

Comments of Marjorie Cohn at press conference

The jurors in the Merchants of Death War Crimes Tribunal found that the 4 defendants aided and abetted the U.S. government in the commission of genocide, war crimes, and crimes against humanity under the Rome Statute of the International Criminal Court.

The Defendants aided and abetted crimes against humanity by producing, providing, and promoting weapons that they knew were being used against civilian populations in Afghanistan, Iraq, Somalia, Syria, Yemen, and the occupied Palestinian territories.

The Defendants aided and abetted war crimes of willful killing of civilians, infliction of great bodily injury of civilians, and the attacks on humanitarian facilities in the war zones of Yemen, Syria, the Occupied Palestinian Territories, Afghanistan, Somalia, and Iraq.

In the occupied Palestinian territories, the Defendants aided and abetted the commission of genocide by supplying weapons that were knowingly being used against a national, ethnic, or religious group with the intent to destroy that group.

In AFGHANISTAN, the defendants provided weapons systems, parts and services for those systems and munitions that they knew or should have known:

Would be used to undertake a war of aggression against the sovereign nation and people of Afghanistan, to illegally overthrow their government and to occupy their country in violation of international law, and

Would be used to support military action that would directly kill, maim and traumatize civilians, causing them to flee the protection, support and comfort of their homes and communities and preventing them from securing the food, shelter and medical care essential for their survival, particularly in the face of widespread drought and hunger.

In IRAQ, the Defendants played a significant role in destroying the country of Iraq, killing hundreds of thousands of civilians and ruining the lives of millions of Iraqis. The U.S. bombing and ground invasion killed 7,186 Iraqis in March and April 2003, the highest number of civilians killed in a two-month period for the entire war. In the massive U.S. air assault on Iraq that started on March 20, 2003, aircraft, bombs and missiles produced by Lockheed Martin, Boeing and RTX/Raytheon were used.

In GAZA, U.S. weapons manufactured by the Defendants have been used repeatedly by Israel during its commission of genocide, war crimes and crimes against humanity, including during

the ongoing genocidal campaign for the past 15 months. Israel has killed at least 45,000 Palestinian people and decimated the infrastructure.

From December 2008-January 2009, Israel conducted Operation Cast Lead. They used DIME weapons, which are dense inert metal explosives carried by Hellfire missiles made by Lockheed Martin, that release micro-shrapnel with the capacity to kill and injure large numbers of people nearby. Israeli forces deliberately targeted civilian objects and failed to take precautions to minimize civilian casualties, thereby violating international law. Israel also illegally used white phosphorus on civilians, a jellied munition similar to napalm which burns human flesh to the bone.

In 2014, Israel, using U.S.-supplied weapons manufactured by Defendants, launched another assault on Gaza, targeting homes, hospitals and schools, killing over 2,200 Palestinians, including more than 500 children.

In its frequent military offensives against Gaza, the Israeli military uses Raytheon and Lockheed Martin bombs and missiles.

In SYRIA, Munitions manufactured by Boeing, RTX/Raytheon and Lockheed Martin have been used to kill thousands of Syrian civilians through carpet bombing and artillery-delivered white phosphorus.

In YEMEN, bombs made by Lockheed Martin were dropped by U.S.-made planes flown by U.S.-trained pilots.

The consequences of the war in Yemen have been disastrous. More than 24,000 people have died in indiscriminate air strikes, including nearly 9,000 civilians. Marketplaces, water treatment facilities, hospitals, a school bus, a wedding, and a funeral were bombed.

The jurors urge countries around the world to prosecute the CEO's of the four defendants under the well-established principle of universal jurisdiction. Universal Jurisdiction refers to the authority of national judicial systems to investigate and prosecute the most serious crimes under international law no matter where they were committed, and regardless of the nationality of the suspects or their victims.

Some of the laws that can be used in universal jurisdiction prosecutions are the Genocide Convention, the Genocide Convention Implementation Act, the Alien Tort Statute and the Torture Victim Protection Act. The Leahy Law prohibits aid to foreign security forces that have committed a gross violation of human rights. The Foreign Assistance Act of 1961 and the Arms Export Control Act prohibit U.S. assistance to

countries whose governments engage in a consistent pattern of gross violations of internationally recognized human rights. The Conventional Arms Transfer policy, which prohibits U.S. weapons transfers if they risk facilitating human rights violations.

It has been my privilege to serve as a juror on this important tribunal. I hope our findings will be helpful in the struggle for peace and justice.