe to our creed will there be peace in this world; will the criminalisation of war be possible. It may take a long time. Rome they say was not built in a day. Creating a world free of war, a world where the rule of law govern the behaviour of nations, where the weak and the strong can co-exist may not take as long as it took to build Rome. But it would still take considerable time.

47. This conference and exhibition that we are holding and participating in is not a propaganda effort on behalf of anyone. It is intended to make us understand the horrors of war, the killings and the brutality. And understanding what war is capable of doing to us, and more so in the future, hopefully would galvanise us into taking action.

48. We need to spread the word to all parts of the world. We need to gain support. We need to gather groups of activists and NGOs for peace, for the criminalisation of war in all the countries of the world. We need to work out strategies and we need to act and to sustain our campaign for as long as it takes.

49. What we are trying to do is honourable and noble. Civilisation would be more meaningful if war, killings and destruction is no longer an accepted option in solving disputes between nations. Until war is criminalised we would not be truly civilised.

50. It is in pursuance of this that we must set up a permanent tribunal recognised by the victims of aggression and right-minded people and empowered by them to hear the charges levelled at the warmongers, the leaders and Governments of aggressor nations, to determine their innocence or guilt and to prescribe punishment. Thus the tribunal must be made up of respected international jurists who would have no personal or national interest in the matters referred to them, whose judgement must be based on evidence and not sentiment. We cannot accept that the victors have a right to judge the crimes of the vanquished. That would be a travesty of justice.

51. We appreciate that the Tribunal we set up will have no power of enforcing its punishment. The people tried may be too powerful. But we should not be daunted by this. We should find ways and forms of punishments that are within our capacity until such time when the International Community respects and upholds the jurisdiction of the Tribunal.

52. We are seeing today examples of the form of punishment that can be meted out. Bush and Blair are now totally reviled and condemned by the world and by their own people. To a certain extent they have been tried and sentenced by their own people and media. It was a trial in absentia. The Tribunal that we set up can conduct a proper trial even if the accused are not present. A respectable and totally impartial Tribunal applying recognised laws will surely find its findings respected by the world just as the world respects the Nobel Laureates for example.

53. As to the punishment, these people if found guilty should be labelled "War Criminal" by everyone. Today we see countries enacting laws to punish crimes or wrong-doings perpetrated in other countries, enacting extra-territorial laws. We may not be able to get Governments of countries to enact laws to label the War Criminals. But the NGO's, the sympathetic media can append the label "War Criminal" whenever their names are mentioned.

54. People and the NGO's for peace should make these War Criminals feel unwelcome wherever they go. They should be literally hounded. They should have full frontal and profile pictures put up everywhere as war criminals. And historians should always refer to them as War Criminals in history books.

55. All leaders, especially leaders of powerful nations hope to be remembered, to go down in history as great men, to be identified with great deeds. War criminals tried and found guilty by the Tribunal should be remembered for the crimes against humanity, for the people they kill, the destruction they wrought. They should be labelled as such and mentioned in history books as war criminals, always and forever.

56. They should be accorded the names they deserve for the evil deeds they had committed. Prime Minister Blair regretted the hanging of Saddam Hussein but at the same time, reminded people not to forget that Saddam was the Butcher of Baghdad. What is Blair if not the Co-Murderer of 500,000 Iraqi children and the liar who told the British that Saddam had WMD which could be launched against Britain within 45 minutes.

57. History should remember Blair and Bush as the Killer of Children or as the Lying Prime Minister and President. What Blair and Bush had done is worse than what Saddam had done. We should not hang Blair if the Tribunal finds him guilty but he should always carry the label War Criminal, Killer of Children, Liar. And so should Bush and the pocket Bush of the bushlands of Australia.

58. There are conventions such as the Geneva Convention but the crimes identified so far are inadequate to cover the crimes of the warmongers, the wars they wage and the brutalities they commit or cause to commit during the war.

59. The best jurists in the world must be assembled to draft laws making warring criminal, making sanctions criminal, the use or production of depleted uranium in weapons and other WMD as criminal. And from time to time, to add to the list.

60. The punishments for these crimes must be spelled out in as great a detail as possible.

61. The enforcement of the findings and the enforcers should be identified. They will not be Government's until the big powers learn to respect international laws. But the people as represented by various organisations and NGOs will carry out the punishment.

62. Laws, the concept of law and punishment, the jurisdiction of laws change with the times. Now certain nations enforce their laws extra-territorially. The U.S. invaded Panama to capture Noriega and to bring him before a U.S. court for trial and punishment under U.S. laws.

63. Clearly concepts of laws, justice and jurisdiction of national laws have changed. It is proper therefore for laws to be enacted not by the Government but by people and organisations in the case of criminalising war.

64. The jurists should have no qualms about the unorthodox laws they should draft or the kind of punishment they should prescribe. In a world where powerful countries can decide on regime change for other countries, the laws that are designed to criminalise wars are no more unusual than the regime change laws, the laws to legitimise the attacks against Afghanistan and Iraq, the extra-territorial laws. They are as legitimate as can be, these laws of the people.

65. This conference initiated by NGO's should therefore go ahead and propose the setting up of an international war crimes tribunal as part of the efforts to criminalise war.

66. This conference should agree to invite international jurists of repute to study, discuss and decide the form the Tribunal should take, to propose the laws and the jurisdiction and other related matters.

67. And the Tribunal should be tasked with trying in absentia if necessary the war criminals as identified by the victims and the peoples of the countries which have suffered from the attacks ordered by the leaders of the countries identified.

68. Present at this conference are not only the activists and the experts on weapons and war crimes as well as those who proposed the criminalisation of war but also the people who have been tortured, the victims who had survived massacres, the people who suffer from radiation sickness and disease, and others. There are many more we cannot bring and they include the monster babies born to mothers suffering from radiation. But the exhibition we have put up should make up for our failures.

69. Let me say once again war is a crime. It is primitive and not in keeping with the stage of our civilisation. It is our bounden duty to make war illegitimate, to make war a crime. Please help us in this effort for a better, more secure and more peaceful future.

70. A journey of a thousand miles begins with the first steps. We have taken many steps. Let us march forward in this struggle to achieve true civilisation, to criminalise war.