

**JAMES C. RYAN, Ph.D.**

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6 October 2014

The Honorable Fatou Bensouda  
Office of the Prosecutor  
International Criminal Court  
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The Netherlands  
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Dear Ms. Bensouda:

Please accept my personal compliments. I have the honor to file with you and the International Criminal Court (ICC) this Criminal Complaint against

- **U.S. citizens** Barack Hussein Obama, Hillary Rodham Clinton, John Forbes Kerry, John Owen Brennan, Michael Joseph Morell, David Howell Petraeus, and Leon Edward Panetta;
- **Turkish citizens** Recep Tayyip Erdoğan, Ahmet Davutoğlu and Hakan Fidan;
- **Saudi Arabian citizens** King Abdullah bin Abdulaziz and Prince Saud al-Faisal;
- **Qatari citizens** Tamim bin Hamad Al Thani, Abdullah bin Nasser bin Khalifa and Al Thani Hamad bin Khalifa Al Thani;
- **Jordanian citizens** Abdullah II ibn al-Hussein and Abdullah Ensour;
- **Croatian citizens** Ivo Josipović and Zoran Milanović;
- **Belgian citizen** Elio Di Rupo;
- **Bulgarian citizens** Boyko Borisov, Marin Raykov Nikolov and Plamen Vasilev Oresharski;
- **French citizen** François Gérard Georges Nicolas Hollande;
- **Great Britain citizen** David William Donald Cameron;
- **Romanian citizens** Traian Băsescu and Victor-Viorel Ponta

for their criminal policy planning, subsequent crimes against humanity and ongoing crime of aggression in Syria.

I accuse the above listed individuals of planning, preparing, initiating and executing an act of criminal aggression resulting in the commission of grievous crimes against humanity. These crimes are both “widespread” and “systematic” within the meaning of Rome Statute article 7(1). Therefore the Accused have committed the “Crime of Aggression” by supporting and arming brutal and bestial mercenaries in violation of Rome Statute articles 8(2)(a), 8(2)(b), 8(2)(d), 8(2)(f) and 8(2)(g). Furthermore, the Accused have committed numerous “Crimes against Humanity” in flagrant, repeated and longstanding violation of Rome Statute articles 5(1)(b), 7(1)(a), 7(1)(b), 7(1)(d), 7(1)(e), 7(1)(f), 7(1)(g), 7(1)(h), 7(1)(i), and 7(1)(k). Finally, the Accused’s Rome Statute Crimes Against Humanity as specified above constitutes ongoing criminal activity that continues today.

Neither United States, Turkey, Saudi Arabia nor Qatar are contracting parties to the Rome Statute. Nevertheless, they have ordered and were responsible for the commission of ICC statutory crimes on, in, and over the respective territories of several ICC member states, Jordan, Belgium, Bulgaria, Croatia, France, Great Britain and Romania. Therefore, the Court has jurisdiction over these non-signatory nations for their ICC statutory crimes in accordance with Rome Statute article 12(2)(a) which provides the Court with the jurisdiction to prosecute for ICC statutory crimes committed in ICC member states. Rome Statute Article 12(2) provides as follows:

## **Article 12**

### **Preconditions to the Exercise of Jurisdiction**

2. In the case of article 13, paragraph (a) or (c), the Court may exercise its jurisdiction if one or more of the following States are Parties to this Statute or have accepted the jurisdiction of the Court in accordance with paragraph 3:

(a) The State on the territory of which the conduct in question occurred or, if the crime was committed on board a vessel or aircraft, the State of registration of that vessel or aircraft;

So the fact that United States is not a contracting party to the Rome Statute is no bar to the ICC's prosecution of the Accused because it has ordered and been responsible for aiding and abetting the commission of Rome Statute Crime of Aggression and Crimes against Humanity on, in, and over the respective territories of several ICC member states. Hence the provisions of Article 25 (3) apply.

Consequently, I hereby respectfully request that the Court exercise its jurisdiction over the Accused for these Crimes against Humanity in accordance with Rome Statute article 13(c), which provides as follows:

## **Article 13**

### **Exercise of Jurisdiction**

The Court may exercise its jurisdiction with respect to a crime referred to in article 5 in accordance with the provisions of this Statute if:

(c) The Prosecutor has initiated an investigation in respect of such a crime in accordance with Article 15.

Pursuant to Rome Statute Article 13(c), I hereby respectfully request that you initiate an investigation *proprio motu* against the Accused in accordance with Rome Statute Article 15(1): "The Prosecutor may initiate investigations *proprio motu* on the basis of information on crimes within the jurisdiction of the Court." I submit that my detailed Complaint against the Accused, entitled *Criminal Carnage in Syria by the Criminal Cabal for Perpetual War*, constitutes sufficient "information" as required by Article 15(1).

