

COMAR LAW

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December 5, 2014

VIA FIRST CLASS MAIL

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Re: *Global Legacy Award to Former Prime Minister Tony Blair*

Dear Save the Children:

My office writes on behalf of Felicity Arbuthnot, Michel Chossudovsky and Denis Halliday in response to the Global Legacy Award (the "Award") given by Save the Children to former Prime Minister Tony Blair on November 19, 2014, formally requesting that Save the Children rescind the Award forthwith. Due to public debate on this issue, we intend to make this letter public.

Save the Children's notable legacy as a defender of children, internationally, has suffered unquestionable damage – perhaps permanent damage – as a result of the Award to Mr. Blair, and we write to request that Save the Children immediately rescind it. Failure to do so would place Save the Children in the unfortunate and even tragic position of honoring an individual who has been personally responsible for the intentional deaths of tens of thousands of children in the Middle East and the continued suffering of thousands more.

As you may be aware, in March 2003, Mr. Blair, while Prime Minister, likely participated with several high-ranking United States leaders in committing the crime of aggression against Iraq. The crime of aggression is the "supreme international crime," as declared by the Nuremberg Tribunal in 1946. In addition to being prohibited by international law, the crime of aggression is a

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crime also defined by the International Criminal Court in the Hague, over which it may have the opportunity to exercise jurisdiction in the coming years. “Resort to a war of aggression is not merely illegal, but is criminal.” *United States v. Hermann Goering, et al.*, 41 AM. J. INT’L L. 172, 186, 218-220 (1946); *see also* Charter Int’l Military Tribunal, art. 6(a), Aug. 8, 1945, 59 Stat. 1546, 82 U.N.T.S. 279.

As you may also be aware, in 2004, Secretary General Kofi Annan declared the Iraq War illegal and in contravention of the United Nations Charter.¹

In 2006, a former prosecutor at the Nuremberg Trials, Benjamin Ferencz, stated that the Iraq War was a “clear breach of law.”² “There’s no such thing as a war without atrocities, but war-making is the biggest atrocity of law.”

In 2010, a Dutch inquiry concluded that the Iraq War had no basis in international law.³

In 2010, Hans Blix, the former chief weapons inspector for the United Nations, stated that it was his “firm view” that the Iraq War was illegal.⁴

In 2012, judges empanelled before the Kuala Lumpur War Crimes Tribunal, an independent commission headed by former judges and involving input from several international law scholars, concluded that a prima facie case existed that Mr. Blair committed the crime of aggression against Iraq. The tribunal reported its findings to the International Criminal Court in the Hague and entered the name of Mr. Blair in its “Register of War Criminals.”

Also writing in 2012, Archbishop Desmond Tutu summarized that the “immoral” invasion, “premised on a lie,” has “destabilized and polarised the world to a greater extent than any other conflict in history,” and questioned why Mr. Blair was not “made to answer” for his actions in the Hague.⁵

In 2013, an Iraqi woman filed a lawsuit in the Northern District of California alleging that US officials committed aggression in planning and executing the Iraq War. The case, *Saleh v. Bush, et al.* (N.D. Cal. Mar. 13, 2013, C 13 1124 JST), is currently awaiting the decision on a

¹ “Lessons of Iraq war underscore importance of UN Charter – Annan”, *UN News Centre*, September 16, 2004, available at <http://www.un.org/apps/news/story.asp?NewsID=11953&#.VHYIN4ccE2A> (last accessed December 5, 2014).

² “Could Bush Be Prosecuted for War Crimes?”, Jan Frel, *AlterNet*, July 9, 2006, available at http://www.alternet.org/story/38604/could_bush_be_prosecuted_for_war_crimes (last accessed December 5, 2014).

³ “Conclusions on the Committee of Inquiry on Iraq,” Permanent Mission of the Kingdom of the Netherlands to the United Nations, available at <http://netherlandsmission.org/article.asp?articleref=AR00000874EN> (last accessed December 5, 2014).

⁴ “Iraq inquiry: Former UN inspector Blix says war illegal,” *BBC News*, July 27, 2010, available at <http://www.bbc.co.uk/news/uk-politics-10770239> (last accessed December 5, 2014).

⁵ “Why I had no choice but to spurn Tony Blair,” Desmond Tutu, *The Observer*, September 1, 2012, available at <http://www.theguardian.com/commentisfree/2012/sep/02/desmond-tutu-tony-blair-iraq> (last accessed December 5, 2014).

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motion to dismiss brought by the United States government.

In May 2014, former Prime Minister John Major urged Mr. Blair to seek publication of all his pre-war communications concerning the Iraq War. To this day, the Iraq War Inquiry headed by Sir John Chilcot has been forced to negotiate as to what communications it can and cannot release in its report.⁶

In light of Save the Children's purported mandate to assist children around the world, particularly in poor countries, what justifies providing this Award to an individual who is directly responsible for an almost certainly illegal war – amounting to the “supreme crime” under international law – and the direct and indirect cause of the suffering of millions of Iraqis and their children? We wonder: was there any consideration to the potential for threats against Save the Children staff and families now living in Iraq or in other countries in the Middle East, where today there is a humanitarian catastrophe that is a direct result of the 2003 Iraq War and subsequent occupation? Was there any consideration to the optics of giving this Award to Mr. Blair in light of the fact that many of Save the Children's current management – including Jonathan Forsyth, Jonathan Powell, Sam Sharpe and Fergus Drake – have intimate ties with Mr. Blair and his government? Was there any consideration to the moral paradox of providing this Award to a person whose destitute victims are concurrently succored by Save the Children staff?

We are certainly not alone in asking these questions. As of this writing, close to 120,000 people have signed a petition asking for Save the Children to rescind the Award to Mr. Blair.⁷

Please confirm that Save the Children will rescind the Global Legacy Award forthwith.

Very truly yours,

D. Inder Comar, Esq.
of COMAR LAW

cc: Miranda Pinch (Petition)
Krista Armstrong (Media, Save the Children)
Foreign Affairs Committee of House of Commons
The Iraq Inquiry
UNICEF

⁶ “Chilcot Inquiry: John Major urges Blair to get Bush conversations published,” Lizzie Dearden, The Independent, May 30, 2014, *available at* <http://www.independent.co.uk/news/uk/politics/chilcot-inquiry-john-major-urges-blair-to-get-bush-conversations-published-9459173.html> (last accessed December 5, 2014).

⁷ “Ask ‘Save the Children’ To Revoke Their Annual Global Legacy Award Given To Tony Blair,” *available at* <https://you.38degrees.org.uk/petitions/stop-save-the-children-charity-from-giving-tony-blair-their-annual-global-legacy-award> (last accessed December 5, 2014).

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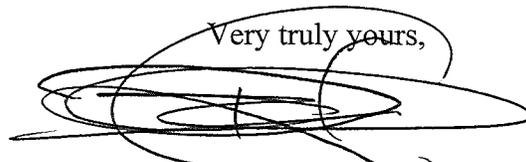
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⁷ “Ask ‘Save the Children’ To Revoke Their Annual Global Legacy Award Given To Tony Blair,” *available at* <https://you.38degrees.org.uk/petitions/stop-save-the-children-charity-from-giving-tony-blair-their-annual-global-legacy-award> (last accessed December 5, 2014).