Furthermore, I respectfully submit that this Complaint by itself constitutes "a reasonable basis to proceed with an investigation" under Rome Statute Article 15(3). Hence, I also respectfully request that you formally "submit to the Pre-Trial Chamber a request for authorization of an investigation" of the behavior of the above named persons under Rome Statute Article 15(3). I also respectfully request that you please inform me at your earliest convenience about the status and disposition of the above two requests.

Importantly, pursuant to Article 27, those accused who operate in an official capacity as heads of state, members of government or government official are neither exempt from criminal responsibility nor enjoy any immunity that constrains the Court's jurisdiction. Furthermore, Article 29 affords no provision for invoking any claims regarding statute of limitations.

Finally, for reasons more fully explained in my Complaint, I respectfully request that you obtain ICC arrest warrants for the Accused in accordance with Rome Statute Article 58(1)(a), Article 58(1)(b)(i), Article 58(1)(b)(ii), and Article 58(1)(b)(iii). The sooner, the better for all humankind. The sooner the better that the legal battle against impunity begins.

Ms. Bensouda, I greatly admire your lifelong efforts that promote the rule of law as the way to peace. The horrors of today show the irreversible correctness of your approach. Regrettably, we now see the awful truth—as law declines, war expands, a simple, deadly inverse relationship. A half-century ago President John F. Kennedy spoke of peace as “the necessary, rational end of rational men.” Today, I fear we are closer to the unnecessary end of rational men. Only one thing seems clear—only the law can save us. The poet Yeats put it best about these times of bloody chaos—“the best lack all conviction, while the worst are full of passionate intensity.” That may well be, but for me this Criminal Complaint is filed with absolute conviction and overflows with passionate intensity.

Eight years ago, I and fellow classmates founded groups called **West Point Graduates Against the War** (<http://wpgaw.org/>) and **Service Academy Graduates against the War** (<http://sagaw.org/>). These organizations still exist. Sadly, so does the war. We sought to help reclaim the honor of the United States. We spoke out against the illegality of that so-called war, a war founded on lies and misrepresentations. We cited the numerous crimes and violations of the Bush administration. We encouraged impeachment. And things have only worsened. That war has grown like a monstrous, virulent cancer. That war remains illegal. All the spilled blood cannot wash that fact away. That war remains hopeless. It slaughters millions without a thought. It maims and uproots millions. Today, the violence continues unabated, as do the lies, the deceptions and the duplicities. And now fanatical mercenary armies, armed, clothed, equipped and paid by America and its “allies” run riot throughout the blood-drenched Middle East. Men, women, children—humanity itself!—are being slaughtered. Without doubt, the International Criminal Court is the last resort for rational men and women. And time is of the extreme essence. There is little need to explain why. Lawlessness, violence, lying, horrendous atrocities, we see them all the time, everywhere, every day. Now is the time to enforce the law. We are at the brink. Our existence hangs upon the scales of justice.

This so-called war against terror has gone mad. Now, caught in one of the biggest, deadliest fiascos in history, the Obama administration is bombing the very same terrorists they are/were supporting. As Joseph Heller wrote in *Catch-22*, “Insanity is contagious.”

Your opening an investigation relevant to this Complaint will, hopefully, have a dramatic effect. There may be a public outcry. There may be a public vilification of the criminally flawed policies that have so enflamed the world into this black-minded “perpetual war.” Indeed your opening an investigation could very well save the lives of a vast number of human beings.

You and the ICC judges are the only people who can bring some degree of justice, closure, and healing to this dire, tragic escapade. The lives and well-being of countless human beings are at stake, all victims of the Crime of Aggression and Crimes against Humanity. On behalf of them all I beseech you to open an investigation into the details of my Complaint.

The perpetrators of these crimes deserve to be constrained and punished. I submit this Criminal Complaint in my own name, as a spiritual citizen of a wider world, unaffiliated with any group or institution. Of course, I welcome any support from any and all parties who chose to share in this endeavor to, at long last, bring justice and peace to a hemorrhaging planet.

This transmission letter is an integral part of my Complaint against the Accused and is hereby incorporated by reference into the attached Complaint dated as of today. Ms. Bensouda, please be assured of my highest regards and respect.

Sincerely yours,

James C. Ryan, Ph.D.  
Istanbul, Turkey  
6 October 2014

***For in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's futures. And we are all mortal.***

**John F. Kennedy  
10 June 1963**